



CITY OF BEACON, NEW YORK
ONE MUNICIPAL PLAZA
BEACON, NY 12508

Mayor Randy Casale
Councilmember Lee Kyriacou, At Large
Councilmember George Mansfield, At Large
Councilmember Terry Nelson, Ward 1
Councilmember John E. Rembert, Ward 2
Councilmember Jodi M. McCredo, Ward 3
Councilmember Amber J. Grant, Ward 4
City Administrator Anthony Ruggiero

July 16, 2018
7:00 PM
City Council Agenda

Call to Order

Pledge of Allegiance

Roll Call

Public Comment:

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. Please sign in at the podium. This segment will last no longer than thirty minutes, with speakers recognized in the order they appear on the sign-in sheet. A second public comment opportunity will be provided later in the meeting for those who do not get to speak during this first segment.

Public Hearings:

- Application for a special use permit for 1181 North Avenue
- Application for a special use permit for 850 Wolcott Avenue
- Proposed local law to amend Chapter 191, Article II and Chapter 192, Section 30 of the Code of the City of Beacon, concerning Street Opening Permits.
- Proposed local law to create Section 223-26.4 of the Code of the City of Beacon, concerning Small Cell Wireless Facilities
- Application for a special use permit for the Edgewater project

Reports:

- Council Member Amber J. Grant
- Council Member John E. Rembert
- Council Member Lee Kyriacou
- Council Member George Mansfield
- Council Member Jodi M. McCredo
- Council Member Terry Nelson
- City Administrator, Anthony Ruggiero
- County Legislators
- Mayor Randy Casale

Local Laws and Resolutions:

1. Resolution to appoint Kavita Shenoy as Clerk/Typist
2. Resolution to refer a local law concerning driveway permits to the City of Beacon Planning Board and Dutchess County Planning Board
3. Resolution ratifying award of contract with Tam Enterprises, Inc. for Main Street sewer main repair
4. Resolution ratifying award of contract with Chemung Supply Corporation for Mountain Street Bridge repair
5. Resolution granting a special use permit for 1181 North Avenue
6. Resolution granting a special use permit for 850 Wolcott Avenue
7. Resolution to adopt a local law to amend Chapter 191, Article II and Chapter 192, Section 30 concerning Street and Sidewalk Opening Permits
8. Resolution to adopt a local law to create section 223-26.4 of the Code of the City of Beacon concerning small cell wireless telecommunication facilities

Approval of Minutes:

- Approval of Minutes from July 2, 2018

2nd Opportunity for Public Comments:

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. This segment will last no longer than thirty minutes. Those who spoke at the first public comment segment are not permitted to speak again.

Executive Session:

1. Executive Session: Personnel

Adjournment:

**City of Beacon Council Agenda
7/16/2018**

Title:

Application for a special use permit for 1181 North Avenue

Subject:

Background:

ATTACHMENTS:

Description
1181 North Ave

Type
Backup Material



CITY OF BEACON New York

John Gunn
Planning Board Chairman

Planning Board

845-838-5002

March 28, 2018

City of Beacon City Council ✓
Dutchess County Department of Health
Dutchess County Planning Department
New York State Department of Environmental Conservation
New York State Department of Transportation
New York State Historic Preservation Office

Subject: **1181 North Avenue (professional office building)**
Tax Map No. 30-5955-19-716048-00
Designation of Lead Agency in Accordance with SEQRA

Dear Sir/Madam:

The City of Beacon Planning Board is hereby notifying you that it has received applications for Site Plan Approval, Special Use Permit Approval, and Subdivision Approval in connection with the proposal to subdivide one 0.74 acre parcel with one existing office building into two lots for the construction of a new office building. The parcel is located in the R1-7.5 zoning district and the Historic District and Landmark Overlay Zone, which allows office uses by Special Permit from the City Council. The new parcel will be served with municipal water and sewer services via connections to existing water and sewer mains. Due to the proximity of the Bogardus-Dewindt House listed on the National Register of Historic Places, the proposed action is classified as Type I.

The City of Beacon Planning Board hereby declares its intent to serve as the Lead Agency for the environmental review of the proposed action. Further, the City of Beacon Planning Board is hereby notifying you that, in accordance with the provisions of the State Environmental Quality Review Act (SEQRA), the Planning Board will automatically become the Lead Agency unless you submit a written objection to the Board within 30 calendar days of the mailing of this notification. Enclosed for your use, if you choose, is a form for responding to the Planning Board.

In accordance with the requirements of SEQRA, enclosed for your review are Part 1 of the Long Environmental Assessment Form (EAF) which has been prepared by the project sponsor for the proposed action, and a copy of the application.

Very truly yours,

John Gunn, Chairman

Enclosures: 3

cc: Lt. Timothy P. Dexter Arthur R. Tully, PE
Jennifer L. Gray, Esq. John Clarke, City Planner
Hudson Land Design, Project Consultants

RESPONSE FORM TO CITY OF BEACON PLANNING BOARD

To: City of Beacon Planning Board

From: _____ [please insert your agency name]

Date: _____ [please insert date]

Subject: **1181 North Avenue (Professional Office Building)**
Tax Map No. 30-5955-19-716048-00
Designation of Lead Agency in Accordance with SEQRA

With respect to the declaration that the City of Beacon Planning Board intends to serve as the Lead Agency for the environmental review of the application for Site Plan Approval, Special Use Permit Approval, and Subdivision Approval in connection with the proposal to subdivide one 0.74 acre parcel with one existing office building into two lots for the construction of a new office building. The parcel is located in the R1-7.5 zoning district and the Historic District and Landmark Overlay Zone, which allows office uses by Special Permit from the City Council. The new parcel will be served with municipal water and sewer services via connections to existing water and sewer mains. The above identified agency:

[please check one box below]

- Has no objection to the Planning Board serving as Lead Agency.
- Takes no position with respect to the Planning Board serving as Lead Agency.
- Objects to the Planning Board serving as Lead Agency.

Printed Name

Signature

Title

APPLICATION FOR SPECIAL USE PERMIT

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

IDENTIFICATION OF APPLICANT

Name: Normington Schofield
Address: 1181 North Avenue
Beacon, NY 12508
Signature: _____
Date: February 27, 2018
Phone: (845) 797-3796

(For Official Use Only)
Application & Fee Rec'd 2-27-18
Initial Review _____
PB Public Hearing _____
Sent to City Council _____
City Council Workshop _____
City Council Public Hearing _____
City Council Approve/Disapprove _____

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Aryeh Siegel Architect
Address: 84 Mason Circle
Beacon, NY 12508

Phone: 845-838-2490
Fax: 845-838-2657
Email address: ajs@ajsarch.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: 1181 North Avenue
Tax Map Designation: Section 5955 Block 19 Lot(s) 716048
Land Area: 9,656 sf (existing parcel) Zoning District(s) R1-7.5

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Subdivision of parcel to create another building lot. New 2 story office building
Gross Non-Residential Floor Space: Existing 0 Proposed 2,593 sf
TOTAL: 2,593 sf
Dwelling Units (by type): Existing 0 Proposed 0
TOTAL: 0

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 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

**CITY OF BEACON
SITE PLAN SPECIFICATION FORM**

Name of Application: 1181 North Avenue

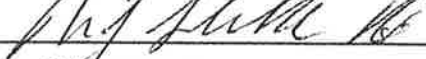
PLEASE INDICATE WHETHER THE SITE PLAN DRAWINGS SHOW THE SUBJECT INFORMATION BY PLACING A CHECK MARK IN THE APPROPRIATE BOXES BELOW.

	YES	NO
The site plan shall be clearly marked "Site Plan", it shall be prepared by a legally certified individual of firm, such as a Registered Architect or Professional Engineer, and it shall contain the following information:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEGAL DATA		
Name and address of the owner of record.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Name and address of the applicant (if other than the owner).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Name and address of person, firm or organization preparing the plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date, north arrow, and written and graphic scale.		
NATURAL FEATURES		
Existing contours with intervals of two (2) feet, referred to a datum satisfactory to the Planning Board.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Approximate boundaries of any areas subject to flooding or stormwater overflows.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other existing development, including fences, retaining walls, landscaping, and screening.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sufficient description or information to define precisely the boundaries of the property.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The owners of all adjoining lands as shown on the latest tax records.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The locations, names, and existing widths of adjacent streets and curb lines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Applicant/Sponsor Name: Normington Schofield

Signature: 

Date: February 27, 2018

**CITY OF BEACON
FINAL SUBDIVISION PLAT
AND CONSTRUCTION PLANS SPECIFICATION FORM**

Name of Application: Norm Schofield

FINAL SUBDIVISION PLAT	YES	NO
The final subdivision plat shall be drawn clearly and legibly on transparent tracing cloth with black waterproof ink, at a scale no smaller than one inch equals 100 feet but preferably at a scale of one inch equals 50 feet. The sheet size shall not exceed 36 inches by 48 inches. If the size of proposed subdivision required a drawing larger than this, two or more sheets may be submitted, with match lines clearly indicated, and an index map shall be prepared on the same size sheet.		
The final plat shall contain the following information:		
Proposed subdivision name or identifying title, name, and address of owner of record and of subdivider (if other than owner), certification and seal of the registered engineer or licensed land surveyor who prepared the plat, names of the owners of record of adjoining properties and of properties directly across the street or private road, graphic scale, approximate true North point, and date.		
The location and dimensions of all boundary lines of the proposed subdivision, and all existing and proposed streets, private roads, lot lines, easements and rights-of-way, with sufficient data to readily determine the location, bearing and length of all such lines and to reproduce such lines upon the ground.		
The names of all existing and proposed streets and private roads.		
The locations of all water bodies and watercourses.		
The location of all existing buildings, including identification of all buildings to be removed as a condition of plat approval.		
The total acreage included in the entire subdivision, and the identification number and acreage of all lots and land reservations within the proposed subdivision.		
Location of all existing and proposed monuments.		
A site location map, at a scale of one inch equals 400 feet, showing the location of the subject property with respect to neighboring properties, streets and private roads.		
Notations explaining any drainage, sight slope, street widening, park area or other reservations or easements, including any self-imposed restrictions or covenants.		
Endorsement of approval by the Dutchess County Health Department.		
Plan for the provisional delivery of mail, as approved by the local postmaster.		
Endorsement of the owner as follows: <p style="margin-left: 40px;">“Approved for filing: _____ Owner Date”</p>		

FINAL SUBDIVISION PLAT <i>(continued)</i>	YES	NO
<p>Form for endorsement by Planning Board Chairman as follows:</p> <p>“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.</p> <p>Signed this _____ day of _____, 20_____, by _____, Chairman _____, Secretary</p> <p>In absence of the Chairman or Secretary, the Acting Chairman or Acting Secretary Respectively may sign in this place.</p>		
<p>Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.</p>		
<p>Stormwater pollution prevention plan. A stormwater pollution prevention plan consistent with the requirements of Chapter 190 and with the terms of preliminary plan approval shall be required for final subdivision plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 190, Article II. The approved final subdivision plat shall be consistent with the provisions of Chapter 190.</p>		

FINAL CONSTRUCTION PLANS	YES	NO
<p>Final construction plans and profiles shall be prepared for all proposed streets, private roads and other required improvements. Plans shall be drawn at the same scale as the final plat and on the same size sheets, but not on the same sheets. The following information shall be shown:</p>		
<p>Plans and profiles showing the location and a typical cross-section of street and/or private road pavements including curbs and gutters, sidewalks, manholes and catch basins; the location of street or private road trees, lighting and signs; the location, size and invert elevations of existing and proposed sanitary sewers, stormwater drains and fire hydrants; the location and size of all water, gas or other underground utilities or structures; and the location and design of any other required improvements.</p>		
<p>Profiles showing existing and proposed elevations along the center line of all streets and private roads. Where a proposed street or private road intersects an existing street or private road, the elevation along the center line of the existing street or private road within 100 feet of intersection, shall be shown. All elevations must be referred to established U.S. Government of approved local benchmarks, where they exist within ½ mile of the boundary of the subdivision.</p>		
<p>The Planning Board may require, where steep slopes exist, cross-sections showing existing and proposed elevations of all new streets and private roads every 100 feet at five points on a line at right angles to the center line of the street or private road, said elevation points to be at the center line of the street or private road, each property line, and points 30 feet inside each property line.</p>		
<p>Location, size, elevation and other appropriate description of any existing facilities which will be connected to proposed facilities and utilities within the subdivision.</p>		

FINAL CONSTRUCTION PLANS (continued)

Where the design of the subdivision requires the regrading of land, the regrading of land, the regraded contours shall be shown along with estimates of the quantity of material to be added or removed and the proposed measures to be implemented by the subdivider to rehabilitate the disturbed area or areas.

Title of all sheets, name, address, signature and seal of licensed engineer preparing the construction plans, the date prepared, including revisions dates if any, approximate true North point, scale, and consecutive numbering as sheet _____ of _____.

A notation of approval, on all sheets as follows

“Approved by:

Owner Date

and

Planning Board Chairman Date”

Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.

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

Applicant/Sponsor Name: _____

Signature: M. J. Schell

Date: 2/27/18

PRELIMINARY CONSTRUCTION PLANS	YES	NO
The preliminary construction plans shall be drawn at the same scale as the preliminary plat and shall include the following information:		
Location and sizes of any existing water, sewer storm drainage and other utility lines and structures within and nearby the proposed subdivision.		
The proposed system for the provision of water supply and fire protection facilities, sewage disposal, stormwater drainage, and other utility services.		
Proposed street or private road profiles and cross-sections showing the approximate grade of proposed streets or private roads, the relationship of existing to proposed grades, and the proposed grades, and the proposed vertical curvature along the center line of all new streets or private roads.		
Location of all existing and proposed monuments and other subdivision improvements.		
Such additional information as may be required by this chapter, the Zoning chapter, or the Planning Board.		

Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.	
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APPLICATION FOR SUBDIVISION APPROVAL

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

IDENTIFICATION OF APPLICANT

(For Official Use Only)

Date Initials

Name: Norm Schofield

Preliminary Application Rec'd

2-27-18

Address: 1181 North Avenue Beacon, NY 12508

Application Fee:

for 3-13-18

Signature: _____

Public Hearing

Date: _____

Preliminary Plat Approved:

Phone: 845-831-1225

Final Plat Approved:

Recreation Fee:

Performance Bond:

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Hudson Land Design

Phone: 845-440-6926

Address: 174 Main Street Beacon, NY 12508

Fax: 845-440-6637

Email address: dkoehler@hudsonlanddesign.com

IDENTIFICATION OF SUBJECT PROPERTY:

Subdivision name or identifying title:

1181 North Avenue Professional Building Expansion Project

Street which property abuts: Tompkins Ave (South) North Ave (West)

Current Tax Map Designation: Section 5955 Block 19 Lot(s) 716048

Property (does) (does not) connect directly into a (State) (County) highway.

Land in subdivision (is) (is not) within 500 feet of a Municipal boundary.

Total area of property is +/- 0.70 acres / 32,377 SQFT

ITEMS TO ACCOMPANY THIS APPLICATION

- a. Eight (8) **folded** copies of a subdivision plat showing the location of the subject property and the proposed development with respect to neighboring properties and developments.
- b. An application fee, payable to the City of Beacon, computed per the attached fee schedule.
- c. An initial escrow amount, payable to the City of Beacon, as set forth in the attached feeschedule.

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
Zoning Board of Appeals	Use Variance \$500
	Area Variance \$250
	Interpretation \$250

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)	\$ 2,500	\$ 1,000	Current bills + \$1,000
6-15	\$ 7,500	\$ 2,500	Current bills + \$1,000
Over 15	\$ 15,000	\$ 5,000	Current bills + \$5,000

NON-RESIDENTIAL SITE PLAN AND SUP APPLICATIONS

	Initial Deposit	Depleted to	Replenishment
Existing Buildings/Change of Use with no site development	\$ 1,500	\$ 1,000	Current bills + \$500
Up to 3,000 s.f. gross floor area	\$ 2,500	\$ 1,000	Current bills + \$1,000
3,000 to 10,000 s.f. gross floor area	\$ 2,500 + \$0.50 per sq.ft. over 3,000	\$ 2,500	Current bills + \$2,500
Over 10,000 s.f. gross floor area	\$ 7,500 + \$0.50 per sq.ft. over 10,000	\$ 2,500	Current bills + \$2,500

ZONING

<i>* if required by Chairman</i>	Initial Deposit	Depleted to	Replenishment
Use Variance*	\$ 1,000	\$500	Current bills + \$500
Area Variance*	\$ 1,000	\$500	Current bills + \$500
Interpretation*	\$ 1,000	\$500	Current bills + \$500

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

<i>* if required by Chairman</i>	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: Norm Schofield

North Ave Properties, LLC

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

Normington J. Schofield, DC President

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

subject

Applicant Address: 1181 North Avenue Beacon, NY 12508

Project Address: 1181 North Avenue Beacon, NY 12508

Project Tax Grid # 5955-19-716048

Type of Application Subdivision & Special Use Permit

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, Norm Schofield, 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
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
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current

MM

MM

MM

Norm Schofield
Signature of Owner

President, Owner

Title if owner is corporation

Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)

NO YES Initial MS

ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)

NO YES Initial MS

ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

NO YES Initial MS

NO YES Initial MS

**CITY
OF BEACON
PRELIMINARY
SUBDIVISION
PLAT
AND CONSTRUCTION PLANS SPECIFICATION FORM**

Name of Application: Norm Schofield

PRELIMINARY SUBDIVISION PLAT	YES
The preliminary plat shall be clearly marked "Preliminary Plat", shall be drawn to a convenient scale but not less than 1" = 100', and shall contain the following information:	
Proposed subdivision name or identifying title, name, and address of property owner and subdivider (if other than owner), name and address of the surveyor and/or engineer preparing the plan, scale, approximate true North point, and date.	
The approximate location and dimensions of all property lines, the total acreage of the proposed subdivision, the location of any zoning, special district or municipal boundary lines affecting the subdivision, and the names of owners of record of properties adjoining and directly across the street from proposed subdivision.	
The location of all existing structures and pertinent features, including railroads, water bodies, water courses, wetlands, rock outcroppings, wooded areas, major trees, and stone walls, that may influence the design of the subdivision, plus accurate topography at a vertical contour interval of not more than two (2) feet. The topographic data shall be determined by field survey unless the Planning Board specifically waives this requirement and/or permits the substitution of topographic information obtained from other sources determined satisfactory for the particular case.	
The location and status of existing streets or private roads, easements and rights-of-way (if any), proposals for the layout of new streets or private roads (including widths and approximate curve radii) and any proposed easements, rights-of-way and/or reservations.	
The names of existing streets or private roads and proposed names for new streets or private roads.	
The proposed arrangement of lots, including identifying numbers and approximate area and dimensions of each.	
Location, size and nature of any area proposed to be reserved for park purposes.	
A site location sketch, at a scale of one inch equals 400 feet, showing the general situation within 1,000 feet of the applicant's property with respect to surrounding properties, streets and private roads.	
Where the preliminary plat includes only a portion of an applicant's contiguous holding, the applicant shall also indicate, on a sketch at a scale of not less than one inch equals 200 feet, the probable future street or private road system, lot arrangement and location of park and other reservations for the remaining portion of the tract. Such sketch shall be for the purpose of guiding the Planning Board in reviewing the proposed preliminary plat and shall include topographic data with a vertical contour interval of not more than five feet plus any other information determined necessary by the Planning Board.	

FOR OFFICE USE ONLY

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 person(s))

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 223-62 of the City Code of the City of Beacon. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A

Name of Applicant: Norm Schofield North Ave Properties, LLC

Address of Applicant: 1181 North Ave. Beacon, NY 12508

Telephone Contact Information: 845-831-1225

SECTION B. 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.
Norm J Schofield	23 Laps Dr Beacon	(845) 791- 3796	4/14/2007 private sale	4/11/2007 Dutchess County Clerk
North Avenue Properties	1151 North Ave Beacon			

SECTION B. Is any owner of record 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 C. 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.

SECTION D. 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, Norm Schfield being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

DEPOSED AND SWORN TO BEFORE ME
 THIS 27 DAY OF February 2018
 BY Melissa Riqs
[Signature]
 NOTARY PUBLIC

(Print) Norm Schfield

(Signature) [Signature]

MELISSA RIQS
 Notary Public - State of New York
 NO 01R16355320
 Qualified in Putnam County
 My Commission Expires Mar 6, 2021

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: 1181 North Avenue Professional Building Expansion Project		
Project Location (describe, and attach a general location map): The parcel ID is 5955-19-716048 - see maps		
Brief Description of Proposed Action (include purpose or need): The parcel has frontage on North Avenue (Route 9D) and on Tompkins Avenue in the City of Beacon's R1-7.5 Residential zoning district and the Historic Overlay Zone. There are two existing structures on the parcel, with the primary building being a professional office, and the secondary being a detached garage. The proposed action will call for a subdivision of the approximate 0.74 acre parcel into two separate lots and construction of a professional office building on the newly created lot.		
Name of Applicant/Sponsor: Norm Schofield		Telephone: 845-831-1225 E-Mail: drnormschofield@gmail.com
Address: 1181 North Avenue		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Hudson Land Design Professional Engineering, P.C. c/o Daniel G. Koehler, P.E.		Telephone: 845-440-6926 E-Mail: DKoehler@HudsonLandDesign.com
Address: 174 Main Street		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Special Use Permit and Site Plan Approval Subdivision Approval; Coastal Consistency	02/27/2018 02/27/2018
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R1-7.5 Residential Zoning District and the Historic Overlay District.

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

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
City of Beacon Police Department

c. Which fire protection and emergency medical services serve the project site?
City of Beacon Fire Department

d. What parks serve the project site?
City of Beacon

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? _____ 0.74 acres
b. Total acreage to be physically disturbed? _____ 0.18 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.74 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 28% Units: 2,858.4 sqft

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Commercial

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

iii. Number of lots proposed? 2

iv. Minimum and maximum proposed lot sizes? Minimum 14,909 SF Maximum 17,485 SF

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

i. If No, anticipated period of construction: _____ 12 months

ii. If Yes:

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

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

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

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____ 1
 ii. Dimensions (in feet) of largest proposed structure: <35FT height; 35 FT width; and 50 FT length
 iii. Approximate extent of building space to be heated or cooled: _____ ~2,600 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

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

v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

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

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

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

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

i. Total anticipated water usage/demand per day: _____ 260 gallons/day

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

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

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

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

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

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

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

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

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

i. Total anticipated liquid waste generation per day: _____ 260 gallons/day

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

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

- Name of wastewater treatment plant to be used: Beacon Wastewater Treatment Plant
- Name of district: City of Beacon
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

 If Yes:

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

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

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

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

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

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

- How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- Describe types of new point sources. _____

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

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

- Will stormwater runoff flow to adjacent properties? Yes No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ N/A

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
Minimal increase anticipated _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Central Hudson

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday: _____	9am-5pm	• Monday - Friday: _____	9am-5pm
• Saturday: _____	11am-5pm	• Saturday: _____	
• Sunday: _____		• Sunday: _____	
• Holidays: _____		• Holidays: _____	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
 Minor increases during construction _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
 Typical building and parking area lighting - see plans _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (c.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ <1 tons per construction duration (unit of time)
 • Operation : _____ <1 tons per _____ month (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: recyclable materials will not be disposed of as solid waste _____
 • Operation: Offices will be equipped with recycle containers _____
 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Royal Carting _____
 • Operation: Royal Carting _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	+/-0.23 Acres	+/-0.30 Acres	+0.07 Acres
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	+/-0.51 Acres	+/-0.44 Acres	-0.07 Acres
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): V00293 , 314069 , 546031
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
Please see the attached documents from the NYSDEC Remediation Database for descriptions of affected sites.

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >6 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: DwB _____ 100 %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ >6 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 100 % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 NA _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 The above noted species could be located within a mile of the site

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: Bogardus--DeWindt House	
<i>iii.</i> Brief description of attributes on which listing is based:	
Historic house	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

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

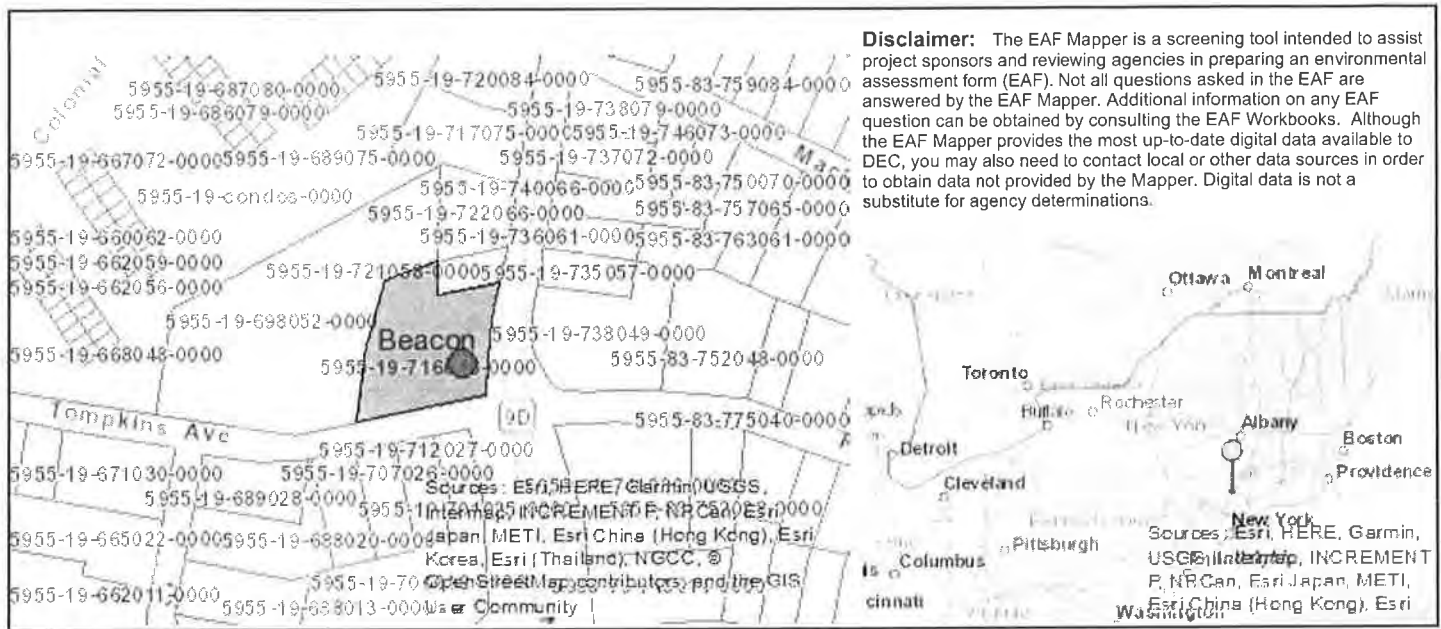
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Daniel G. Koehler, P.E. Date March 27, 2018

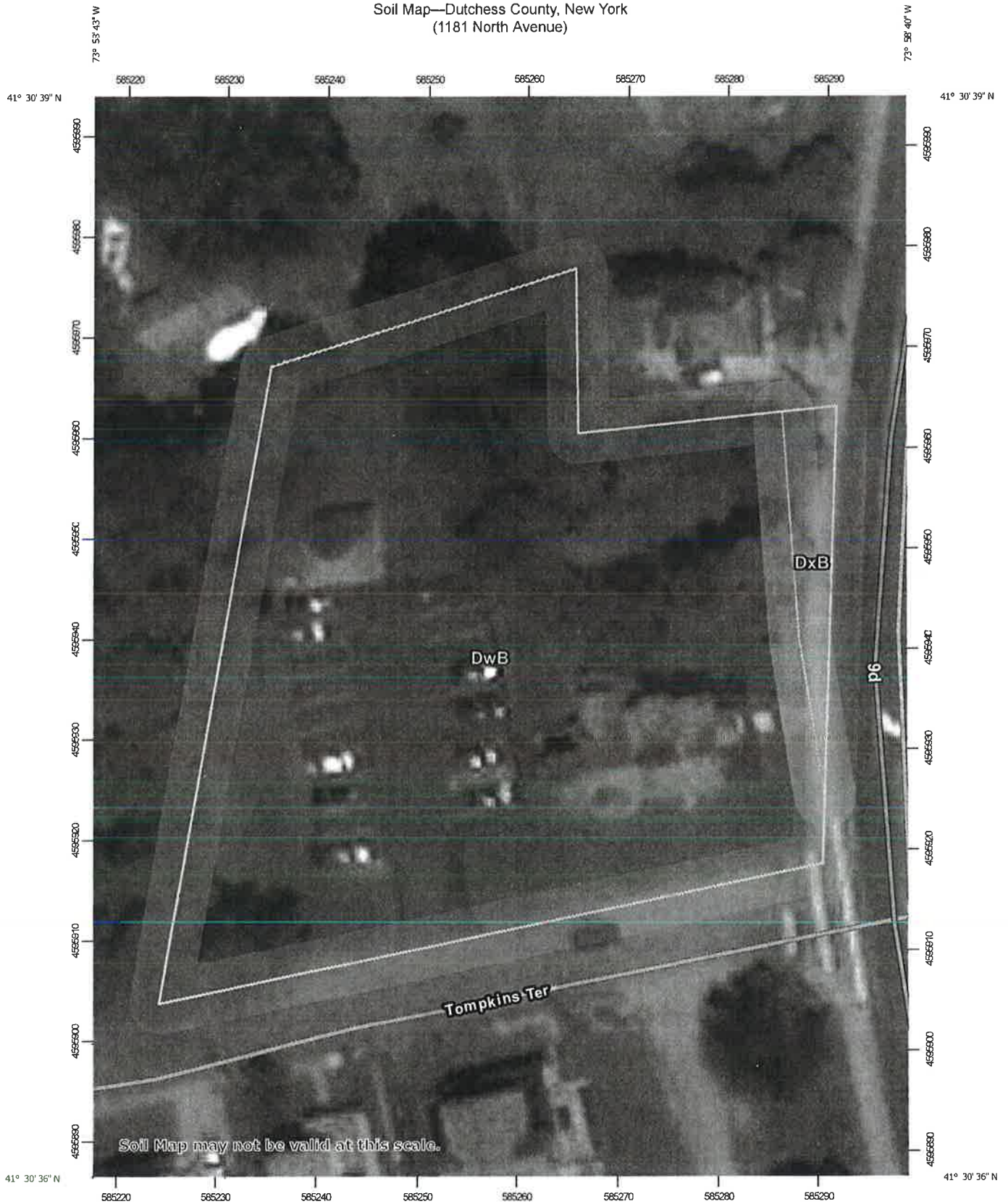
Signature  Title Applicant's Consulting Engineer



B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00293 , 314069 , 546031
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

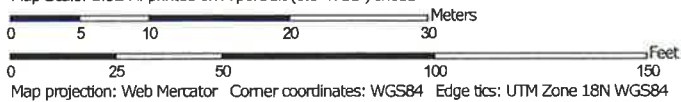
E.2.o. [Endangered or Threatened Species - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Bogardus--DeWindt House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Soil Map—Dutchess County, New York
(1181 North Avenue)




































Soil Map may not be valid at this scale.

Map Scale: 1:524 if printed on A portrait (8.5" x 11") sheet.



Soil Map—Dutchess County, New York
(1181 North Avenue)

MAP LEGEND

Area of Interest (AOI)		 Spoil Area
	Area of Interest (AOI)	 Stony Spot
Soils		 Very Stony Spot
	Soil Map Unit Polygons	 Wet Spot
	Soil Map Unit Lines	 Other
	Soil Map Unit Points	 Special Line Features
Special Point Features		Water Features
	Blowout	Streams and Canals
	Borrow Pit	Transportation
	Clay Spot	 Rails
	Closed Depression	 Interstate Highways
	Gravel Pit	 US Routes
	Gravelly Spot	Major Roads
	Landfill	Local Roads
	Lava Flow	Background
	Marsh or swamp	 Aerial Photography
	Mine or Quarry	
	Miscellaneous Water	
	Perennial Water	
	Rock Outcrop	
	Saline Spot	
	Sandy Spot	
	Severely Eroded Spot	
	Sinkhole	
	Slide or Slip	
	Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Dutchess County, New York
Survey Area Data: Version 14, Oct 8, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 7, 2013—Feb 26, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DwB	Dutchess-Cardigan complex, undulating, rocky	0.8	96.5%
DxB	Dutchess-Cardigan-Urban land complex, undulating, rocky	0.0	3.5%
Totals for Area of Interest		0.9	100.0%

Dutchess County, New York

DwB—Dutchess-Cardigan complex, undulating, rocky

Map Unit Setting

National map unit symbol: 9rfn
Elevation: 50 to 1,000 feet
Mean annual precipitation: 41 to 47 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 115 to 195 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Dutchess and similar soils: 40 percent
Cardigan and similar soils: 30 percent
Minor components: 30 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Dutchess

Setting

Landform: Ridges, hills
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy till derived mainly from phyllite, slate, schist, and shale

Typical profile

H1 - 0 to 8 inches: silt loam
H2 - 8 to 28 inches: silt loam
H3 - 28 to 86 inches: channery silt loam

Properties and qualities

Slope: 1 to 6 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat):
Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: B
Hydric soil rating: No

Description of Cardigan

Setting

Landform: Ridges, hills

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy till or colluvium derived from phyllite, slate, shale, and schist

Typical profile

H1 - 0 to 8 inches: channery silt loam

H2 - 8 to 20 inches: channery loam

H3 - 20 to 30 inches: channery silt loam

H4 - 30 to 34 inches: unweathered bedrock

Properties and qualities

Slope: 1 to 6 percent

Depth to restrictive feature: 20 to 40 inches to lithic bedrock

Natural drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water storage in profile: Low (about 4.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: C

Hydric soil rating: No

Minor Components

Georgia

Percent of map unit: 10 percent

Hydric soil rating: No

Massena

Percent of map unit: 9 percent

Hydric soil rating: No

Nassau

Percent of map unit: 9 percent

Hydric soil rating: No

Rock outcrop

Percent of map unit: 1 percent

Hydric soil rating: Unranked

Sun

Percent of map unit: 1 percent

Landform: Depressions

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Dutchess County, New York
Survey Area Data: Version 14, Oct 8, 2017



Department of
Environmental
Conservation

Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Beacon City Landfill (Inactive)

Site Code: 314024

Program: State Superfund Program

Classification: N *

EPA ID Number:

Location

DEC Region: 3

Address: Municipal Park adjacent to Railroad Station

City:Beacon **Zip:** 12508

County:Dutchess

Latitude: 41.508097033

Longitude: -73.986434406

Site Type:

Estimated Size: 5 Acres

Site Owner(s) and Operator(s)

Current Owner Name: CITY OF BEACON

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

Owner(s) during disposal: CITY OF BEACON

Current On-Site Operator: CITY OF BEACON

Stated Operator(s) Address: 1 MUNICIPAL PLAZA, SUITE 1
BEACON,NY 12508

Current On-Site Operator: City of Beacon

Stated Operator(s) Address: 427 Main Street
Beacon,NY 12508

Site Description

This site received municipal, commercial and industrial wastes including wastes from a local dye works. The site has four feet of soil and vegetative cover over a plastic liner. Groundwater discharges to the Hudson River. A Phase I Investigation has been completed. A Phase II Investigation, completed in March of 1991, found no evidence of hazardous waste disposal. Analysis of surface water samples collected from the adjacent Hudson River, revealed no contamination attributable to the former land-

fill. The site is currently used as a public park and is located just north of the Beacon Metro Train station. The site will be referred to the Division of Solid Waste for their continued oversight.

Site Environmental Assessment

There is no evidence of leachate at the site. There is no evidence of surface water contamination attributable to the landfill. No environmental problems exist that can be associated with the disposal of hazardous waste. The site does not qualify for addition to the Registry of Inactive Hazardous Waste Disposal Sites

* **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 Current Search



Department of
Environmental
Conservation

Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: CH - MGP - Beacon Street

Site Code: 314069

Program: State Superfund Program

Classification: N *

EPA ID Number:

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

Site Owner(s) and Operator(s)

Current Owner Name: CITY OF BEACON

Current Owner(s) Address: 1 MUNICIPAL PLAZA, SUITE 1
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: JOSEPH HARNEY

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

Current Owner Name: Jeffrey L. Boetign

Current Owner(s) Address: 424 RIVER STREET
BEACON,NY, 12508

Current Owner Name: Jeffrey Staten

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

Current Owner Name: Joseph Stezel

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

Current Owner Name: Robert Harrington

Current Owner(s) Address: 426 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.

Stated Operator(s) Address: 284 SOUTH AVENUE

POUGHKEEPSIE,NY 126014874

Current On-Site Operator: Central Hudson Gas & Electric Corp.

Stated Operator(s) Address: 284 South Avenue

Poughkeepsie,NY 12601

Site Description

See V00293

Site Environmental Assessment

See V00293. The actual site of the MGP has been redeveloped, and no trace of the original plant or surrounding soils remains. A neighboring property across the street (Dorel Hat) was found to have been impacted by tar which had migrated from the MGP site, and was remediated under V00293.

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For more Information: E-mail Us

Refine Current Search



Department of
Environmental
Conservation

Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: CH - Beacon MGP

Site Code: V00293

Program: Voluntary Cleanup Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 416 & 418 & 420 & 422 & 424 & 426 &

City:Beacon **Zip:** 12508

County:Dutchess

Latitude: 41.50621157

Longitude: -73.98240676

Site Type:

Estimated Size: 4 Acres

Site Owner(s) and Operator(s)

Site Description

Site Location: The CHIGE Beacon 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 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 manufactured gas plant (MGP). The MGP, located on River Street, 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 was removed during an IRM conducted in 2007. On September 12, 2007 the Dorel Hat property was transferred to the Metropolitan Transportation Authority. On July 15, 2011 the Metropolitan Transportation Authority 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

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. Beneath the building, sub-slab soil vapor exceeds guidance values for indoor air. A sub-slab depressurization vapor mitigation system prevents 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.

Site Health Assessment

Measures are in place to control the potential for coming in contact with sub-surface soil and groundwater contamination remaining at the site. People are not drinking the contaminated groundwater because the site is served by a public water supply that is not affected by this contamination. Volatile organic compounds in groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings is referred to as soil vapor intrusion. A sub slab depressurization system (systems that ventilate/remove the air beneath the building) has been installed in the on-site building to prevent the

indoor air quality from being affected by the contamination in soil vapor beneath the building. Sampling indicates soil vapor intrusion is not a concern for off-site buildings.

For more Information: E-mail Us

Refine Current Search



Department of
Environmental
Conservation

Environmental Remediation Databases Details

Site Record

Administrative Information

Site Name: Beacon Salvage Property
Site Code: V00444
Program: Voluntary Cleanup Program
Classification: N *
EPA ID Number:

Location

DEC Region: 3
Address: Red Flynn Drive
City: Beacon **Zip:** 12508-
County: Dutchess
Latitude: 41.50846007
Longitude: -73.98644763
Site Type:
Estimated Size: 4.2 Acres

Site Owner(s) and Operator(s)

Current Owner Name: SCENIC HUDSON LAND TRUST, INC.
Current Owner(s) Address: 9 VASSAR STREET
POUGHKEEPSIE, NY, 12601

Site Description

This site along with Site #V0096 Ferry Road Waterfront Site have been combined into BCP Site #C314112 Long Dock Beacon Site.

Site Environmental Assessment

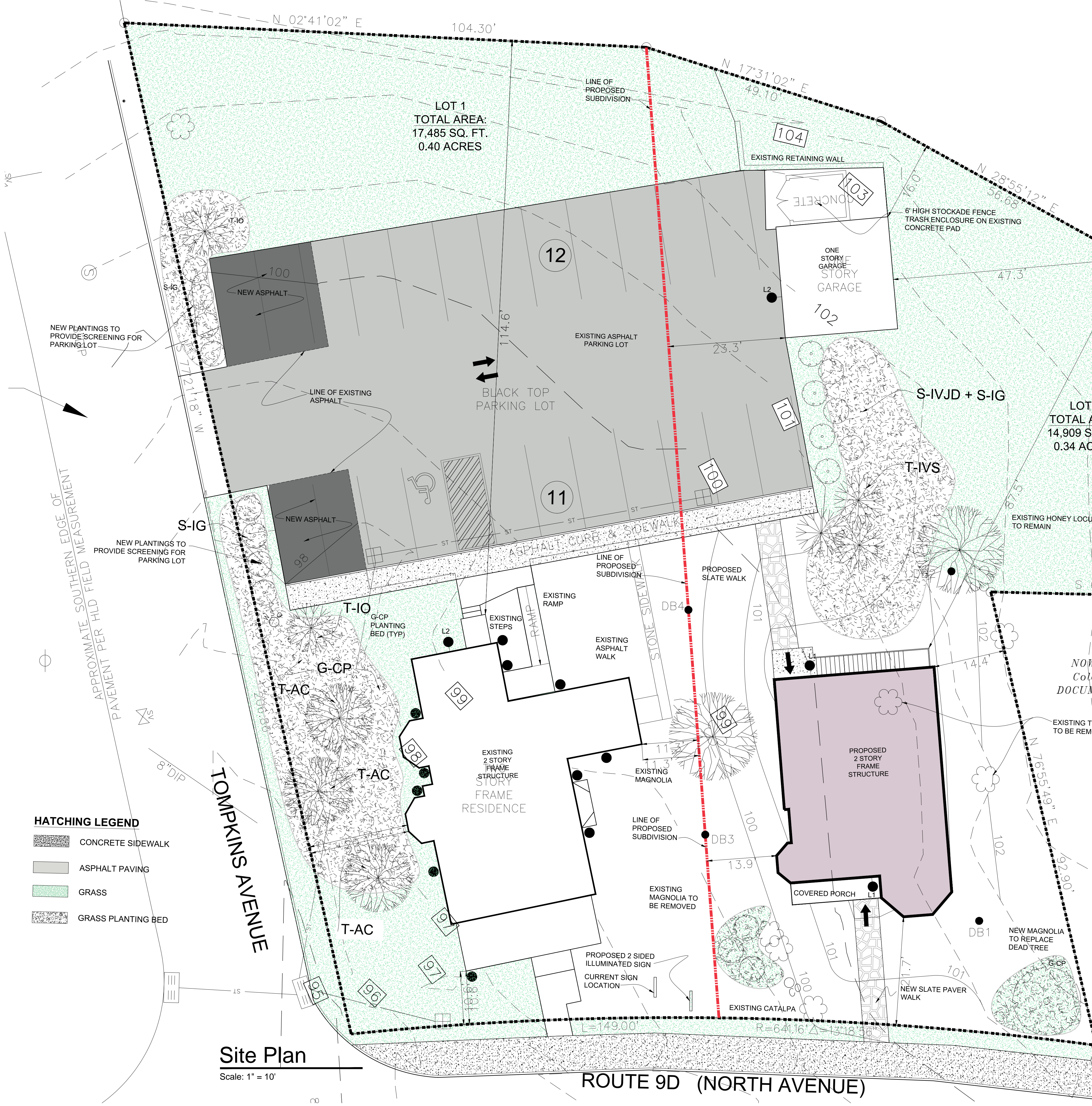
Site transitioned into BCP. See Long Dock Beacon Site, Site No. 314112.

* **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."

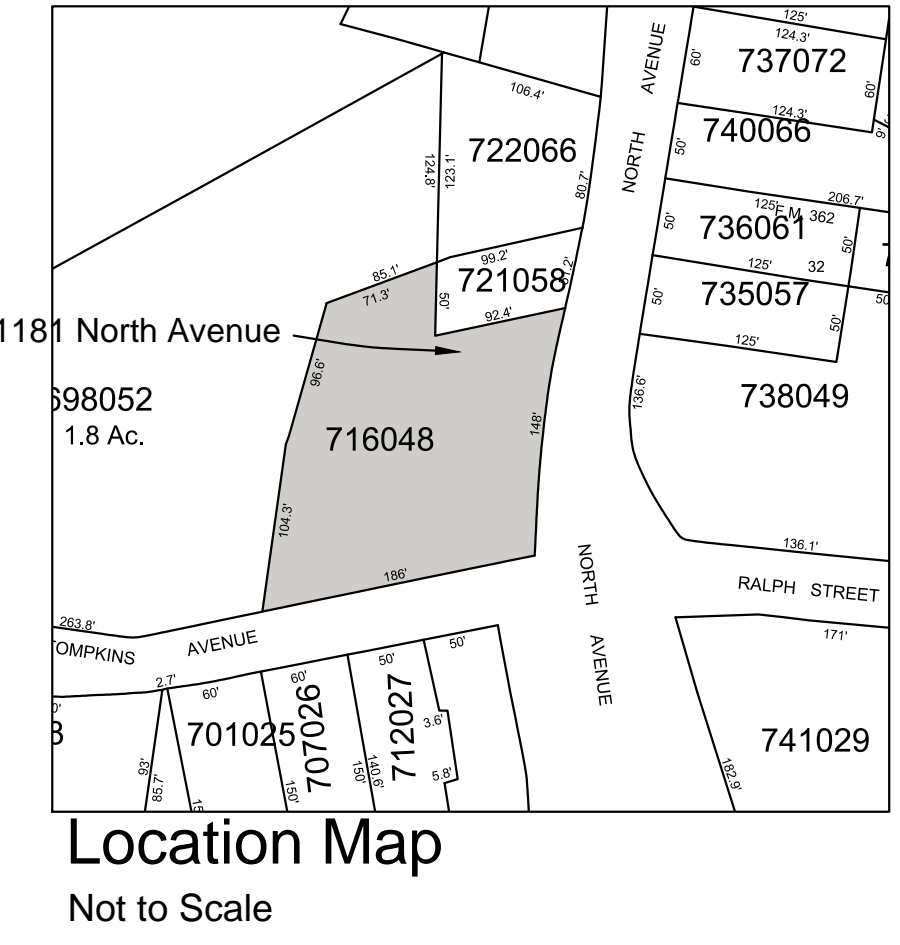
For more Information: E-mail Us

Refine Current Search



SCHEDULE OF REGULATIONS (R1-7.5 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	LOT #1	LOT #2
LOT AREA:	7,500 SQUARE FEET MIN	17,485 S.F.	14,909 S.F.
LOT WIDTH:	75 FEET MINIMUM	86 FEET	62 FEET ⁽¹⁾
LOT DEPTH:	100 FEET MINIMUM	197 FEET	161 FEET
YARD SETBACKS:			
FRONT YARD:	30 FEET MINIMUM	10.6 FEET ⁽²⁾	21.7 FEET ⁽²⁾
SIDE YARD ⁽³⁾ :	10 FEET MINIMUM	11.3 FEET	13.9 FEET
SIDE YARD (TOTAL OF TWO):	20 FEET MINIMUM TOTAL	31.4 FEET	28.3 FEET
REAR YARD:	30 FEET MINIMUM	114.0 FEET	87.5 FEET
YARD SETBACKS (ACCESSORY STRUCTURE):			
SIDE YARD:	5 FEET MINIMUM	N/A	16.0 FEET
REAR YARD:	5 FEET MINIMUM	N/A	47.3 FEET
MAIN BUILDING HEIGHT:	MAX 35 FEET, 2.5 STORIES	<35 FEET	<35 FEET
ACCESSORY BLDG. HEIGHT:	MAX 15 FEET, 1 STORY	N/A	<15 FEET
BUILDING COVERAGE:	MAX 30%	11.6%	13.1%



SYMBOL LEGEND

- CATCH BASIN
- WATER VALVE
- STORM MANHOLE
- SHUT OFF VALVE
- HYDRANT

Zoning Summary

Zoning District:	R1-7.5 (One Family)
Tax Map No.:	5955-19-716048
Existing Lot Area:	0.74 acres (32,394 sf)
Proposed Subdivided Lot Areas:	
Lot 1:	0.40 acres (17,485 sf)
Lot 2:	0.34 acres (14,909 sf)
Proposed Building Footprint:	1,300 Square Feet
Historical Overlay District:	Yes
Parking Overlay District:	No
Existing Use:	Office Building
Proposed Use:	Office Building
	Sub-divide property to create new office building on new lot

Parking & Loading

Parking Requirements	Area	Parking Requirement
Office / Professional Use		
Proposed Office Building		
1 space for each 200 square feet gross floor area per current Zoning Code requirements	2,600	13 Spaces
Existing Office Building to Remain		
Previously approved requirement of 1 space for each 250 square feet of gross floor area	2,340 SF	10 Spaces
Total Required Parking Spaces		23 Parking Spaces
Total Proposed Parking Spaces		23 Parking Spaces

- Notes:**
- The proposed Office use is allowed by Special Use Permit issued by the City Council.
 - The siting of the proposed building on the newly created parcel fills a void in the continuous street frontage common along both sides of this block, and reinforces the historical nature of the original city plan along this length of North Avenue. The building screens the existing parking lot towards the rear of the property.
 - The proposed and existing lots, after subdivision, will comply with bulk requirements for the R1-7.5 Zoning District, thereby making simpler a potential future conversion to residential use in either or both buildings.
 - The proposed building complies with Zoning for setbacks and height.
 - Office hours are 7:00am to 10:00 pm, Monday through Sunday, inclusive.
 - The existing business identification sign is proposed to be relocated between the new and existing buildings, and visible from both directions from North Avenue. The sign is proposed to be modified to make it double-sided, and lit with a shielded, concealed light source 12 watt LED strip fixture.

HATCHING LEGEND

- CONCRETE SIDEWALK
- ASPHALT PAVING
- GRASS
- GRASS PLANTING BED

Index of Drawings

Sheet 1 of 5	Site Plan, Floor Plans
Sheet 2 of 5	Buildable Area Diagram & Survey
Sheet 3 of 5	Renderings
Sheet 4 of 5	Grading & Utility Plan,
Sheet 5 of 5	Construction Details

REVISIONS:

NO.	DATE	DESCRIPTION	BY
1	03/27/18	REVISED PER PLANNING BOARD COMMENTS	AJS

Site Plan
Scale: 1" = 10'

Special Use Permit Application

Sheet 1 of 5 - Site Plan

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 PLAN, 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.

REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1	03/27/18	REVISED FLOOR PLANS ONLY	AJS



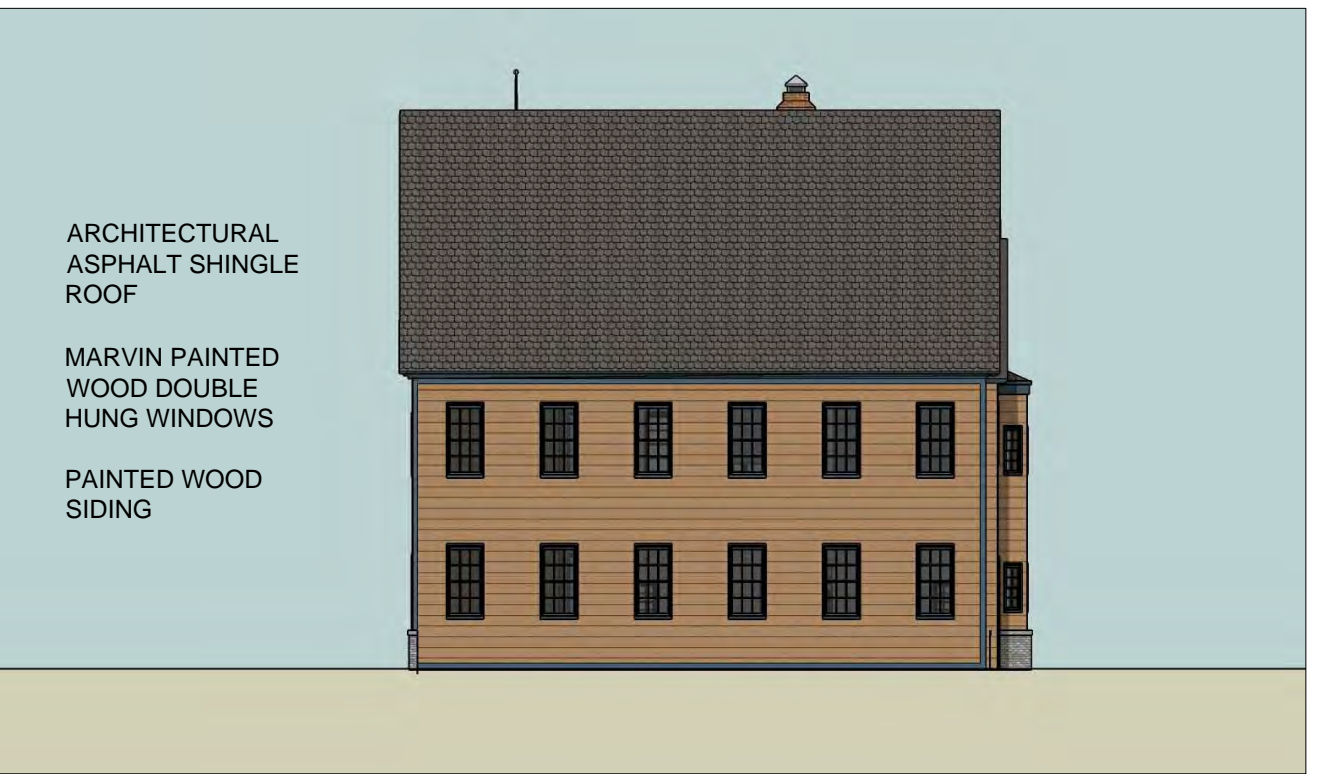
Elevation: East



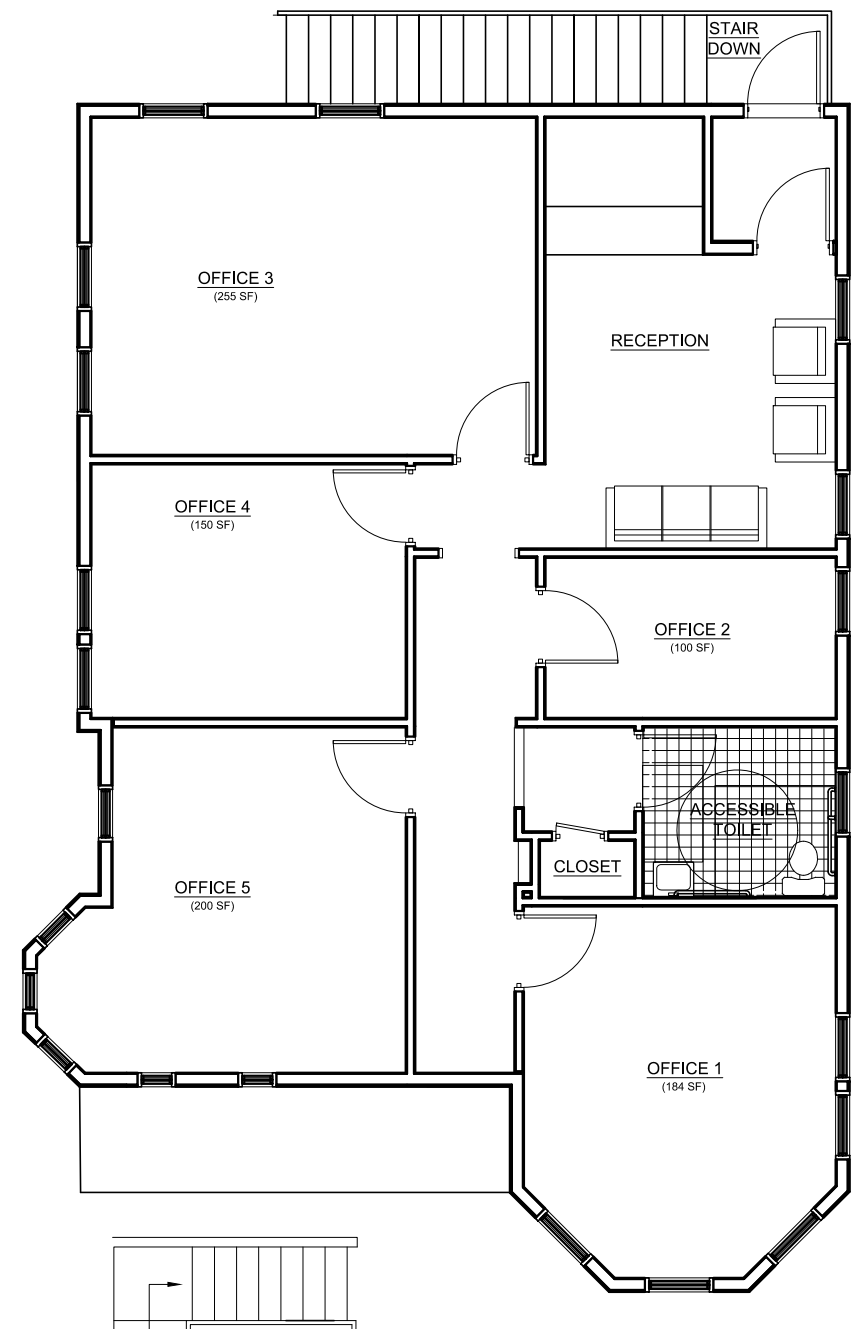
Elevation: North



Elevation: South

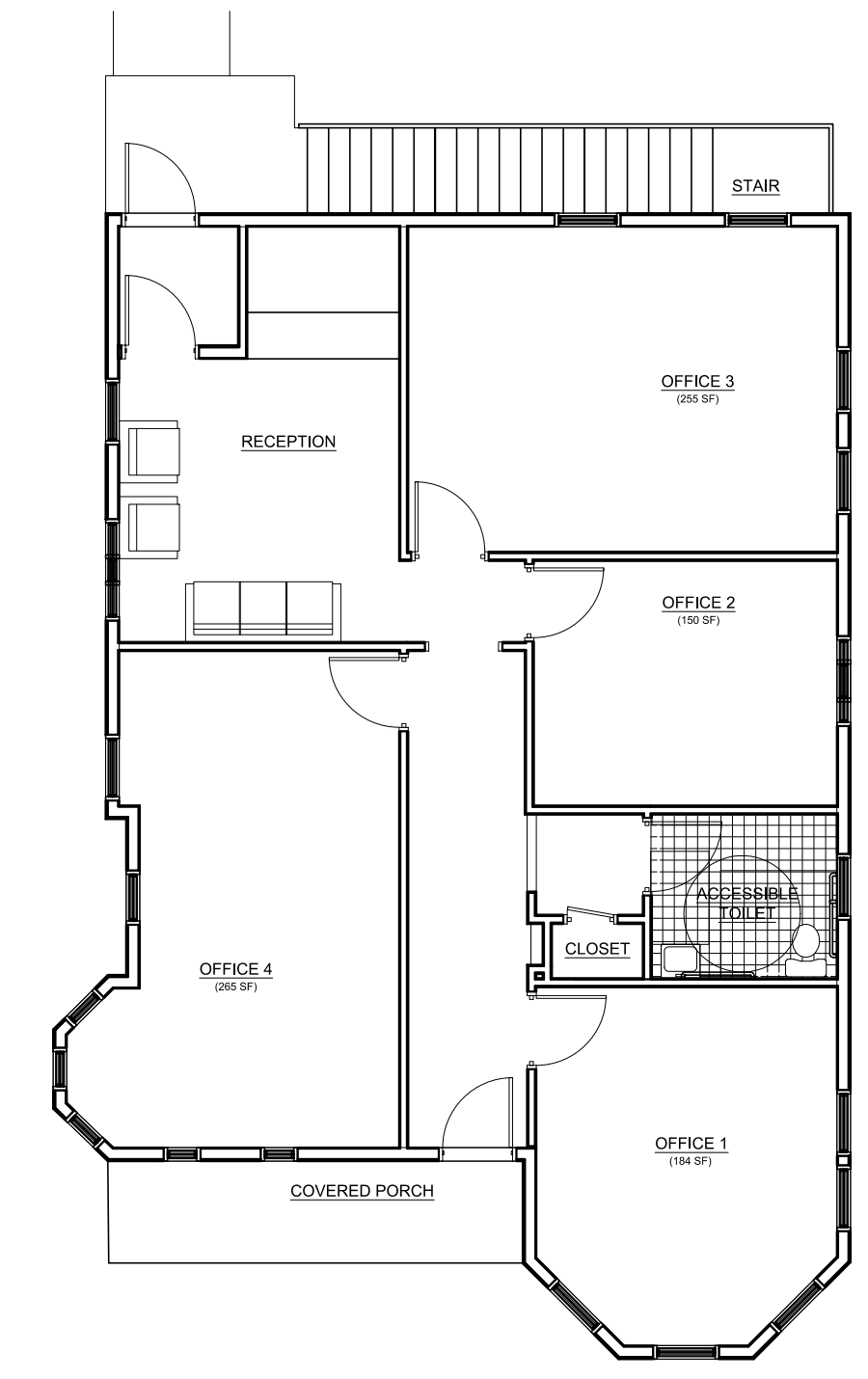


Elevation: West



Proposed 2nd Floor Plan

Scale: 1/8" = 1'-0"



Proposed 1st Floor Plan

Scale: 1/8" = 1'-0"



View Looking North



View Looking South

Special Use Permit Application

Sheet 3 of 5 - Renderings

SURVEY NOTES:

1. THE PARCEL SHOWN HEREON ARE GENERALLY AS DESCRIBED IN LIBER 1884 PAGE 688 RECORDED IN THE DUTCHESS COUNTY CLERK'S OFFICE.
2. SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY THAT AN ACCURATE UP TO DATE ABSTRACT OF TITLE MAY SHOW.
3. SURVEYED AS PER RECORD DEED, EXISTING MONUMENTATION, RECORDED AND UNRECORDED MAPS.
4. NEW YORK STATE DEPARTMENT OF TRANSPORTATION ONLY APPROPRIATED THAT LAND SHOWN AND DELINEATED ON MAP NO. 6, PARCEL 8, MAP NO. 6, PARCEL 56 IS A PERMANENT EASEMENT ENCUMBERING THE PROPERTY SHOWN HEREON AND WAS NOT ACQUIRED IN FEE. THIS MAP IS ON FILE AT THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGIONAL OFFICE NO. 8 LOCATED IN POUGHKEEPSIE, NEW YORK.

MAP REFERENCE:

1. "SURVEY AS PREPARED FOR NORMINGTON J. SCHOFIELD" DATED MARCH 4, 2001 AS PREPARED BY DENNIS E. WALDEN, LAND SURVEYOR, N.Y.S. LICENSE NO. 49555.

TOTAL PARCEL AREA:

±32,394 S.F. OR ± 0.74 ACRE

TAX MAP REFERENCE:

CITY OF BEACON 5955-19-716048

VERTICAL DATUM:

ASSUMED

FLOOD BOUNDARY:

1. SUBJECT PARCEL IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANGE FLOODPLAIN) PER PANEL 36027C0463E DATED MAY 2, 2012.

WETLAND NOTE:

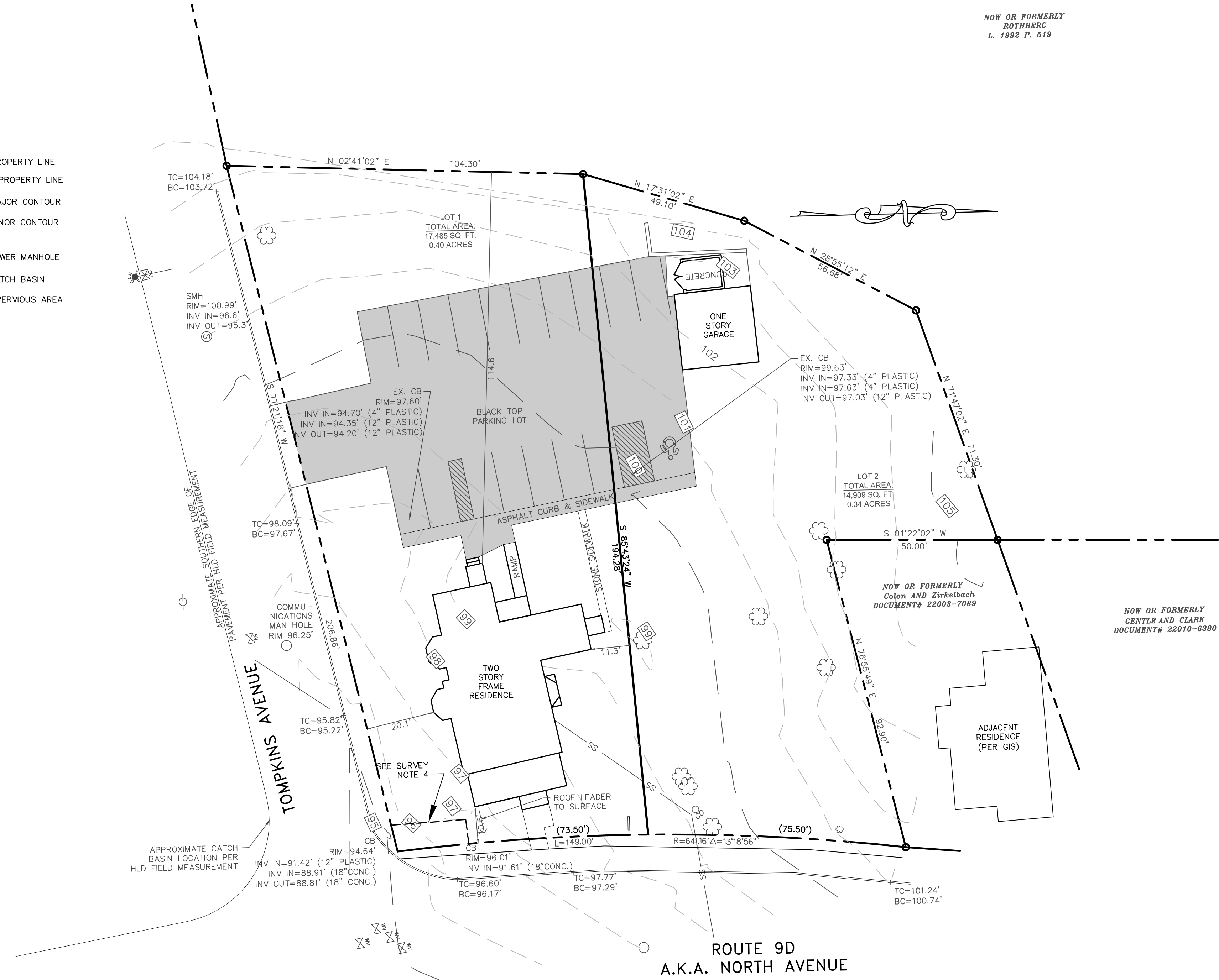
1. NO NYSDEC OR FEDERAL WETLANDS WERE FOUND ONSITE.

PROPOSED EASEMENT NOTE:

1. AN EASEMENT FOR THE BENEFIT OF LOT 2 THROUGH LOT 1 FOR THE PURPOSES OF PROVIDING ACCESS, PARKING AND WATER SERVICE WILL BE REQUIRED. THE EASEMENT WILL BE FINALIZED AS THE PLANNING PROCESS ADVANCES TO A POINT WHERE THE SERVICE LINE HAS BEEN GENERALLY ACCEPTED.

LEGEND

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- 30 --- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ⊙ EXISTING SEWER MANHOLE
- ⊕ EXISTING CATCH BASIN
- █ EXISTING IMPERVIOUS AREA



NOW OR FORMERLY
ROTHBERG
L. 1892 P. 519



SITE LOCATION MAP SCALE: 1" = 400'

PRELIMINARY SUBDIVISION PLAT

SCALE: 1" = 20'

GRAPHIC SCALE



SCHEDULE OF REGULATIONS (R1-7.5 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	LOT #1	LOT #2
LOT AREA:	7,500 SQUARE FEET MIN	17,485 S.F.	14,909 S.F.
LOT WIDTH:	75 FEET MINIMUM	86 FEET	62 FEET ⁽¹⁾
LOT DEPTH:	100 FEET MINIMUM	197 FEET	181 FEET
YARD SETBACKS:			
FRONT YARD:	30 FEET MINIMUM	10.6 FEET ⁽²⁾	21.7 FEET ⁽²⁾
SIDE YARD ⁽³⁾ :	10 FEET MINIMUM	11.3 FEET	13.9 FEET
SIDE YARD (TOTAL OF TWO):	20 FEET MINIMUM TOTAL	31.4 FEET	28.3 FEET
REAR YARD:	30 FEET MINIMUM	114.0 FEET	87.5 FEET
YARD SETBACKS (ACCESSORY STRUCTURE):			
SIDE YARD:	5 FEET MINIMUM	N/A	16.0 FEET
REAR YARD:	5 FEET MINIMUM	N/A	47.3 FEET
MAIN BUILDING HEIGHT:	MAX 35 FEET, 2.5 STORIES	<35 FEET	<35 FEET
ACCESSORY BLDG. HEIGHT:	MAX 15 FEET, 1 STORY	N/A	<15 FEET
BUILDING COVERAGE:	MAX 30%	11.6%	13.1%

1. THE LOT WIDTH WAS MEASURED AT THE REAR OF THE PROPOSED STRUCTURE. PER SECTION 223-12(4), THE APPLICANT IS SEEKING AN AVERAGE DENSITY SUBDIVISION IN ORDER TO MAXIMIZE SEPARATION TO THE NATIONALLY REGISTERED HISTORIC PLACE TO THE WEST AND TO PROVIDE A CONSISTENT STREETSCAPE ALONG ROUTE 9D (NORTH AVENUE). APPLICABLE TO LOT 2, THE BULK DIMENSIONS MAY BE REDUCED TO THE NEXT LESS RESTRICTIVE ZONING DISTRICT, R1-5. THE ONLY DIFFERENCE DIMENSION THAT CHANGES IS THE MINIMUM LOT WIDTH TO 50 FEET FROM 75 FEET. THEREFORE, NO VARIANCE IS SOUGHT AS THE LOT IS COMPLIANT WITH THE LOT WIDTH IN THE R1-5 ZONE.
2. PRE-EXISTING, NON CONFORMING LOT 1. THE APPLICANT REQUESTS RELIEF FROM THE PLANNING BOARD FOR THE FRONT YARD REQUIREMENT ON LOT 2 (TO PROVIDE A CONSISTENT FRONT YARD SETBACK TO BUILDINGS ALONG NORTH AVENUE).
3. PER SECTION 223-13(c). ON A CORNER LOT IN ANY RESIDENCE DISTRICT, THERE SHALL BE PROVIDED A SIDE YARD ON THE SIDE STREET EQUAL IN DEPTH TO THE REQUIRED FRONT YARD ON SAID LOT. THIS REQUIREMENT APPLIES TO LOT 1.

OWNER'S CONSENT:

THE UNDERSIGNED OWNER OF THE PROPERTY HEREON STATES THAT HE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

NORM SCHOFIELD _____ DATE _____

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED ON DECEMBER 24, 2017.

By: John J. Post, Jr., L.L.S. N.Y. State Lic. no. 50643

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.

REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1	3/27/2018	PER PLANNING BOARD COMMENTS	DGK

Subdivision Application
Sheet 1 of 1 - Preliminary Subdivision Plat

Owner:
North Avenue Properties, LLC
1181 North Avenue
Beacon, New York 12508

Architect:
Aryeh Siegel, Architect
514 Main Street
Beacon, New York 12508

Site / Civil Engineer:
Hudson Land Design
174 Main Street
Beacon, New York 12508

Surveyor:
John J. Post, Jr.
PO Box 827
Stone Ridge, New York 12484

Landscape Designer:
Landscape Restorations
P.O. Box 286
Beacon, New York 12508

Office Building - 1181 North Avenue
Beacon, New York
Scale: As Noted
February 27, 2018

City of Beacon Council Agenda
7/16/2018

Title:

Application for a special use permit for 850 Wolcott Avenue

Subject:

Background:

ATTACHMENTS:

Description
850 Wolcott packet

Type
Backup Material

*BEACON PLANNING BOARD
ONE MUNICIPAL PLAZA - SUITE 1
BEACON, NEW YORK 12508
Phone (845) 838-5002 Fax (845) 838-5026
John Gunn, Chairman*

June 13, 2018

Mayor Casale & City Council Members
One Municipal Plaza - Suite One
Beacon, New York 12508

RE: Special Use Permit
850 Wolcott Avenue

Applicant: St. Luke's Episcopal Church / Hudson Hills Academy

Dear Mayor Casale & Council Members:

At its June 12, 2018 meeting, the Planning Board reviewed a Special Use Permit application from St. Luke's Episcopal Church to lease one of its existing buildings to Hudson Hills Academy for a private school use. After careful review, Board members voted unanimously to recommend the City Council issue a Special Use Permit subject to the applicant returning to the Planning Board for Site Plan and Subdivision Approval. The Planning Board adopted a SEQRA Negative Declaration at its June 12, 2018 meeting.

The Planning Board notes that in consideration of comments from the public, the Board and its consultants, the Applicant agreed to cap the maximum capacity of the private school to 100 students, require buses to enter on Phillips Street and exit on Wolcott Avenue, and require cars to enter and exit from Wolcott Avenue, thereby eliminating Rector Street as access to and from the school. The Planning Board requests that the City Council consider whether placement of a crosswalk on Rector Street at the entrance to the property is warranted in connection with the Special Use Permit application.

A copy of the application, SEQRA Negative Declaration and Plans are attached for your information. If you have any questions regarding the Planning Board's action, please call me.

Yours truly,

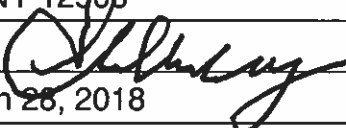


John Gunn, Chairman

APPLICATION FOR SPECIAL USE PERMIT

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

IDENTIFICATION OF APPLICANT

Name: Hudson Hills Academy
Address: 12 Hanna Lane
Beacon, NY 12508
Signature: 
Date: March 28, 2018
Phone: 845.831.1100

(For Official Use Only)

Application & Fee Rec'd 3-27-18
Initial Review _____
PB Public Hearing _____
Sent to City Council _____
City Council Workshop _____
City Council Public Hearing _____
City Council Approve/Disapprove _____

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Aryeh Siegel Architect
Address: 84 Mason Circle
Beacon, NY 12508

Phone: 845-838-2490
Fax: 845-838-2657
Email address: ajs@ajsarch.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: 850 Wolcott Avenue (subject to subdivision and new address)
Tax Map Designation: Section 6054 Block 45 Lot(s) 120587
Land Area: 1.26 acres (subdivided parcel) Zoning District(s) R1-7.5

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Private School
Gross Non-Residential Floor Space: Existing 10,870 Proposed 0
TOTAL: 10,870
Dwelling Units (by type): Existing 0 Proposed 0
TOTAL: 0

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.

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: St. Lukes Episcopal Church

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

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

Applicant Address: 850 Wolcott Avenue, Beacon, NY 12508

Project Address: 850 Wolcott Avenue, Beacon, NY 12508

Project Tax Grid # 6054-45-120597

Type of Application Subdivision / Site Plan

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, The Reverend John Williams, 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
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
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current


Signature of Owner

Rector
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.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>JW</u>
ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)	<u>N/A</u>	<input type="checkbox"/>	___
ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	___

FOR OFFICE USE ONLY

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 62 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, JOIN VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:

Name of Entity	Address of Entity
Place where such business entity was created	Official Registrar's or Clerk's office where the documents and papers creating entity were filed
Date such business entity or partnership was created	Telephone Contact Information

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 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.

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

SECTION H. 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.

SECTION I. 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, Asma Siddiqui being first duly sworn, according to law, deposes and says that I am (Title) DIRECTOR an active and qualified member of the _____, 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) Asma Siddiqui

(Signature) 

**CITY OF BEACON
SITE PLAN SPECIFICATION FORM**

Name of Application: Hudson Hills Academy

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 of firm, such as a Registered Architect or Professional Engineer, and it shall contain the following information:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEGAL DATA		
Name and address of the owner of record.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Name and address of the applicant (if other than the owner).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Name and address of person, firm or organization preparing the plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date, north arrow, and written and graphic scale.		
NATURAL FEATURES		
Existing contours with intervals of two (2) feet, referred to a datum satisfactory to the Planning Board.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approximate boundaries of any areas subject to flooding or stormwater overflows.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other existing development, including fences, retaining walls, landscaping, and screening.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sufficient description or information to define precisely the boundaries of the property.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The owners of all adjoining lands as shown on the latest tax records.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The locations, names, and existing widths of adjacent streets and curb lines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

ITEMS MARKED NO ARE NOT APPLICABLE.

Applicant/Sponsor Name: Hudson Hills Academy

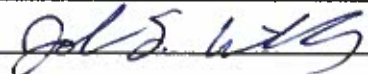
Signature: *Alhddgr*

Date: 3/22/18

APPLICATION FOR SUBDIVISION APPROVAL

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

IDENTIFICATION OF APPLICANT

Name: St. Luke's Episcopal Church
Address: 850 Wolcott Avenue
Beacon, NY 12508
Signature: 
Date: March 28, 2018
Phone: 801-793-7376

(For Official Use Only)

Preliminary Application Rec'd 3-27-18
Application Fee: _____
Public Hearing _____
Preliminary Plat Approved: _____
Final Plat Approved: _____
Recreation Fee: _____
Performance Bond: _____

Date Initials
3-27-18

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Aryeh Siegel Architect
Address: 84 Mason Circle
Beacon, NY 12508

Phone: (845) 838-2490
Fax: (845) 838-2657
Email address: ajs@ajsarch.com

IDENTIFICATION OF SUBJECT PROPERTY:

Subdivision name or identifying title:
St. Luke's Episcopal Church Subdivision
Street which property abuts: Wolcott Avenue (Route 9D) & Rector Street
Current Tax Map Designation: Section 6054 Block 45 Lot(s) 120587
Property (does) ~~(does not)~~ connect directly into a (State) ~~(County)~~ highway.
Land in subdivision (is) (is not) within 500 feet of a Municipal boundary.
Total area of property is 9.08 acres

ITEMS TO ACCOMPANY THIS APPLICATION

- a. Eight (8) **folded** copies of a subdivision plat showing the location of the subject property and the proposed development with respect to neighboring properties and developments.
- b. An application fee, payable to the City of Beacon, computed per the attached fee schedule.
- c. An initial escrow amount, payable to the City of Beacon, as set forth in the attached fee schedule.

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: St. Lukes Episcopal Church

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

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

Applicant Address: 850 Wolcott Avenue, Beacon, NY 12508

Project Address: 850 Wolcott Avenue, Beacon, NY 12508

Project Tax Grid # 6054-45-120597

Type of Application Subdivision / Site Plan

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, The Reverend John Williams, 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
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
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current



Signature of Owner

Rectar

Title if owner is corporation

Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)

NO YES Initial

✓ — JW

ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)

N/A — —

ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

— ✓ —

FOR OFFICE USE ONLY

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 223-62 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, JOIN VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:**

Name of Entity	Address of Entity
Place where such business entity was created	Official Registrar's or Clerk's office where the documents and papers creating entity were filed
Date such business entity or partnership was created	Telephone Contact Information

IF AFFIANT IS A CORPORATION:

Name of Entity <i>St. Luke's Episcopal Church</i>	Telephone Contact Information <i>845-831-2643 office</i> <i>801-793-7376 cell</i>
Principal Place of Business of Entity <i>850 Wolcott Ave</i> <i>Beacon NY 12508</i>	Place and date of incorporation <i>Dutchess County Court</i> <i>July 4th, 1833</i>
Method of Incorporation	Official place where the documents and papers of incorporation were filed <i>Dutchess County Court</i>

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.
St. Luke's Episcopal Church	850 Wolcott Ave Beacon NY 12508	845-831-2643		

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

SECTION H. 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.

SECTION I. 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, The Rev. John F. Williams being first duly sworn, according to law, deposes and says that I am (Title) Rector, an active and qualified member of the St. Luke's, 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) The Rev John F. Williams

(Signature) 

**CITY OF BEACON
PRELIMINARY SUBDIVISION PLAT
AND CONSTRUCTION PLANS SPECIFICATION FORM**

Name of Application: St. Lukes Episcopal Church Subdivision

PRELIMINARY SUBDIVISION PLAT	YES	NO
The preliminary plat shall be clearly marked "Preliminary Plat", shall be drawn to a convenient scale but not less than 1" = 100', and shall contain the following information:	✓	
Proposed subdivision name or identifying title, name, and address of property owner and subdivider (if other than owner), name and address of the surveyor and/or engineer preparing the plan, scale, approximate true North point, and date.	✓	
The approximate location and dimensions of all property lines, the total acreage of the proposed subdivision, the location of any zoning, special district or municipal boundary lines affecting the subdivision, and the names of owners of record of properties adjoining and directly across the street from proposed subdivision.	✓	
The location of all existing structures and pertinent features, including railroads, water bodies, water courses, wetlands, rock outcroppings, wooded areas, major trees, and stone walls, that may influence the design of the subdivision, plus accurate topography at a vertical contour interval of not more than two (2) feet. The topographic data shall be determined by field survey unless the Planning Board specifically waives this requirement and/or permits the substitution of topographic information obtained from other sources determined satisfactory for the particular case.	✓	
The location and status of existing streets or private roads, easements and rights-of-way (if any), proposals for the layout of new streets or private roads (including widths and approximate curve radii) and any proposed easements, rights-of-way and/or reservations.	✓	
The names of existing streets or private roads and proposed names for new streets or private roads.	✓	
The proposed arrangement of lots, including identifying numbers and approximate area and dimensions of each.	✓	
Location, size and nature of any area proposed to be reserved for park purposes.	✓	
A site location sketch, at a scale of one inch equals 400 feet, showing the general situation within 1,000 feet of the applicant's property with respect to surrounding properties, streets and private roads.	✓	
Where the preliminary plat includes only a portion of an applicant's contiguous holding, the applicant shall also indicate, on a sketch at a scale of not less than one inch equals 200 feet, the probable future street or private road system, lot arrangement and location of park and other reservations for the remaining portion of the tract. Such sketch shall be for the purpose of guiding the Planning Board in reviewing the proposed preliminary plat and shall include topographic data with a vertical contour interval of not more than five feet plus any other information determined necessary by the Planning Board.	✓	
Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.	✓	

PRELIMINARY CONSTRUCTION PLANS	YES	NO
The preliminary construction plans shall be drawn at the same scale as the preliminary plat and shall include the following information:	✓	
Location and sizes of any existing water, sewer storm drainage and other utility lines and structures within and nearby the proposed subdivision.	✓	
The proposed system for the provision of water supply and fire protection facilities, sewage disposal, stormwater drainage, and other utility services.	✓	
Proposed street or private road profiles and cross-sections showing the approximate grade of proposed streets or private roads, the relationship of existing to proposed grades, and the proposed grades, and the proposed vertical curvature along the center line of all new streets or private roads.	✓	
Location of all existing and proposed monuments and other subdivision improvements.	✓	
Such additional information as may be required by this chapter, the Zoning chapter, or the Planning Board.	✓	

FINAL SUBDIVISION PLAT (continued)	YES	NO
<p>Form for endorsement by Planning Board Chairman as follows:</p> <p>“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.</p> <p>Signed this _____ day of _____, 20_____, by _____, Chairman _____, Secretary</p> <p>In absence of the Chairman or Secretary, the Acting Chairman or Acting Secretary Respectively may sign in this place.</p>	✓	
<p>Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.</p>	✓	
<p>Stormwater pollution prevention plan. A stormwater pollution prevention plan consistent with the requirements of Chapter 190 and with the terms of preliminary plan approval shall be required for final subdivision plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 190, Article II. The approved final subdivision plat shall be consistent with the provisions of Chapter 190.</p>	✓	

FINAL CONSTRUCTION PLANS	YES	NO
<p>Final construction plans and profiles shall be prepared for all proposed streets, private roads and other required improvements. Plans shall be drawn at the same scale as the final plat and on the same size sheets, but not on the same sheets. The following information shall be shown:</p>	-	
<p>Plans and profiles showing the location and a typical cross-section of street and/or private road pavements including curbs and gutters, sidewalks, manholes and catch basins; the location of street or private road trees, lighting and signs; the location, size and invert elevations of existing and proposed sanitary sewers, stormwater drains and fire hydrants; the location and size of all water, gas or other underground utilities or structures; and the location and design of any other required improvements.</p>	✓	
<p>Profiles showing existing and proposed elevations along the center line of all streets and private roads. Where a proposed street or private road intersects an existing street or private road, the elevation along the center line of the existing street or private road within 100 feet of intersection, shall be shown. All elevations must be referred to established U.S. Government of approved local benchmarks, where they exist within ½ mile of the boundary of the subdivision.</p>	✓	
<p>The Planning Board may require, where steep slopes exist, cross-sections showing existing and proposed elevations of all new streets and private roads every 100 feet at five points on a line at right angles to the center line of the street or private road, said elevation points to be at the center line of the street or private road, each property line, and points 30 feet inside each property line.</p>	✓	
<p>Location, size, elevation and other appropriate description of any existing facilities which will be connected to proposed facilities and utilities within the subdivision.</p>	✓	

Project Narrative

St. Luke's Episcopal Church / Hudson Hills Academy
Subdivision / Site Plan Special Use Permit Applications

June 4, 2018

Project Summary

St. Luke's Episcopal Church is applying to subdivide their property in order to lease the Church school building to Hudson Hills Academy, a private school currently operating at their Hanna Lane location in Beacon. This lease arrangement allows for the continued use and maintenance of the school building and will generate income for the Church that will help them offset the cost of upkeep for the remainder of the Church buildings and property.

The Church is dedicated to maintaining the original historical site plan, landscaping, and traffic patterns that have remained unchanged since the Church opened in 1869.

There are 4 parts to this application:

1. Subdivision of St. Luke's Episcopal Church

The subdivision of the property allows Hudson Hills Academy to use the existing Church school building as a private school. The subdivision is required because there can only be one principal building on each lot. Previously, the school building was accessory to the Church. Now that it is proposed to be a private school, it needs to be on its own property.

2. Site Plan Review – St. Luke's Episcopal Church

The Site Plan review is necessary to demonstrate that the remaining 8.8 acres Church property still meets Zoning Code after the 1-acre parcel is subdivided off to be leased to Hudson Hills Academy

3. Site Plan Review – Hudson Hills Academy

The Site Plan review is necessary to demonstrate that the newly created 1-acre parcel to be used by Hudson Hills Academy meets Zoning Code.

4. Special Use Permit – Hudson Hills Academy

The private school use is allowable in the R1-5 Zoning District by Special Use Permit

ARYEH SIEGEL

ARCHITECT

St. Luke's Episcopal Church

St. Luke's Church was design by the renowned architect Frederick Clarke Withers, and built in 1869. The Church is listed on the National Register of Historic Places. The buildings, cemetery, and grounds were designed by Henry Winthrop Sargent. The school building is not considered to be a contributing factor in the historic designation due to the large addition constructed in the 1950s. In addition to the Church and school, there is also a Rectory building and a modern concrete block garage on the property.

The Church does not plan for any changes to their property after the subdivision.

Hudson Hills Academy

Hudson Hills Academy intends to open a private school in the existing building on the subdivided parcel. Hudson Hills Academy is planning for a total of approximately 85 students, 8 to 10 of which will be toddlers. The toddler classroom meets the requirements to be classified as a standard Education use because of the limited number of students, and the fact that it meets the required Building Code provisions.

The school does not expect the number of students to change significantly over time. Hudson Hills expects to reach 100 students at its maximum capacity after several years of operation. The school year generally follows the public school schedule, with classes from September through June. There are approximately 12 teachers and administrators.

Student Arrival & Departure

Most students will arrive by bus. There will normally be 4 small (30 foot) school buses arriving at the existing Wolcott Avenue entrance in the morning at 8:20 am. The buses will unload students in the bus loading area adjacent to the school entrance, and will leave the property at approximately 8:30 am using the existing Wolcott Avenue entrance. Adequate maneuvering space for buses to unload passengers, then turn around and exit is provided and demonstrated on the site plan. The arrival and dismissal traffic are coordinated and supervised by school personnel, and the available parking and loading space in the existing parking lot will accommodate the travel needs of the students and teachers.

Buses will return along the same route at 3:15 pm for student pick up after school dismissal.

School traffic will not be permitted to enter using the existing Rector Street entrance. School administration will direct parents driving their children to and from school not to park on Rector Street, in order to minimize impact on neighboring residential properties. The school anticipates no more than 6 - 8 students being driven to and from school in cars.

Parking on the property is shared between the Church and the School. For the overwhelming majority of the time, the Church and School schedules do not overlap, and parking can be dedicated to one use or the other. The Church is able to coordinate schedules and provide overflow parking on their lawns should the need ever arise.

There should be little impact on local traffic since there are only 4 buses using the Wolcott Avenue entrance, twice a day. The buses are on the property for a limited amount of time. Discrete signage will direct visitors to the Church and School.

The Wolcott Avenue internal drive has historically supported 2-way traffic and will continue to do so. Stop signs will be installed at the drive exit points.

School Building & Grounds

The school plans for minor renovation and cleanup inside the existing building. Very little will change at the exterior of the building or the site. The school plans to replace the single pane glass in the addition windows over time, but this will have no visual impact to the building since only the glass material will be replaced within the existing window frames. There will be a toddler playground in the existing fenced in play area. There will be a playground for the older students on the side of the building away from Rector Street.

A painted crosswalk will be installed across the entry at Rector Street. A stone dust path, similar to the Greenway Trail paths along the Fishkill Creek, will be installed between the Rector Street entrance and the school building entrance, for the rare occasions that people walk to the school.

Landscaping will be added to screen the school yard from Rector Street, and to shield views of the cemetery from the school and playground.

This application represents an opportunity for the Church to have the school building continue to be occupied by a compatible use consistent with its historic use, and to generate additional income to be used to maintain the overall landmark property. The school and the Church are both non-profit institutions, and must focus their limited resources carefully to allow for the continued maintenance of the historic property.

Project : 850 Wolcott

Date : 6/12/18

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.

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 public 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.

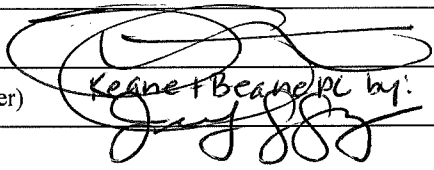
Name of Action: Hudson Hills Academy

Name of Lead Agency: City of Beacon Planning Board

Name of Responsible Officer in Lead Agency: John Gunn

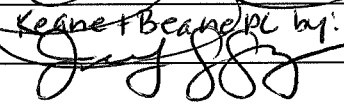
Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency:



Date: 6/12/2018

Signature of Preparer (if different from Responsible Officer)

Keane + Beane PC by: 

Date: 6/12/18

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
**NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR SPECIAL PERMIT, SITE PLAN AND SUBDIVISION
APPROVAL FOR 850 WOLCOTT AVENUE**

Tax Grid No. 6054-45-120587

This Part 3 analysis has been prepared to address all relevant areas of environmental concern as identified in the review by the Planning Board. Based upon a review of Parts 1 and 2 of the Full Environmental Assessment Form (EAF) and all other application materials that were submitted in support of the Proposed Action (Type 1), 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.

Project Description:

The Proposed Action is the subdivision of a 9.88 acre parcel with an existing church, school building, rectory and garage into two lots so that the school building is located on its own parcel for use as a private school. Parcel 1 will contain the school building and is proposed to consist of 1 acre. Parcel 2 will contain the existing church, rectory and garage and is proposed to consist of 8.88 acres. The parcel is in the R1-7.5 Zoning District and the Historic District and Landmark Overlay Zone. The R1-7.5 District permits private school uses by Special Permit from the City Council. The Proposed Action includes requests for approval of a 2-lot subdivision, site plan and Special Permit for the proposed private school (Hudson Hills Academy) in the existing church school building.

The Proposed Action is a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) because St. Luke's Episcopal Church on the Subject Property is listed on the National Register of Historic Places. The Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on June 12, 2018 at which time the State Environmental Quality Review Act (SEQRA) public hearing was also closed.

Summary of Rationale for Negative Declaration

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.**

The project site is located in the R1-7.5 Zoning District and is currently improved with the St. Luke's Episcopal Church, church school building, rectory, garage and associated accessory improvements. Limited portions of the site are proposed to be disturbed for the installation of play equipment and landscaping. There are no known sensitive features on the site such as steep slopes or wetlands.

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

The Project does not include or require wastewater discharged to groundwater. The Project will be connected to the existing public water distribution and sanitary sewer systems. The projected water usage from the Proposed Action is 865 gallons per day (gpd) as no meals will be prepared on-site. In that regard, the existing commercial kitchen is being removed as part of the interior renovations to accommodate the private school use. The projected sewer flow is 900 gpd. Based on the recent water supply study performed by the City of Beacon, there is sufficient water to service this project. Also, the sewer plant is rated for 6 mgd, and is currently operating at 3.2 to 3.5 mgd, therefore there is sufficient capacity to accept sewer flows from the project.

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

The project site is the home of the St. Luke's Episcopal Church which is listed on the National Register of Historic Places. According to the Project Sponsor, the Church was built in 1869 and the school building is not considered to be a contributing factor in the historic designation due to the large addition constructed in the 1950's. No changes are proposed to the exterior of the church school building to accommodate the private school use, except to replace the existing window glass in a portion of the building to insulated glass. The change of use from a church school to a private school will not have a significant adverse impact on the historic or archeological resources on the project site.

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

The proposed private school projects there to be 85 students and 12 teachers arriving and departing from the site. According to the Applicant, the maximum capacity of the private school is 100 students and the Applicant has agreed to cap its enrollment at 100 students. Students are scheduled to arrive at 8:20AM and depart at 3:15PM. Based on the projected enrollment, approximately 75 of the students will be arriving by 4 (30-foot) buses, whereas approximately 10 students will be arriving by car as well as the 12 teachers. The Planning Board recognizes that there

may be a few additional buses and a larger bus may be used if deemed necessary by the applicable school district from which students are arriving. The Applicant agrees that (i) all car traffic shall enter and exit from and to Wolcott Avenue and appropriate signage shall be posted and notification distributed to parents/guardians that vehicular access from Rector is prohibited, and (ii) bus traffic shall enter from Phillips Street and exit to Wolcott Avenue. Based upon the limited number of buses and cars (student drop off/pick up) arriving after and leaving before peak hours, and the 12 cars for the teachers, there will not be a significant adverse impact on traffic on the neighboring streets.

The existing off-street parking spaces on the project site will be shared between the proposed private school and the Church. There are 40 existing off-street parking spaces (38 surface spaces, 2 in existing garage). As per the City of Beacon Zoning Code, 38 spaces are required for the place of worship and 12 spaces are required for the private school based on the projected enrollment. Section 223-26 of the Zoning Code permits parking spaces for structures or uses on “two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility.” The proposed private school and the church intend to share the existing 40 parking spaces with all parking spaces being available to the Church on Sundays and Church Holidays. According to the Project Sponsor, in the event of an occasional special event by the proposed private school lawn parking will be made available for any overflow.

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

While more energy will be used as a result of the proposed private school due to the increase in the frequency with which the school building will be occupied the existing energy infrastructure is sufficient to serve the Proposed Action. The Proposed Action does not require a new, or an upgrade to any existing substation.

- **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.**

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

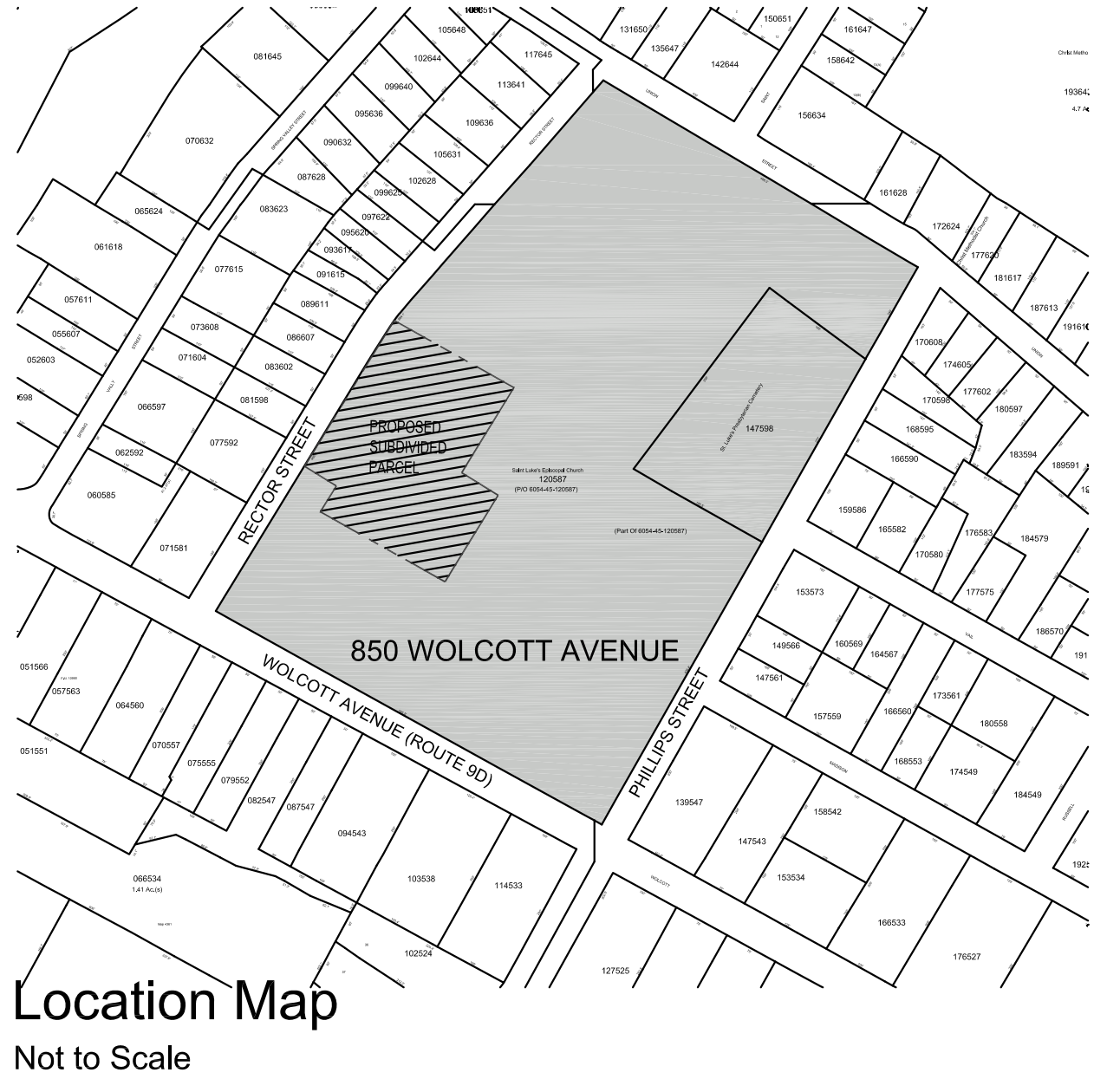
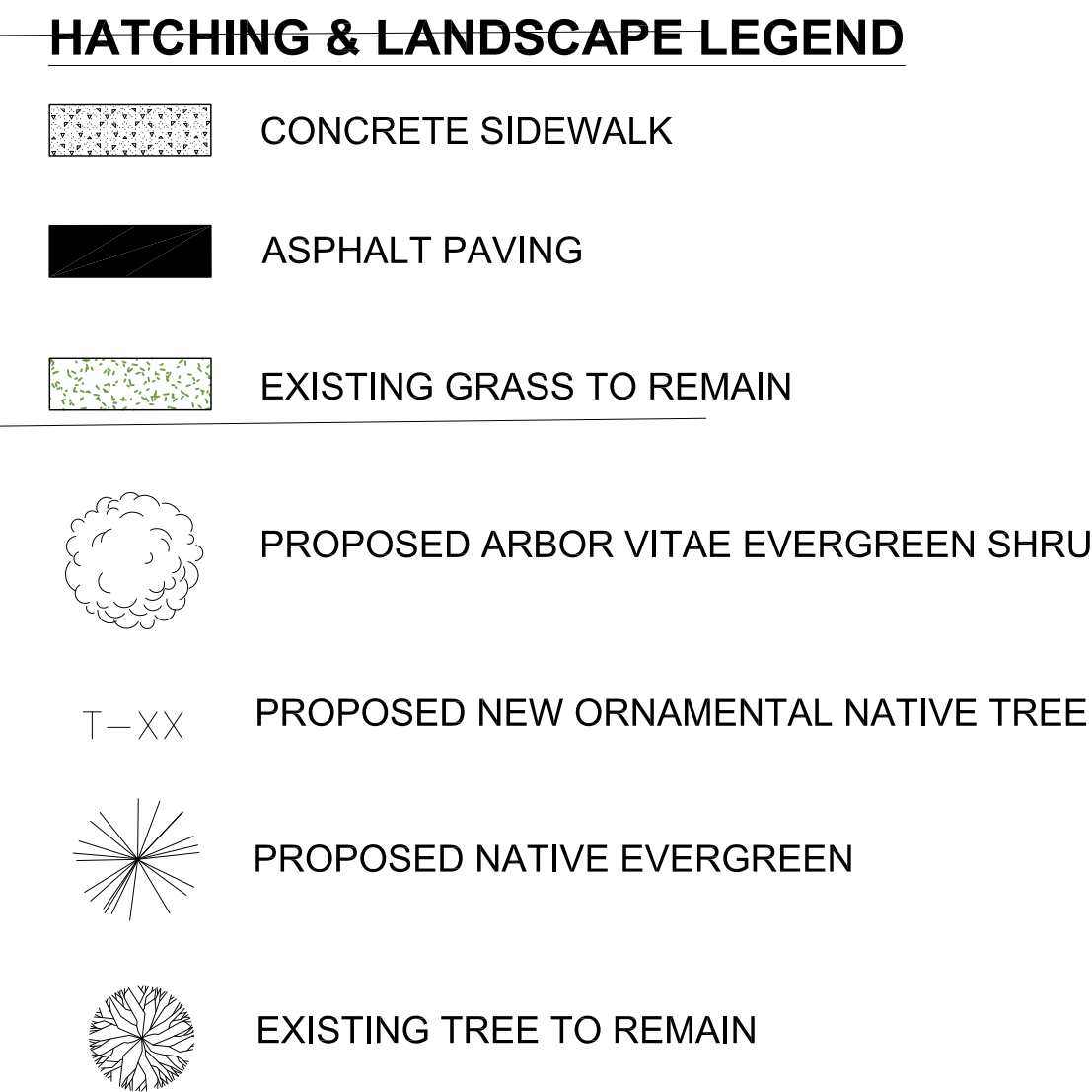
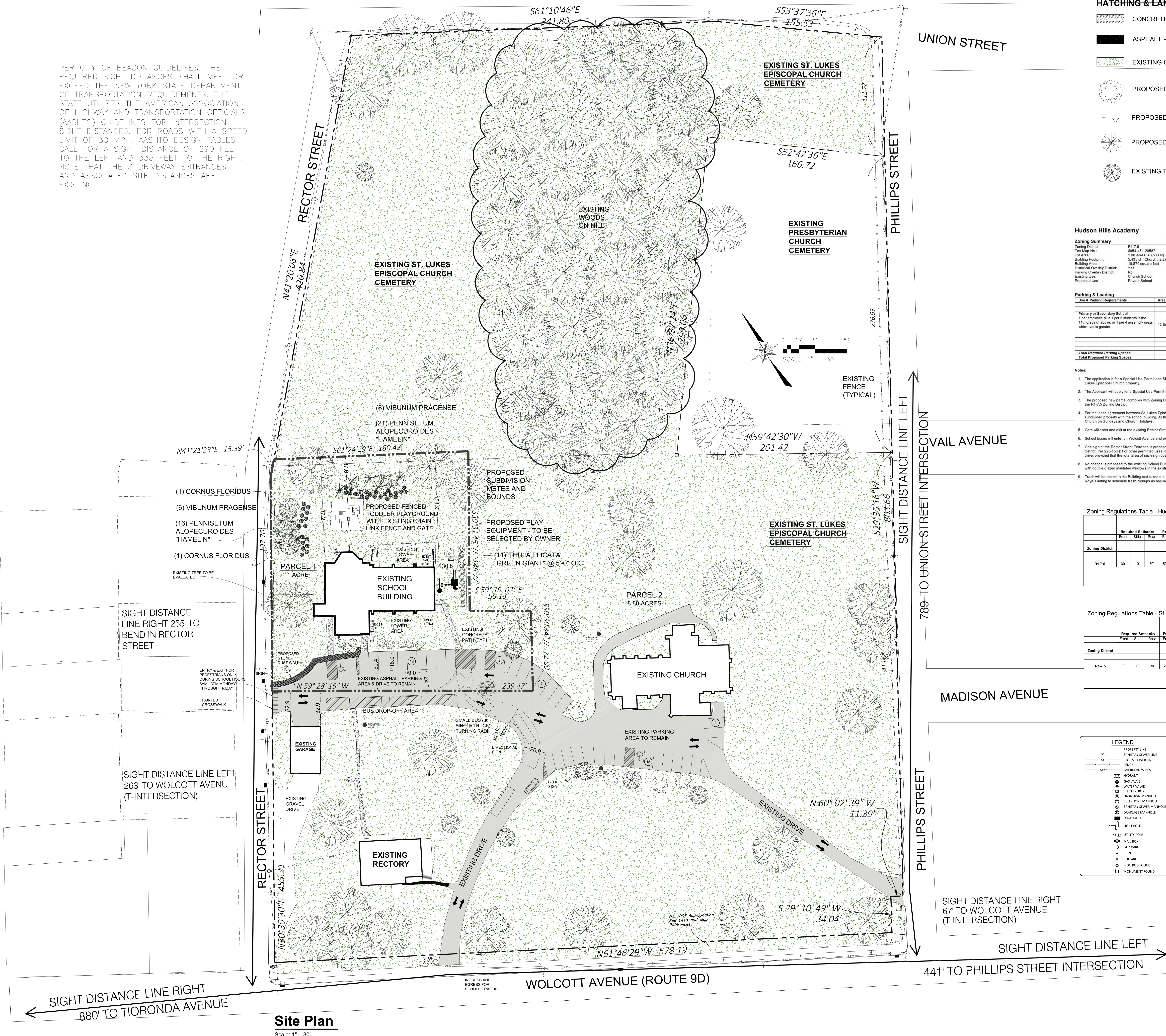
Noise impacts associated with the proposed Project will be limited to bus and car traffic and the possibility that the sound of children playing on the play equipment may be heard beyond the property line. Proposed landscaping between the play equipment and Rector Street will serve to buffer the sound to residents on Rector

Street. The limitations on bus and car traffic, as set forth above, will minimize noise impacts.

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

Dated: June 12, 2018

PER CITY OF BEACON GUIDELINES, THE REQUIRED SIGHT DISTANCES SHALL MEET OR EXCEED THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REQUIREMENTS. THE STATE UTILIZES THE AMERICAN ASSOCIATION OF HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) GUIDELINES FOR INTERSECTION SIGHT DISTANCES. FOR ROADS WITH A SPEED LIMIT OF 30 MPH, AASHTO DESIGN TABLES CALL FOR A SIGHT DISTANCE OF 290 FEET TO THE LEFT AND 335 FEET TO THE RIGHT. NOTE THAT THE 3 DRIVEWAY ENTRANCES AND ASSOCIATED SITE DISTANCES ARE EXISTING



Hudson Hills Academy

Zoning District	Area / Count	Parking Requirement
Primary or Secondary School	12 Employees	12 spaces
1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater		
Total Required Parking Spaces		12 spaces
Total Proposed Parking Spaces		14 spaces (on subdivided parcel)

St. Lukes Episcopal Church

Zoning District	Area / Count	Parking Requirement
Place of Worship	150 pew spaces	38 spaces (30 spaces in 1954)
1 space for each 4 seats or pew spaces (1954 requirement was 1 space for each 5 seats)		
Total Required Parking Spaces		38 spaces
Total Proposed Parking Spaces		45 spaces (See Notes 3,4)

- Notes:**
- The application is for a Special Use Permit and Site Plan approval for the parcel to be subdivided from the larger St. Lukes Episcopal Church property.
 - The Applicant will apply for a Special Use Permit from the City Council upon referral by the Planning Board.
 - The proposed new parcel complies with Zoning Code. The Private School use is allowed by Special Use Permit in the R1-7.5 Zoning District.
 - Per the lease agreement between St. Lukes Episcopal Church and Hudson Hills Academy, the lessee of the subdivided property with the school building, all the parking spaces on the School parcel will be available to the Church on Sundays and Church Holidays.
 - Cars will enter and exit at the existing Rectory Street entrance.
 - School buses will enter on Wollcott Avenue and exit on Rectory Street.
 - One sign at the Rectory Street Entrance is proposed. The sign will comply with requirements for signs in a residential district, per 223-15(c). For other permitted uses, one sign at each street frontage where the use has an access drive, provided that the total area of such sign does not exceed 50 square feet.
 - No change is proposed to the existing School Building exterior, apart from replacing existing single pane windows with double glazed insulated windows in the existing openings.
 - Trash will be stored in the Building and taken out to the curb on trash pickup days. The School will contract with Royal Caring to schedule trash pickups as required.

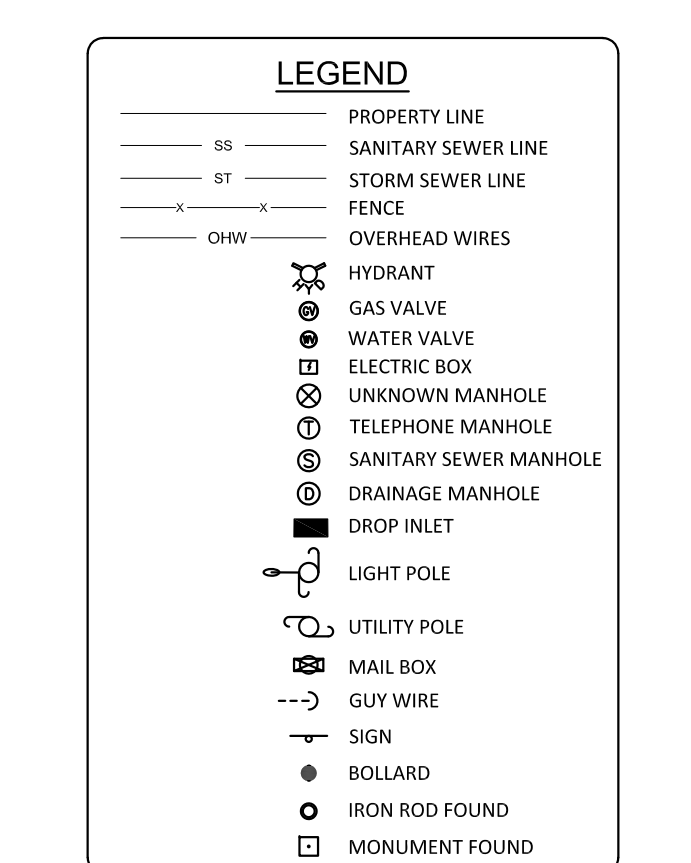
- Notes:**
- The application is to subdivide a portion of the property and lease it to a private school.
 - The Church parcel, after the subdivision, continues to comply with Zoning Code.
 - A total of 45 parking spaces exist on site: 38 surface plus 2 in the existing garage building. Per the lease agreement between St. Lukes Episcopal Church and Hudson Hills Academy, the lessee of the subdivided property with the school building, all the parking spaces will be available to the Church on Sundays and Church Holidays.
 - Per Beacon Zoning Code Section 226-23 (b)(1) & (2), no parking is required for structures and land uses in existence on April 20, 1964, unless the affected additional required facilities amount to a cumulative total increase of at least 25% over the existing use as of said date. There is no increase in proposed use.
 - Church congregants arriving in cars currently enter and exit from the Wollcott Avenue entrance. No change is proposed following the subdivision.
 - No change is proposed to the existing Church building exterior.
 - No signage is proposed as part of the application.
 - There is no change to the existing trash storage and pickup.

Zoning Regulations Table - Hudson Hills Academy Parcel

Zoning District	Required Setbacks			Proposed Setbacks			Minimum Lot Area	Proposed Lot Area	Minimum Lot Width	Minimum Lot Depth	Proposed Lot Width	Proposed Lot Depth	Maximum Building Coverage	Proposed Building Coverage	Minimum Distance Between Buildings	Maximum Building Height	Building Height	Maximum Number of Stories	Proposed Number of Stories
	Front	Side	Rear	Front	Side	Rear													
R1-7.5	30'	10'	30'	50.4'	39.5'	87.6'	7,500 sf	43,983.00 sf	75'	100'	189'	220.75'	30%	10%	None	30'	Existing no change	2 / 1/2	2 / no change

Zoning Regulations Table - St. Lukes Episcopal Church Parcel

Zoning District	Required Setbacks			Existing Setbacks			Minimum Lot Area	Actual Lot Area after subdivision	Minimum Lot Width	Minimum Lot Depth	Proposed Lot Width	Proposed Lot Depth	Maximum Building Coverage	Proposed Building Coverage	Minimum Distance Between Buildings	Maximum Building Height	Building Height	Maximum Number of Stories	Proposed Number of Stories
	Front	Side	Rear	Front	Side	Rear													
R1-7.5	30'	10'	30'	21.0'	15.7'	55.2'	7,500 sf	38,604 sf	75'	100'	342'	80.2'	30%	2%	None	30'	Existing no change	2 / 1/2	1 / no change



Index of Drawings

Sheet 1 of 4	Subdivision Plat
Sheet 2 of 4	Site Plan
Sheet 3 of 4	Existing Conditions Survey
Sheet 4 of 4	Landscaping Plan - Hudson Hills Floor Plans & Elevations

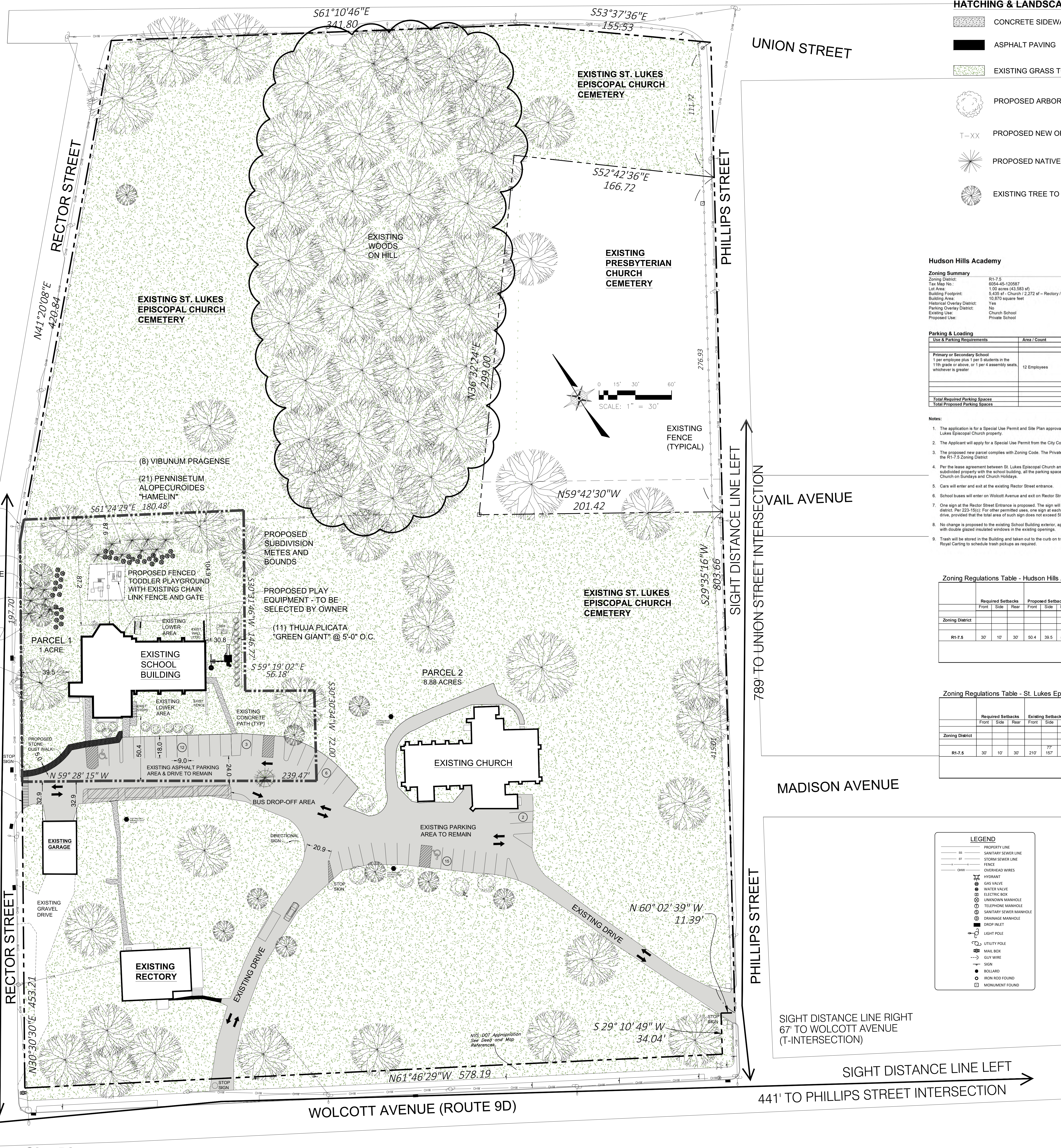
REVISIONS

NO.	DATE	DESCRIPTION	BY
1	04/24/18	REVISED PER PLANNING BOARD COMMENTS	AJS
2	05/29/18	REVISED PER PLANNING BOARD COMMENTS	AJS
3	06/04/18	REVISED SCHOOL BUS PATH	AJS

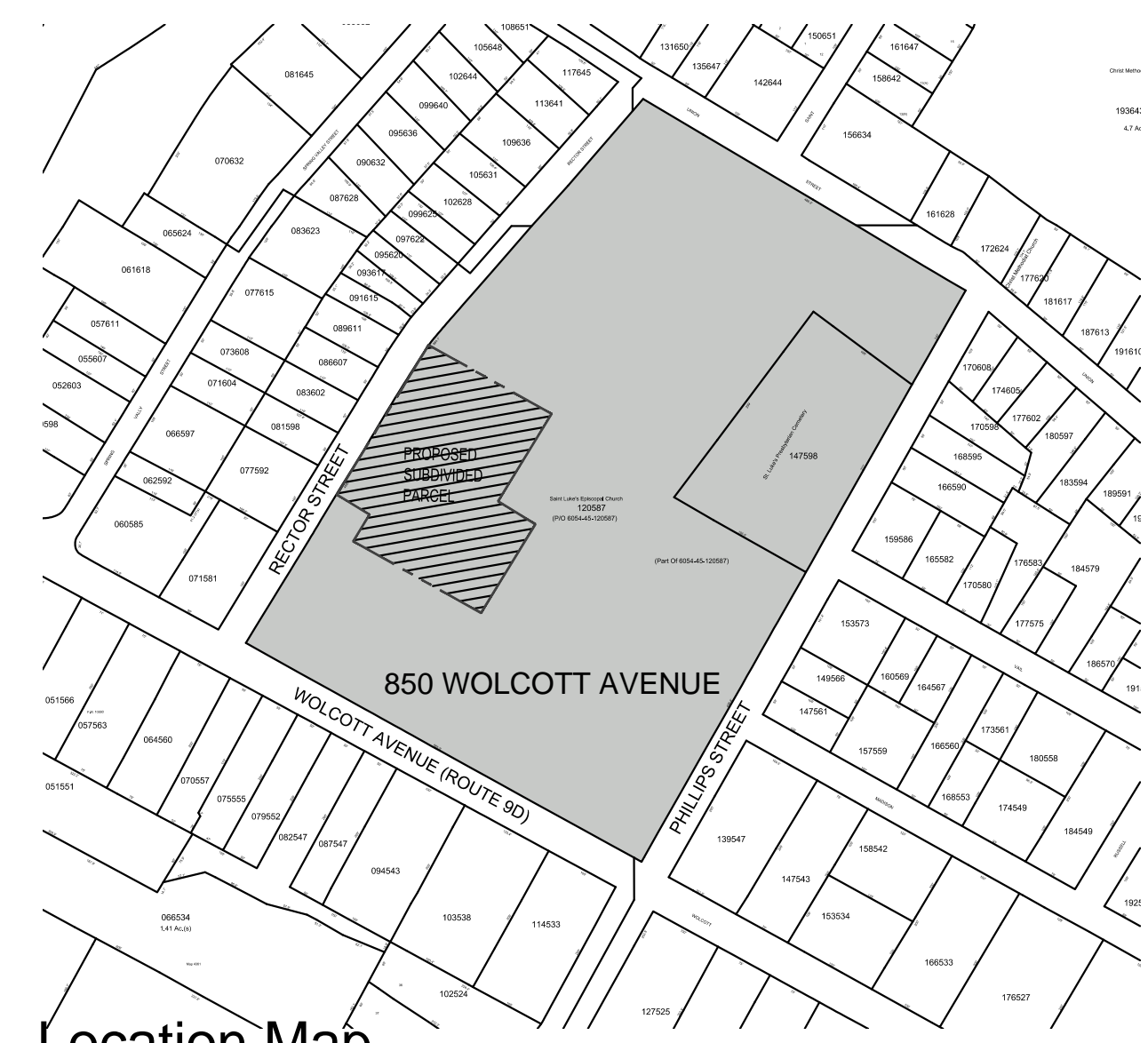
Sub-Division, Site Plan & Special Use Permit Application

Sheet 1 of 4 - Site Plan

PER CITY OF BEACON GUIDELINES, THE REQUIRED SIGHT DISTANCES SHALL MEET OR EXCEED THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REQUIREMENTS. THE STATE UTILIZES THE AMERICAN ASSOCIATION OF HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) GUIDELINES FOR INTERSECTION SIGHT DISTANCES. FOR ROADS WITH A SPEED LIMIT OF 30 MPH, AASHTO DESIGN TABLES CALL FOR A SIGHT DISTANCE OF 290 FEET TO THE LEFT AND 335 FEET TO THE RIGHT. NOTE THAT THE 3 DRIVEWAY ENTRANCES AND ASSOCIATED SITE DISTANCES ARE EXISTING



Site Plan
Scale: 1" = 30'



Hudson Hills Academy

Zoning District:	R1-7.5
Tax Map No.:	6054-45-120587
Lot Area:	1.00 acre (43,560 sq ft)
Building Footprint:	5,435 sq ft Church, 2,272 sq ft Rectory / 1,226 sq ft Garage = 9,349 sq ft Total
Building Area:	10,870 square feet
Historical Overlay District:	Yes
Parking Overlay District:	No
Existing Use:	Church School
Proposed Use:	Private School

Parking & Loading

Use & Parking Requirements	Area / Count	Parking Requirement
Primary or Secondary School 1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater.	12 Employees	12 spaces
Total Required Parking Spaces		12 spaces
Total Proposed Parking Spaces		16 spaces (on subdivided parcel)

- #### Notes:
- The application is for a Special Use Permit and Site Plan approval for the parcel to be subdivided from the larger St. Lukes Episcopal Church property.
 - The applicant will apply for a Special Use Permit from the City Council upon referral by the Planning Board.
 - The proposed new parcel complies with Zoning Code. The Private School use is allowed by Special Use Permit in the R1-7.5 Zoning District.
 - Per the lease agreement between St. Lukes Episcopal Church and Hudson Hills Academy, the lessee of the subdivided property with the school building, all the parking spaces on the School parcel will be available to the Church on Sundays and Church Holidays.
 - Cars will enter and exit at the existing Rector Street entrance.
 - School buses will enter on Wolcott Avenue and exit on Rector Street.
 - One sign at the Rector Street Entrance is proposed. The sign will comply with requirements for signs in a residential district. Per 223-3.0(c). For other permitted uses, one sign at each street frontage where the use has an access drive, provided that the total area of such sign does not exceed 50 square feet.
 - No change is proposed to the existing School Building exterior, apart from replacing existing single pane windows with double glazed insulated windows in the existing openings.
 - Trash will be stored in the Building and taken out to the curb on trash pickup days. The School will contract with Royal Carting to schedule trash pickups as required.
 - There is no change to the existing trash storage and pickup.

St. Lukes Episcopal Church

Zoning District:	R1-7.5
Tax Map No.:	6054-45-120587
Lot Area:	9.88 acres (430,142 sq ft)
Building Footprint:	5,435 sq ft Church, 2,272 sq ft Rectory / 1,226 sq ft Garage = 9,349 sq ft Total
Building Area:	11,021 square feet
Historical Overlay District:	Yes
Parking Overlay District:	No
Existing Use:	Church and School
Proposed Use:	Church (School building to be subdivided off)

Parking & Loading

Use & Parking Requirements	Area / Count	Parking Requirement
Place of Worship 1 space for each 4 seats or pew spaces (1964 requirement was 1 space for each 5 seats)	150 pew spaces	38 spaces (30 spaces in 1964)
Total Required Parking Spaces		38 spaces
Total Proposed Parking Spaces		40 spaces (See Notes 3,4)

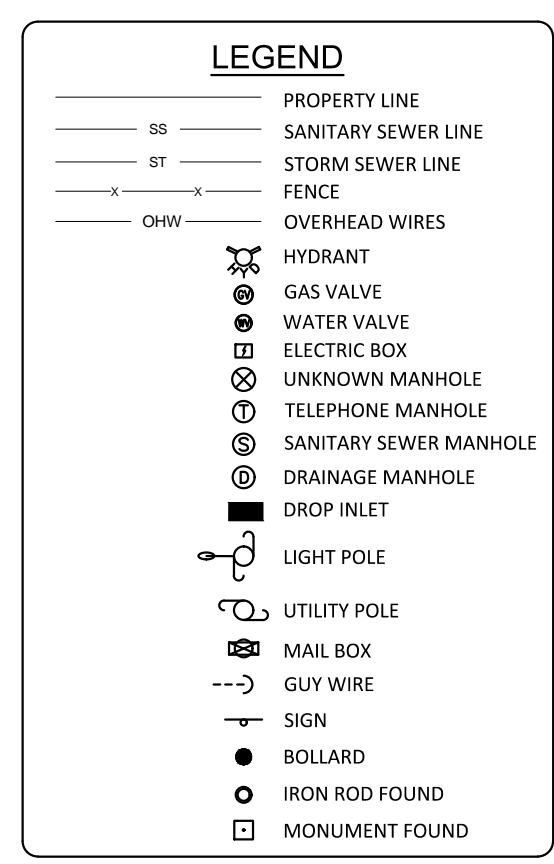
- #### Notes:
- The application is to subdivide a portion of the property and lease it to a private school.
 - The Church parcel, after the subdivision, continues to comply with Zoning Code.
 - A total of 40 parking spaces exist on site: 38 surface plus 2 in the existing garage building. Per the lease agreement between St. Lukes Episcopal Church and Hudson Hills Academy, the lessee of the subdivided property with the school building, all the parking spaces will be available to the Church on Sundays and Church Holidays.
 - Per Beacon Zoning Code Section 226-23 (b)(1 & 2), no parking is required for structures and land uses in existence on April 20, 1964, unless the aforementioned additional required facilities amount to a cumulative total increase of at least 25% over the existing use as of said date. There is no increase in proposed use.
 - Church congregants arriving in cars currently enter and exit from the Wolcott Avenue entrance. No change is proposed following the subdivision.
 - No change is proposed to the existing Church building exterior.
 - No signage is proposed as part of this application.
 - There is no change to the existing trash storage and pickup.

Zoning Regulations Table - Hudson Hills Academy Parcel

Zoning District	Required Setbacks			Proposed Setbacks			Minimum Lot Area	Proposed Lot Area	Minimum Lot Width	Minimum Lot Depth	Proposed Lot Width	Proposed Lot Depth	Maximum Building Coverage	Proposed Building Coverage	Minimum Distance Between Buildings	Maximum Building Height	Building Height	Maximum Number of Stories	Proposed Number of Stories
	Front	Side	Rear	Front	Side	Rear													
R1-7.5	30'	10'	30'	50.4'	39.5'	87.6'	7,500 sq ft	43,560.00	75'	100'	189'	220.75'	30%	10%	None	30'	Existing no change	2 1/2	2 no change

Zoning Regulations Table - St. Lukes Episcopal Church Parcel

Zoning District	Required Setbacks			Existing Setbacks			Minimum Lot Area	Actual Lot Area after subdivision	Minimum Lot Width	Minimum Lot Depth	Proposed Lot Width	Proposed Lot Depth	Maximum Building Coverage	Proposed Building Coverage	Minimum Distance Between Buildings	Maximum Building Height	Building Height	Maximum Number of Stories	Proposed Number of Stories
	Front	Side	Rear	Front	Side	Rear													
R1-7.5	30'	10'	30'	210'	77'	592'	7,500 sq ft	386,804 sq ft	75'	100'	342'	862'	30%	2%	None	30'	Existing no change	2 1/2	1 no change



Index of Drawings

Sheet 1 of 4	Subdivision Plat
Sheet 2 of 4	Site Plan
Sheet 3 of 4	Existing Conditions Survey
Sheet 4 of 4	Landscaping Plan - Hudson Hills Academy
Sheet 4 of 4	Floor Plans & Elevations

REVISIONS:

NO.	DATE	DESCRIPTION	BY
1	04/24/18	REVISED PER PLANNING BOARD COMMENTS	AJS
2	05/29/18	REVISED PER PLANNING BOARD COMMENTS	AJS

SURVEY NOTES

1. Copyright TEC Land Surveying. All Rights Reserved. Reproduction or copying of this document may be a violation of copyright law unless permission of the author and / or copyright holder is obtained.
2. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
3. Only boundary survey maps with the surveyor's embossed or red inked seal are genuine true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed or red inked seal should be assumed to be an unauthorized copy.
4. Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this boundary survey map.
5. The certifications herein are not transferable.
6. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.
7. Subject to the findings of a current title search.
8. Subject to covenants, easements, restrictions, conditions and agreements of record.
9. Subject to any right, title or interest the public may have for highway use.
10. Bearings and North shown hereon are referenced to NAD 83—NY East using NYSNET RTN GPS.
11. Historical mapping and deeds show property lines to centerline of adjoining streets. Other historical deeds describe street dedications. Street lines as per deeds with dedications are shown hereon based on public usage.

MAP REFERENCE

Survey shown hereon depicts lot(s) as shown on a map entitled "Property of Saint Lukes Church" prepared by G.R. Hustis dated December 31, 1956.

NYS DOT Map No. 55, Parcel 61 - Walcott Avenue Dated July 5 2002.

NYS DOT Map No. 56, Parcel 62 - Walcott Avenue Dated July 25, 2002.

NYS DOT Map No. 72, Parcel 78 - Walcott Avenue Dated July 25, 2002.

DEED REFERENCE

Doc. #02 2009 8998
Rectors Church Wardens & Vestryment
To
NYS Dept. of Transportation
October 30, 2003

Liber 136, Page 483
Walcott
To
Rector Church Wardens & Vestryment
May 15, 1866

TAX PARCEL NUMBER

City of Beacon, Dutchess County, New York
130200-6054-45-120587 &
130200-6054-45-147598

AREA

Parcel 120587:
430,187 Square Feet
9,890 Acres

Parcel 147598:
52,810 Sq. Ft.
1,212 Acres

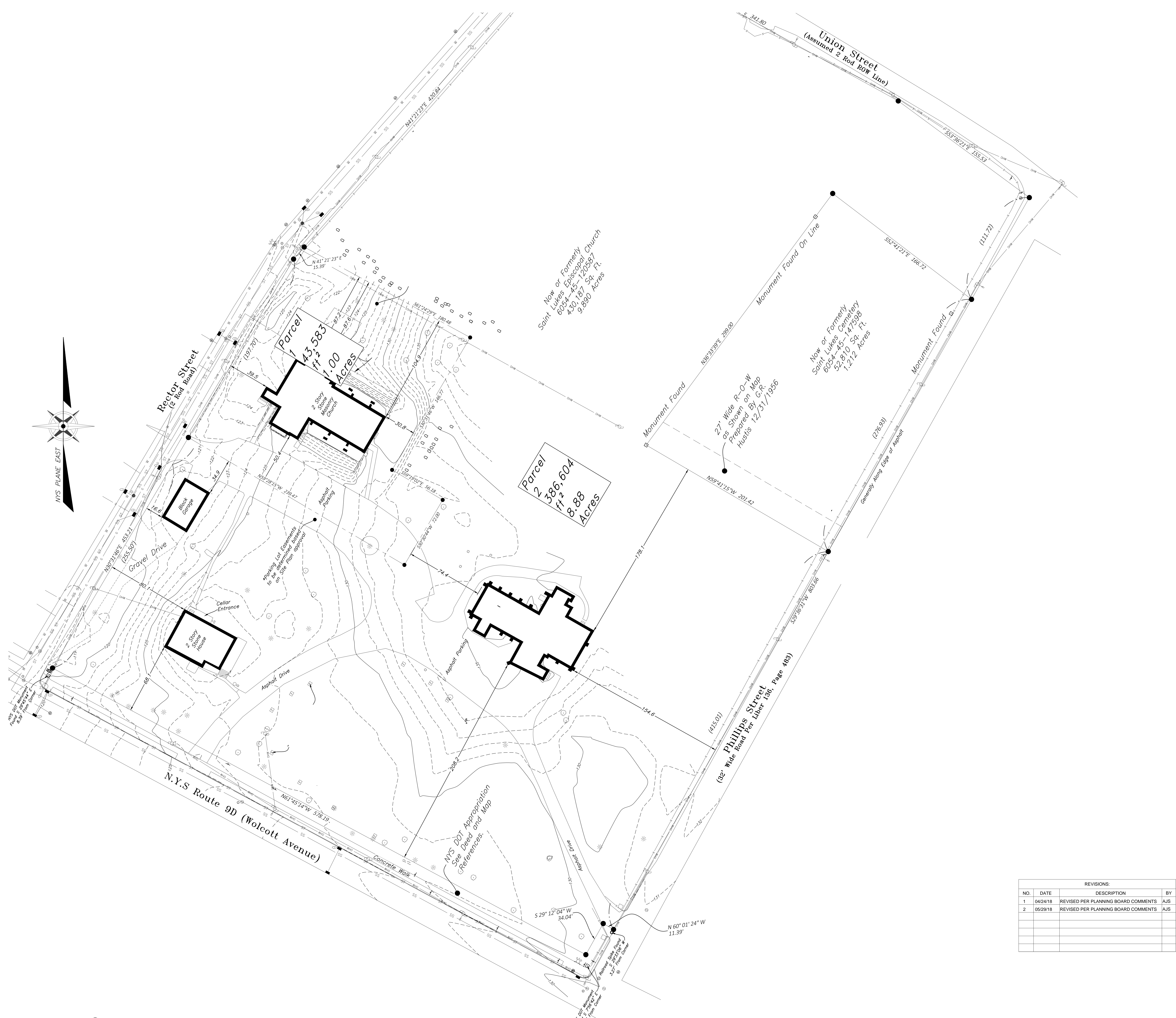
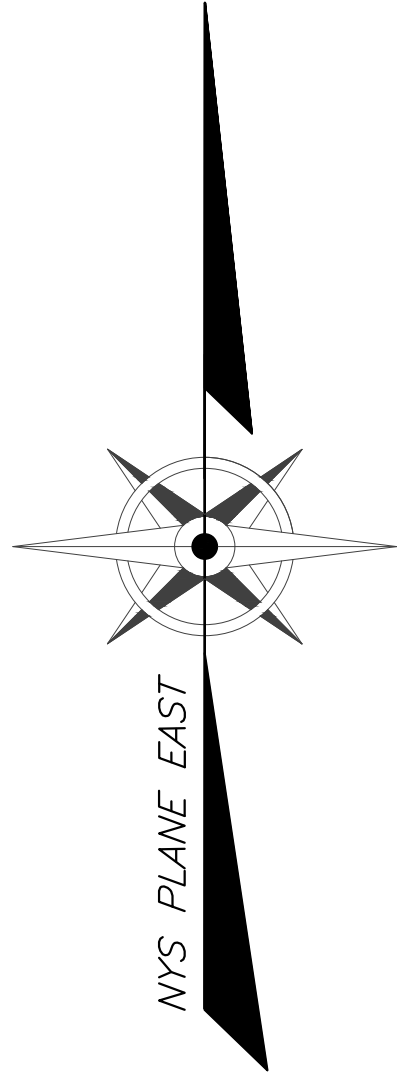
DATE OF SURVEY

Field Completion: January 25, 2017

SURVEYOR

Prepared by TEC Surveying
15c Tioronda Avenue
Beacon, NY 12508

LEGEND	
	PROPERTY LINE
	SANITARY SEWER LINE
	STORM SEWER LINE
	FENCE
	OVERHEAD WIRES
	HYDRANT
	GAS VALVE
	WATER VALVE
	ELECTRIC BOX
	UNKNOWN MANHOLE
	TELEPHONE MANHOLE
	SANITARY SEWER MANHOLE
	DRAINAGE MANHOLE
	OPEN POLE
	LIGHT POLE
	UTILITY POLE
	MAIL BOX
	GUY WIRE
	SKIN
	BOLLARD
	IRON ROD FOUND
	MONUMENT FOUND



REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1	04/24/18	REVISED PER PLANNING BOARD COMMENTS	AJS
2	05/29/18	REVISED PER PLANNING BOARD COMMENTS	AJS

Survey
Scale: 1" = 30'

Sub-Division, Site Plan & Special Use Permit Application
Sheet 2 of 4 - Existing Conditions Survey

Owner / Applicant for Subdivision and Site Plan:
St. Lukes Episcopal Church
850 Wolcott Avenue
Beacon, NY 12508

Applicant / Lessee for Special Use Permit for School:
Hudson Hills Academy
12 Hanna Lane
Beacon, NY 12508

Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

Surveyor:
TEC Surveying
15c Tioronda Avenue
Beacon, New York 12508

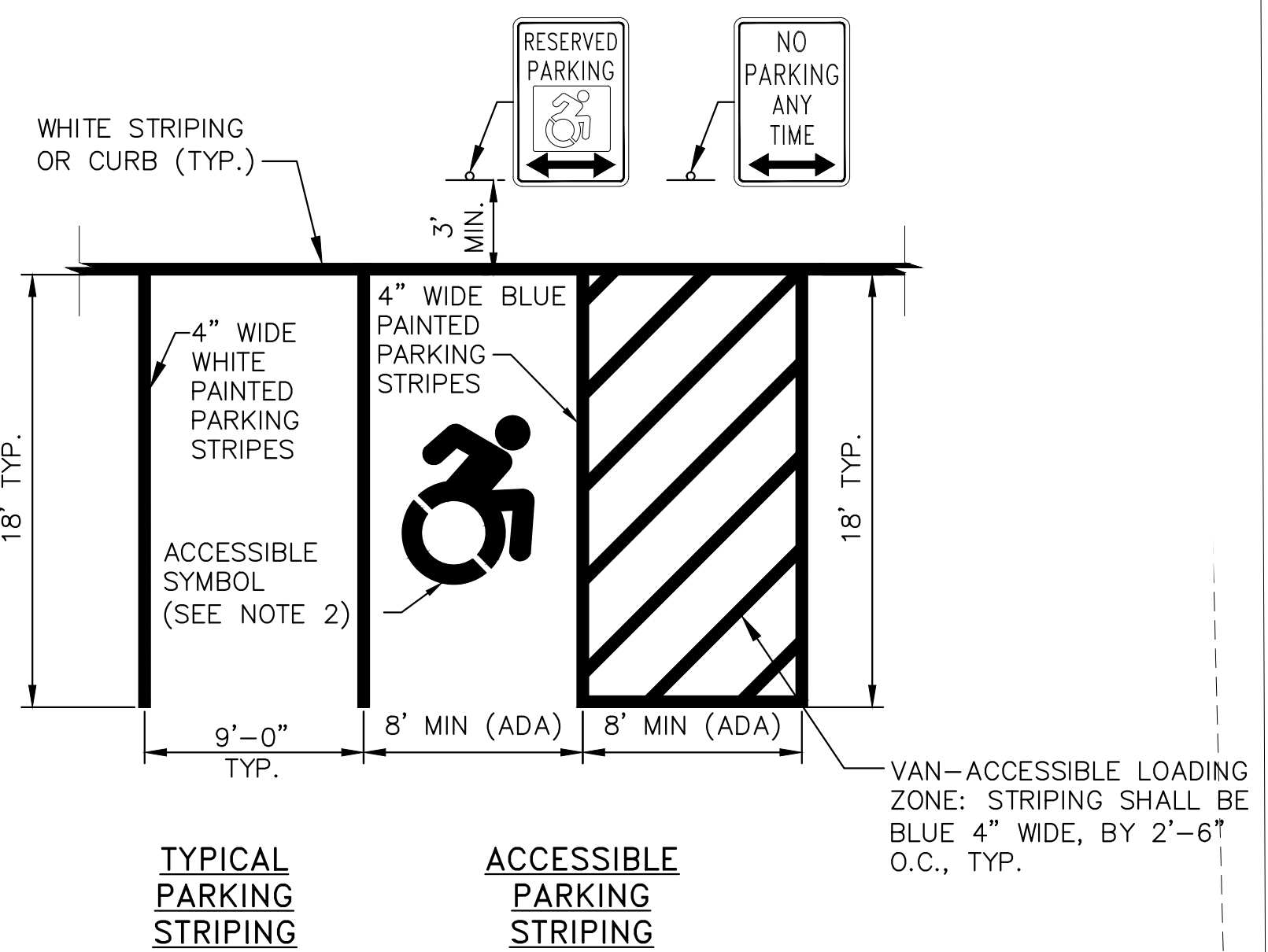
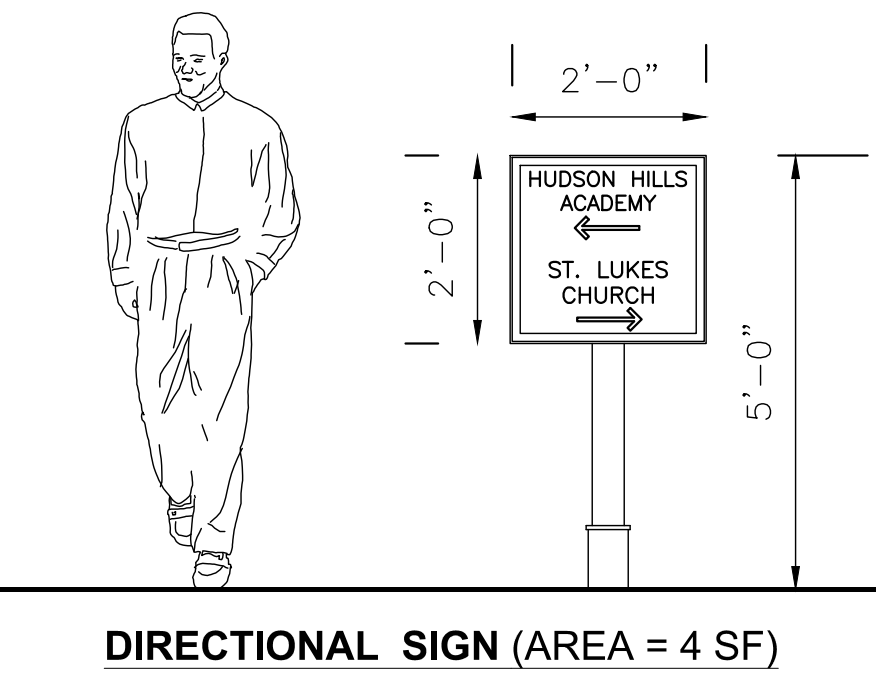
850 Wolcott Avenue
St. Lukes Episcopal Church & Hudson Hills Academy
Beacon, New York
Scale: 1" = 30'
March 27, 2018

LEGEND

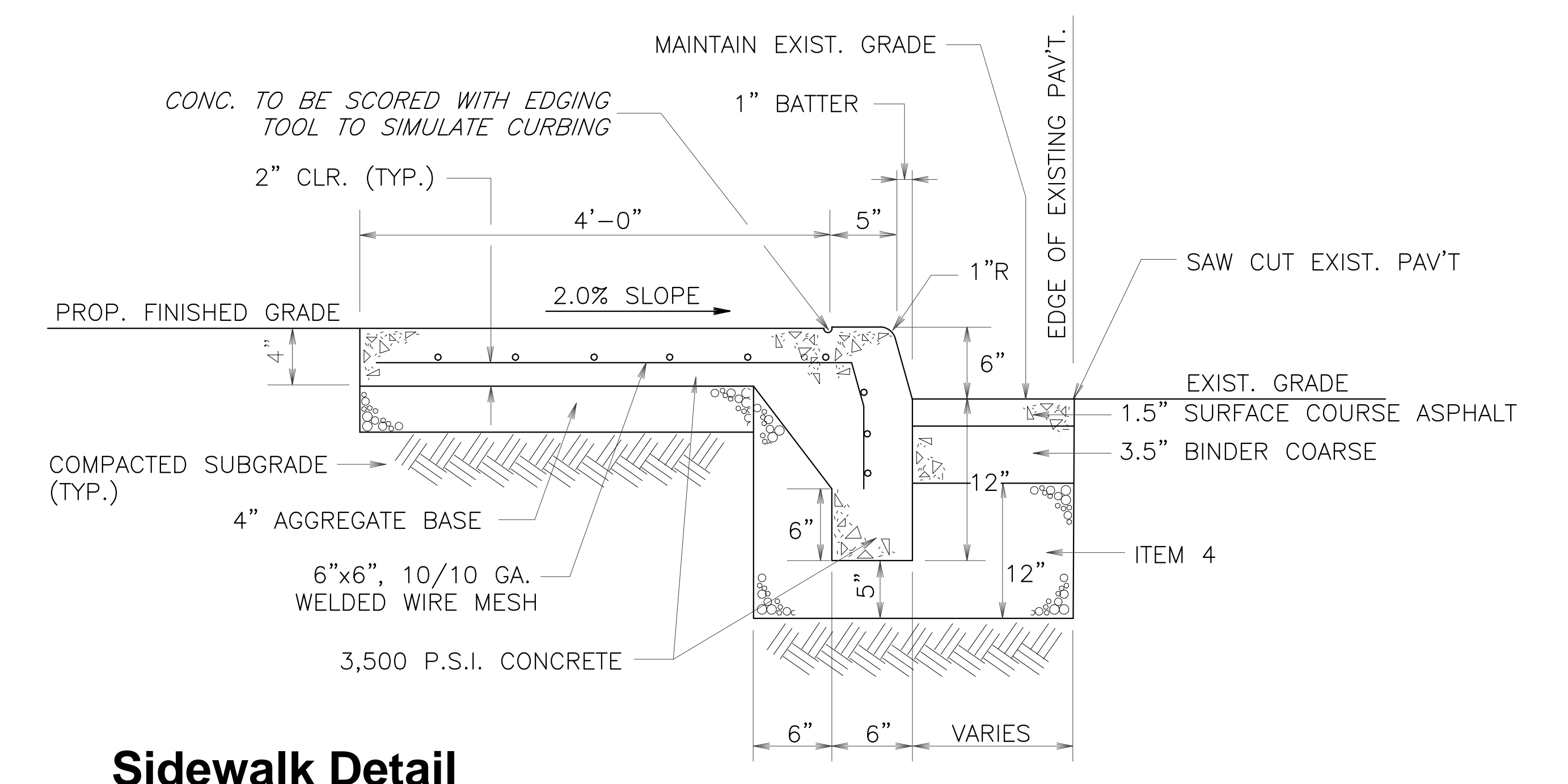
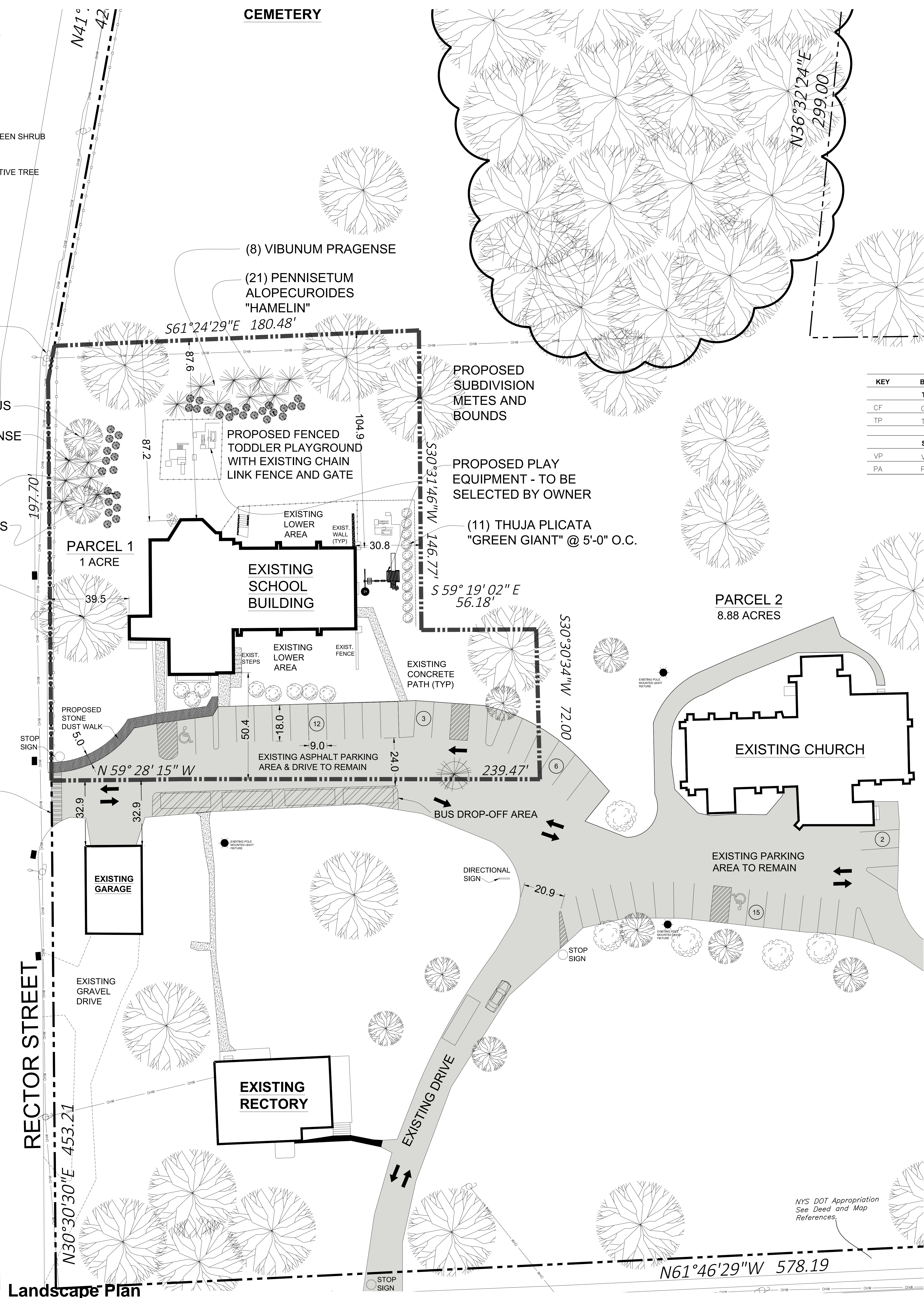
—	PROPERTY LINE
---	SAWYER SEWER LINE
---	STORM SEWER LINE
---	FENCE
---	OVERHEAD WIRES
○	HYDRANT
○	GAS VALVE
○	WATER VALVE
○	ELECTRIC BOX
○	UNKNOWN MANHOLE
○	TELEPHONE MANHOLE
○	SAWYER SEWER MANHOLE
○	DRAINAGE MANHOLE
○	DROP INLET
○	LIGHT POLE
○	UTILITY POLE
○	MAIL BOX
○	GUY WIRE
○	SIGN
○	ROAD
○	IRON ROD FOUND
○	MONUMENT FOUND

HATCHING & LANDSCAPE LEGEND

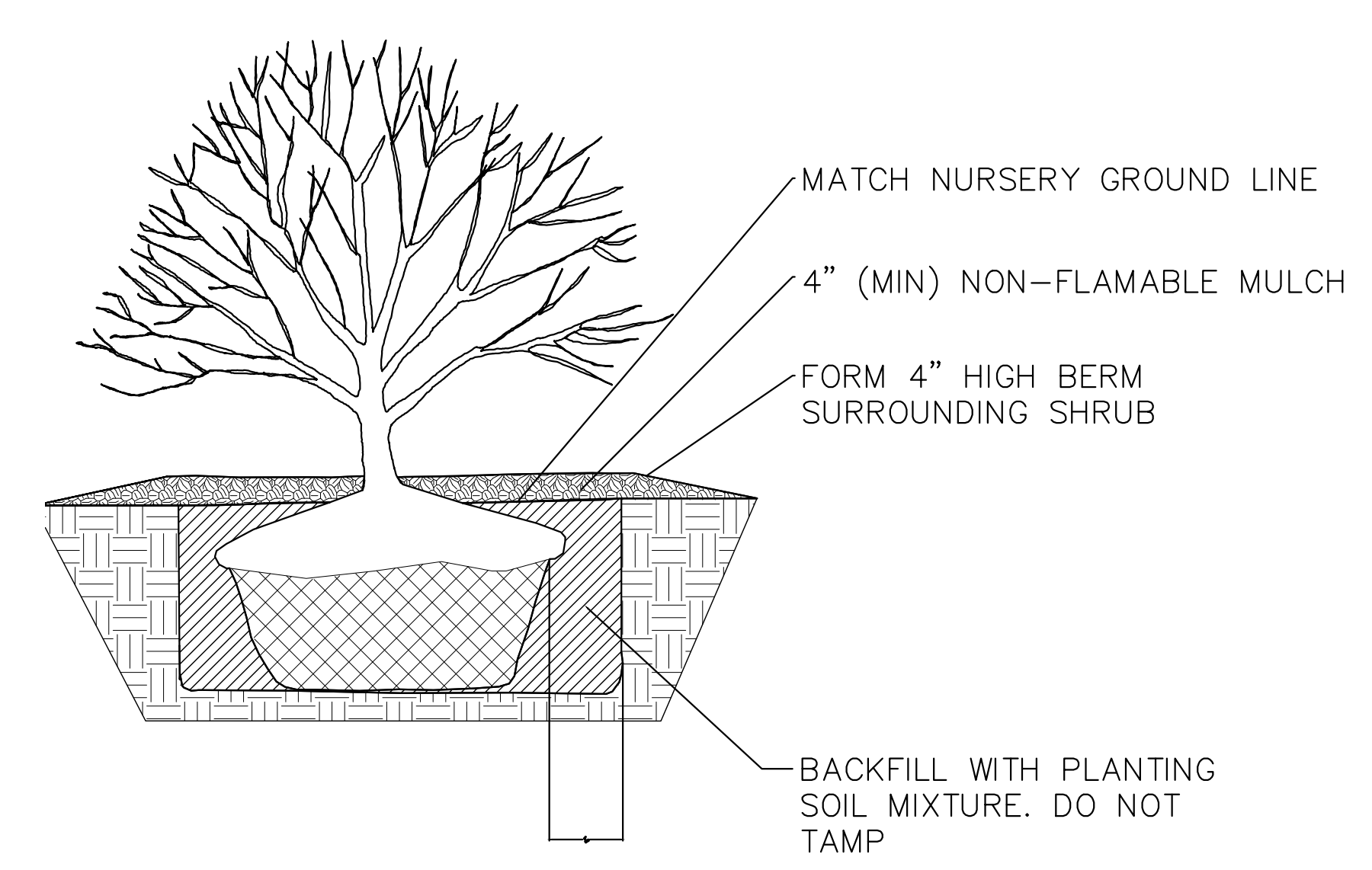
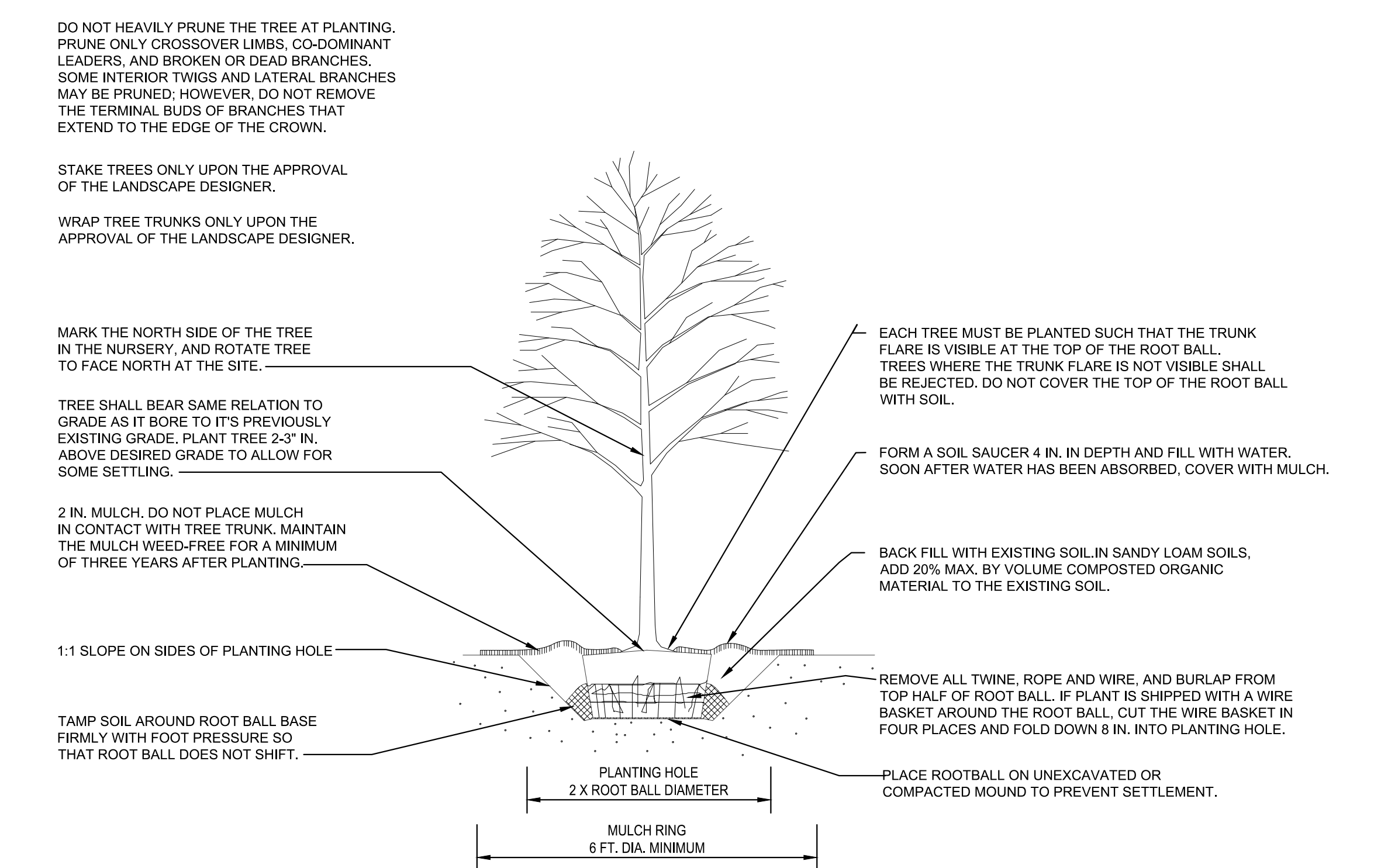
[Hatched Box]	CONCRETE SIDEWALK
[Hatched Box]	ASPHALT PAVING
[Hatched Box]	EXISTING GRASS TO REMAIN
[Tree Symbol]	PROPOSED ARBOR VITAE EVERGREEN SHRUB
[Tree Symbol]	PROPOSED NEW ORNAMENTAL NATIVE TREE
[Tree Symbol]	PROPOSED NATIVE EVERGREEN
[Tree Symbol]	EXISTING TREE TO REMAIN



- NOTES:**
1. ALL DIMENSIONS SUBJECT TO CURRENT MUNICIPALITY ZONING AND SITE REGULATIONS.
 2. PAINTED ACCESSIBLE SYMBOL TO BE IN ACCORDANCE WITH NYS DOT AND ADA STANDARDS.
 3. IF PARKING ADJUTS A SIDEWALK, THEN THE REGULATORY SIGNS SHALL BE PLACED BEHIND THE SIDEWALK.



KEY	BOTANICAL NAME	QTY.	SIZE	ROOT	SPACING	COMMENTS
TREES						
CF	CORNUS FLORIDA (FLOWERING DOGWOOD)	2	2.5" - 3.0"	B&B	SEE DRAWING	
TP	THUJA PLICATA (GREEN GIANT WESTERN ARBOR VITAE)	11	6-8"	B&B	SEE DRAWING	
SHRUBS						
VP	VIBURNUM PRAGENSE (PRAGUE VIBURNUM)	14	42-48"	B&B	SEE DRAWING	
PA	PENNISETUM ALOPECUROIDES (HAMELIN DWARF FOUNTAIN GRASS)	37	2 GAL.	CONT	SEE DRAWING	



- NOTE**
1. WATER PER NURSERY SPECIFICATIONS IMMEDIATELY FOLLOWING PLANTING.
 2. DETAIL IS FOR BOTH BALL & BURLAPPED OR CONTAINERED SHRUBS.

REVISIONS:				
NO.	DATE	DESCRIPTION	BY	
1	04/24/18	REVISED PER PLANNING BOARD COMMENTS	AJS	
2	05/29/18	REVISED PER PLANNING BOARD COMMENTS	AJS	

Sub-Division, Site Plan & Special Use Permit Application
Sheet 3 of 4 - Landscaping Plan

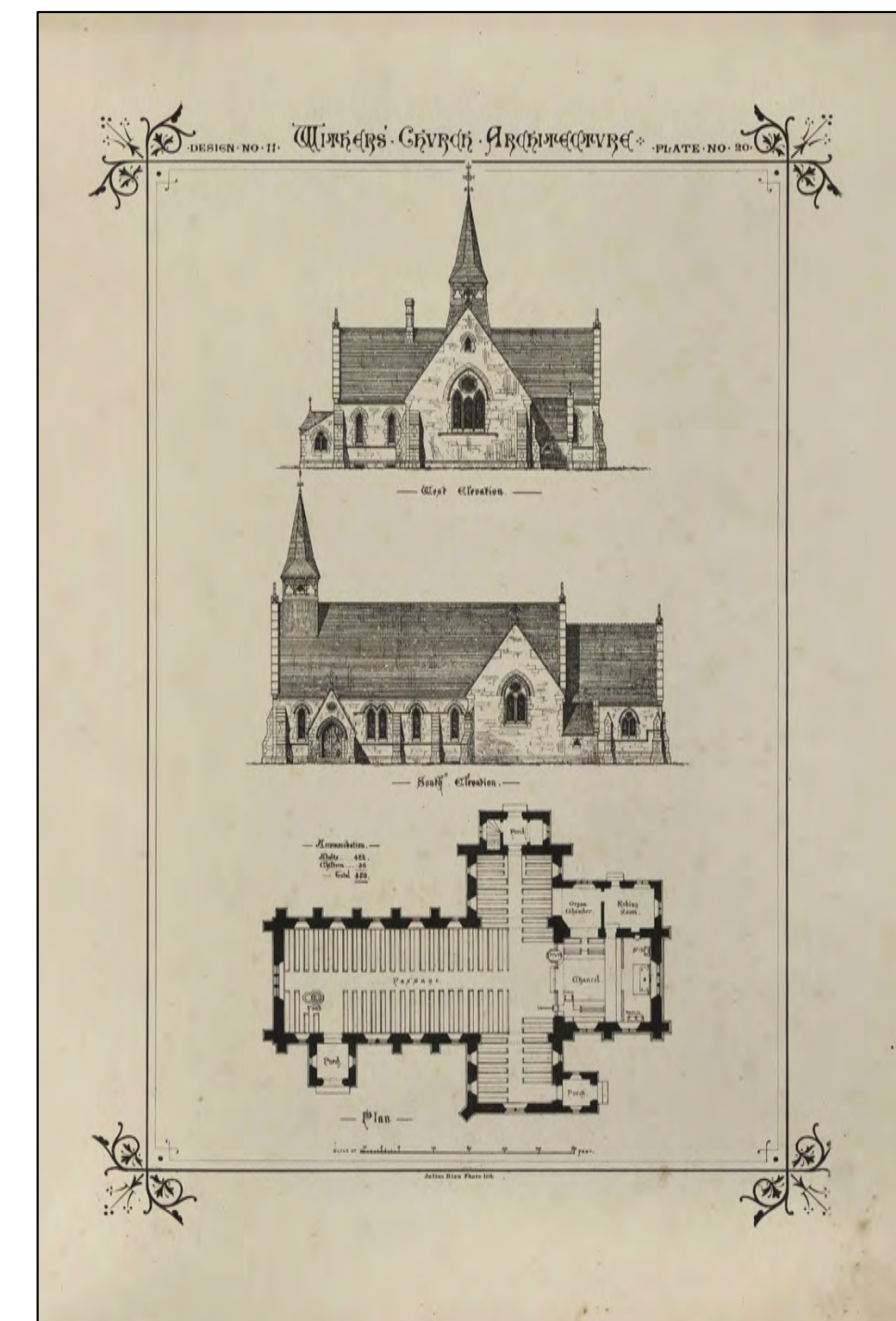
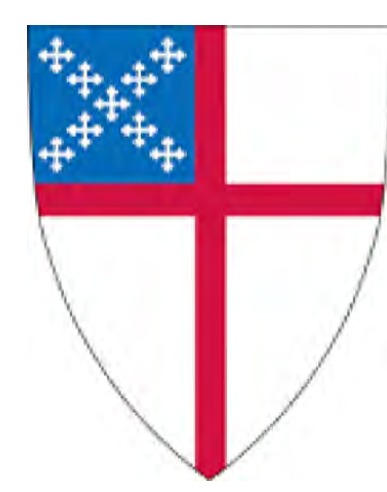
Owner / Applicant for Subdivision and Site Plan:
St. Lukes Episcopal Church
850 Wolcott Avenue
Beacon, NY 12508

Applicant / Lessee for Special Use Permit for School:
Hudson Hills Academy
12 Hanna Lane
Beacon, NY 12508

Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

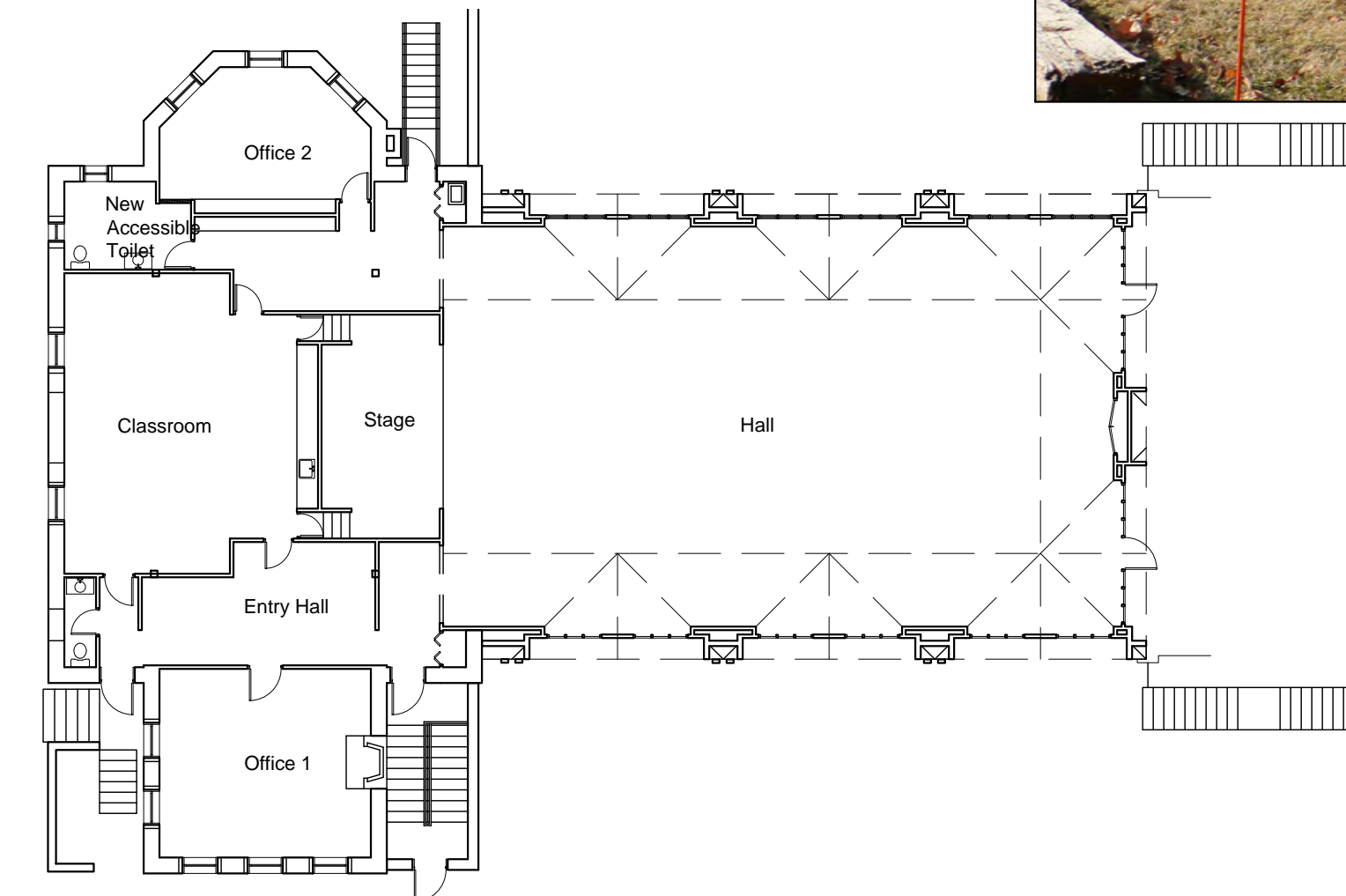
Surveyor:
TEC Surveying
15C Tioronda Avenue
Beacon, New York 12508

850 Wolcott Avenue
St. Lukes Episcopal Church & Hudson Hills Academy
Beacon, New York
Scale: 1" = 20'
March 27, 2018



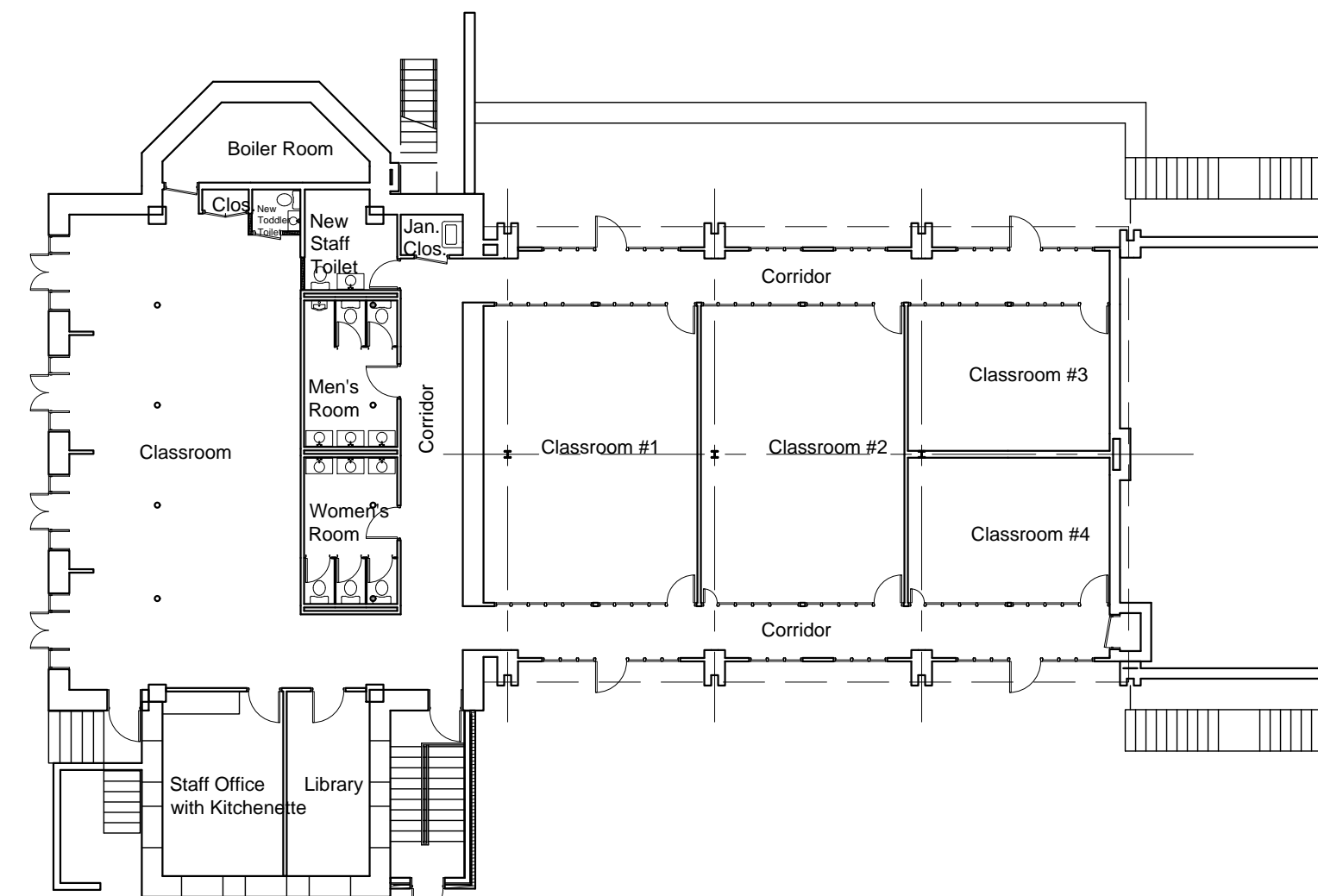
Church Plan

Scale: Not to Scale



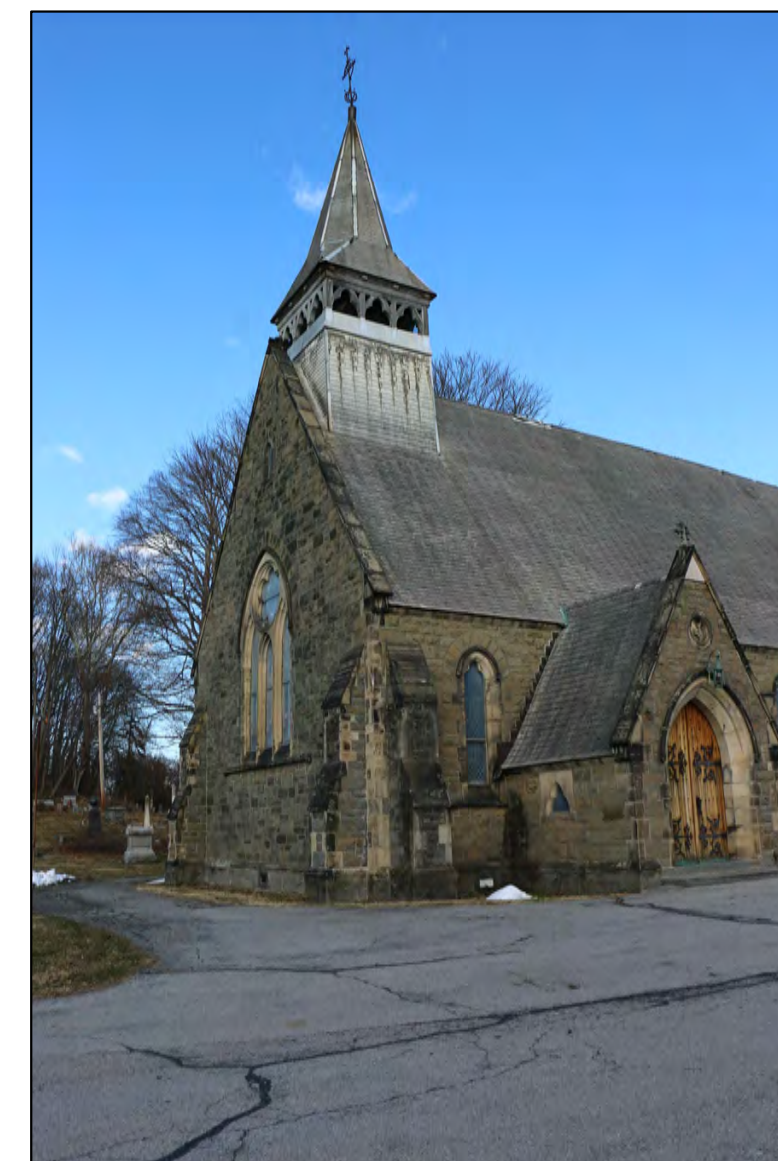
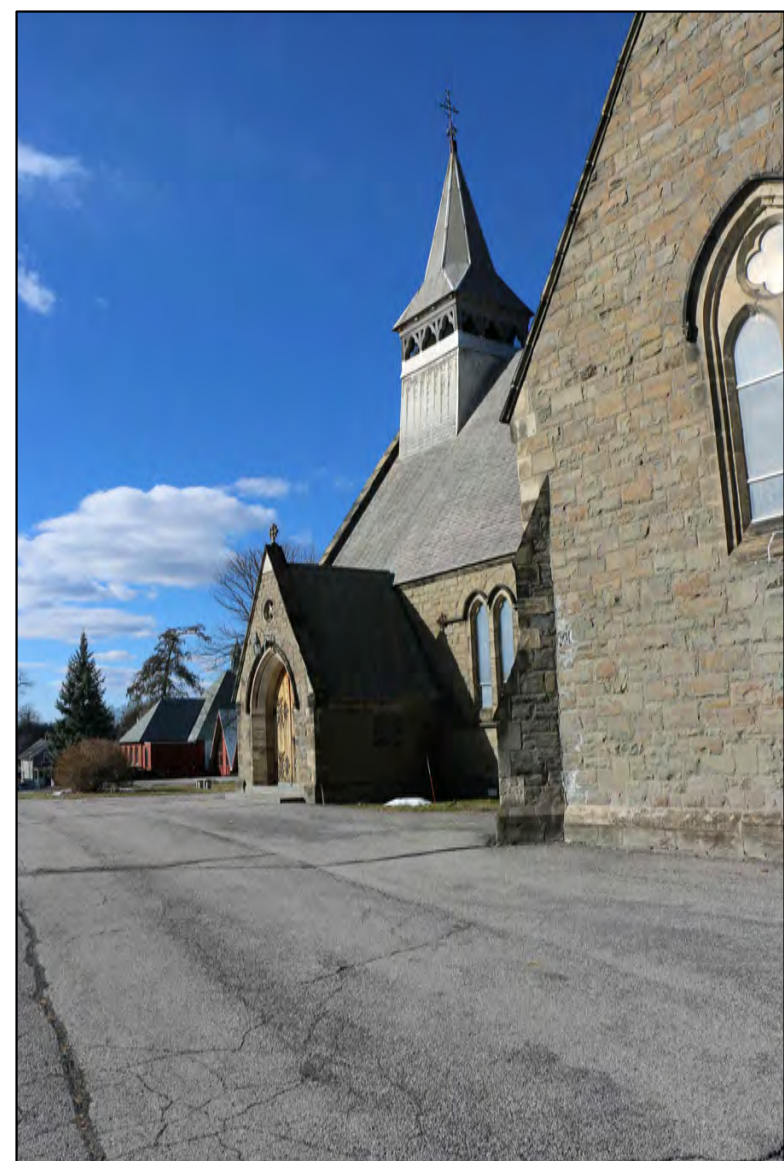
Upper Level Plan: School

Scale: 1/8" = 1'-0"



Lower Level Plan: School

Scale: 1/16" = 1'-0"



Sub-Division, Site Plan & Special Use Permit Application
Sheet 4 of 4 - Plans, Elevations, Images

City of Beacon Council Agenda
7/16/2018

Title:

Proposed local law to amend Chapter 191, Article II and Chapter 192, Section 30 of the Code of the City of Beacon, concerning Street Opening Permits.

Subject:

Background:

ATTACHMENTS:

Description	Type
LL Street opening	Local Law

DRAFT LOCAL LAW NO. ____ OF 2018

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CHAPTER 191, ARTICLE II AND CHAPTER 192 OF THE CODE OF
THE
CITY OF BEACON

A LOCAL LAW to
amend Chapter 191,
Article II and Chapter
192, Section 30
concerning Street and
Sidewalk Opening
Permits.

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

Section 1. Chapter 191, Article II of the Code of the City of Beacon entitled “Street and Sidewalk Openings” is hereby amended as follows:

Article II STREET AND SIDEWALK OPENINGS

§ 191-14. Written permission to tunnel required.

No person having a permit secured under this article shall, under any circumstances, tunnel under macadam, asphalt macadam, concrete or similarly paved roads for the purpose of connecting to water or sewer facilities, or for connecting gas services, unless written permission from the Highway Superintendent ~~of Streets~~ shall first have been secured.

§ 191-15. Openings into water or sewer facilities.

All openings into any water or sewer facilities or gas services shall be made only by plumbers duly licensed by the City.

§ 191-16. Compliance with directions of Highway Superintendent ~~of Streets~~ required.

Any person to whom a permit is issued under the terms of this article must comply with all directions of the Highway Superintendent, or his or her designee, ~~of Streets~~ designed to secure the safety of persons and their property lawfully using the streets of the City. Such directions may be given orally or in writing by the Superintendent or his representative.

§ 191-17. Penalties for offenses.

- A. Any person, firm or corporation or his or its representative, agent or employee who shall violate any of the provisions of this article shall be punished by the imposition of a penalty as prescribed in § 1-3.
- B. Additionally, the Highway Superintendent may withhold the issuance of permits if restoration work required with respect to previously issued street opening permits has not been satisfactorily completed.

§ 191-18. Permit required.

No person or association of persons, municipal corporation, public utility corporation or corporation, without having first secured a permit therefor from the Highway Department City Clerk as provided in this article, shall:

- A. Fill in or raise or cause to be filled in or raised any street or any part thereof.
- B. Take up, remove or carry away or cause to be taken up, removed or carried away any asphalt or ~~asphalt blocks~~ paver blocks, flagstones, turf, stone, gravel, concrete, sand, clay or earth from any street or part thereof.
- C. Open or dig up any City street or any private street which is open to public motor vehicular traffic, or any street, road or highway or part thereof in and over which the City shall have jurisdiction or shall in any way alter any curbing, gutters, gutter basins, drainage lines or other works within such a street or highway for any purpose.
- D. Lay, repair or disturb any sidewalk in any public street.

§ 191-19. Application for permit.

~~Any person may apply to the Highway Department City Clerk for a permit required by this article to open a street.~~

- A. Application for a permit under this article shall be made to the Highway Department in writing and shall contain the following information:
 - (1) The full name and address of the applicant.
 - (2) The full name and address of the owner or owners of the property in front of which the operation is to be performed.
 - (3) The location by street address, if any, of the property in front of which the operation is to be performed and the Tax Map designation of the same.

- (4) A statement of the proposed operation and the size thereof and purpose thereof.
- (5) The date or dates when the proposed operation is to be commenced, and the date or dates when the operation is to be completed.
- (6) The type of pavement or surface to be disturbed.
- (7) A sketch of the proposed operation showing location on lot or streets; location, if any, of any tiles or drainage system or water mains or other public utility conduits, etc, which may be within the area of the proposed construction
- (8) The estimated maximum quantity to be excavated and/or removed, and the estimated part thereof that will be used for regrading or filling.
- (9) The rehabilitation proposed.
- (10) A schedule of the proposed work.
- (11) A confirmation notice from Dig Safely New York.
- (12) The estimated cost of the entire proposed operation.
- (13) Any additional information which may be reasonably required by the Highway Superintendent.
- (14) A signed statement by the applicant that said applicant agrees to perform the proposed operation for which the permit may be granted, in full and strict compliance and in accordance with the conditions of the permit, if issued, and any and all provisions of the City Code and other applicable statutes and ordinances of the City of Beacon.

§ 191-20. Fee and work rules.

- A. The applicant for a permit under this article or the person for whose benefit the excavation or opening is to be made shall pay a fee as set forth in the City of Beacon fee schedule ~~to the Superintendent of Streets~~ for each street opening. This fee shall be waived for any permit application to lay, repair or disturb any sidewalk in any public street.
- B. A permit shall be obtained no less than ~~24 hours~~ one week before any work is performed. All work shall be done during regular work hours of the Highway Department, Monday-Friday 7 a.m to 3p.m. The Highway Superintendent ~~of Streets~~ may waive these requirements in the event of an emergency.

C. The opening shall be backfilled with ~~item~~ Item 4 (NYSDOT Item No. 304.12) and tamped in eight-inch lifts maximum before applying blacktop in accordance with Chapter 129. one-foot lifts before applying four inches of blacktop. All openings shall be square cut, and edges shall be cleaned, and all edges shall be tack coated before patching. Openings in concrete roads shall be filled with Item 4 K-Crete or approved equal from the bottom of the trench to the bottom of the concrete. two inches below the riding surface. Then the concrete shall be repaired in the method selected by the Highway Superintendent of either pouring a new 5,000 psi concrete patch that is doweled into the adjacent concrete slab(s), or the installation of pavement to the thickness of the existing concrete to two inches below the riding surface. The riding surface shall consist of two inches of blacktop. The opening shall be properly maintained at all times during construction and the quality of the work (in case of settlement) shall be guaranteed for a period of one year. The seams of the completed work shall be sealed with a polymer modified crack sealant to prevent the intrusion of water into the pavement. During construction, barricades, lights, flaggers and other safety devices shall be employed as required by law or custom in the construction industry.

D. The applicant shall notify the Highway Superintendent or his or her designee:

- (1) Three business days before any opening.
- (2) Three business days before any backfilling or temporary filling of any opening.
- (3) Three business days before any permanent restorations.

E. Issuance of and the continued effectiveness of such permit shall be conditioned on the following terms:

- (1) Throughout the course of the work, a clear, sufficient and safe passageway for all pedestrians and vehicular traffic will be maintained.
- (2) The work site will be properly guarded, both day and night, so as to prevent accidents or danger.
- (3) Upon completion of work, the site thereof will be restored by applicant and the restoration work guaranteed for two years.

§ 191-21. Bond and insurance.

A. Before a permit may be granted under this article by the Highway Superintendent of Streets to any person to open any City street, the applicant for such permit shall execute a continuing bond to the City in the amount determined by the Highway

Superintendent, or his or her designee, to be equal to the cost of the work, but in no event less than sum of \$10,000, to be executed by a recognized and responsible surety company authorized to do business in Dutchess County, New York, subject to the same conditions as contained in a plumber's bond. An applicant seeking a permit to lay, repair or disturb any sidewalk in any public street, shall not be required to execute a continuing bond to the City.

- B. ~~Before a permit may be granted under this article by the Highway Superintendent of Streets to any person duly licensed as a plumber by the City to open any water and sewer facility, the applicant for such permit shall execute a continuing bond to the City in the amount determined by the Highway Superintendent, or his or her designee, to be equal to the cost of the work, but in no event less than sum of \$10,000, to be executed by a recognized and responsible surety company authorized to do business in Dutchess County, New York.~~
- C. ~~Before a permit may be granted, the applicant must submit to the Superintendent of Streets a certificate of insurance providing a minimum coverage of \$500,000 for any one injury, accident or occurrence, naming the City of Beacon as an additional insured. Coverage shall be provided for bodily injury and property damage, underground collapse and explosion resulting in any way from the applicant's performance of work under its permit and for the applicant's completed operations.~~

No permit issued pursuant to this article shall be issued by the Highway Department until the applicant therefor shall have first placed on file with the Highway Department satisfactory evidence of the following types of coverage and limits of liability:

- (1) Commercial general (CGL) coverage with limits of insurance of not less than \$1,000,000 each occurrence and \$2,000,000 annual aggregate.
 - (a) If the CGL coverage contains a general aggregate limit, such general aggregate shall apply separately to each project.
 - (b) CGL coverage shall cover liability arising from premises, operations, independent contractors, products/completed operations, personal and advertising injury and blanket contractual, including injury and to subcontractors' employees.
 - (c) The City of Beacon and its agents, officers, directors and employees shall be included as additional insured. The coverage must be underwritten by an insurance company with at least an A-7 Best rating, as defined by A.M. Best. Coverage for the additional insureds shall apply as primary and noncontributing insurance before any other

insurance or self-insurance, including any deductible, maintained by or provided to the additional insureds.

- (d) The applicant and/or contractor shall maintain CGL coverage for itself and all additional insureds for the duration of the project and maintain completed operations coverage for itself and each additional insured for at least two years after completion of the work.
- (2) Automobile liability: business auto liability with limits of at least \$1,000,000 each accident.
 - (a) Business auto coverage must include coverage for liability arising out of all owned, leased, hired and nonowned automobiles.
 - (b) The City of Beacon and its agents, officers, directors and employees shall be included as insured on the auto policy.
- (3) Workers' compensation and employers liability: employers' liability insurance limits per statutory requirements.
- (4) The applicant shall not sublet any part of his work without assuming full responsibility for requiring similar insurance from his subcontractors and shall submit satisfactory evidence to that effect to the Highway Department. Each such insurance policy, except the workers' compensation policy, shall include the City of Beacon and its agents, officers, directors and employees as an additional insured.
- (5) Certificates shall provide that 30 days' written notice prior to cancellation be given to the City of Beacon. Policies that lapse and/or expire during the term of occupancy shall be recertified and received by the City of Beacon no fewer than 30 days prior to cancellation or renewal.

§191-22. Obstruction of streets and sidewalks.

Any street, lane, road or sidewalk within the City, whether paved or unpaved, improved or unimproved, and any driveway or other means of ingress to or egress from any street, lane, road or sidewalk within the City shall not be blocked or obstructed at any time in order to provide a safe, convenient and passable means of ingress to and egress from the same for all private, public and emergency vehicles of any kind.

§ 191-23. Notice to other persons affected.

- A. If the work to be undertaken by the applicant is such that it will affect the use of properties abutting or adjoining the project, the Highway Superintendent, or his or her designee, shall require the applicant to submit a list of the names and addresses of the owners and/or tenants of such properties.

- B. The applicant shall notify the affected property owners and/or tenants of the proposed work to be done at the time the applicant submits his or her street opening permit application.
- C. If the work to be undertaken by the applicant will affect other subsurface installations in the vicinity of the proposed opening, the applicant shall notify the owners of such facilities of the proposed work at the time the applicant submits his or her street opening permit application.

§ 191-24. Notice to police and fire authorities.

Upon receipt of a street opening permit and prior to the start of any construction, the applicant, shall notify, in writing, the City police and fire authorities that he or she has received a street opening permit. Such notification shall include a copy of the permit, and state the nature of the work to be done, the proposed beginning and completion dates and the location of such project.

§ 191-25. Construction specifications.

The Highway Department shall be notified at all stages of the work for the purpose of inspection. At a minimum, compliance with the City of Beacon specifications and regulations for the making of street openings, backfilling, maintenance, replacement of pavement and curbing shall be acceptable for the performance of said work and shall be performed to the satisfaction of the Highway Superintendent or his or her designee.

§ 191-26. Term of permit.

- A. All work for which a permit has been issued shall be completed prior to the expiration date of the permit.
- B. A permit shall expire unless work pursuant thereto has to be commenced within 10 days of the date of issuance.
- C. A permit shall be valid for 30 days from the initial excavation and backfill.
- D. A permit shall continue in effect during the time required for the settling of backfill and restoration of permanent pavement, but no even shall the permit continue in effect later than four months after the date of issuance unless the Highway Superintendent shall further extend the time for good cause.

§ 191-27. Pavement Restoration

- A. All excavations shall be backfilled with materials approved by the Highway Superintendent.

- B. If a new patch is to be made where there is an existing patch, the entire pavement area shall be removed and replaced.
- C. Restoration of pavement shall be curb to curb and shall extend at least two feet on either side of the trench. Where no curb exists, the restoration shall extend to the existing pavement limits.
- D. If any excavation for which a permit has been issued hereunder exceeds 25 feet in length, the applicant shall be responsible for resurfacing the street from curb to curb over the entire area in such manner as required by the Highway Superintendent on a case-by-case basis. Where no curb exists, the resurfacing shall extend to the exiting pavement limits.
- E. If there are multiple patches and the area of disturbance exceeds 20% of the length of a street block multiplied by one foot, then the entire road in the block shall be resurfaced in a manner and with materials required by the Highway Superintendent.
- F. Any work performed within a roadway that has been paved within the past three years will require full curb to curb restoration for the length of work plus a minimum of 20 feet on both sides, exact limits will be set by the Highway Superintendent or his or her designee.
- G. The Highway Superintendent may waive the requirements set forth in this section upon good cause shown.

§ 191-28. Replacement of curbing.

Any curbing removed by any person shall be reset or replaced pursuant to the specifications set forth in § 192-22.

§191-29. Work in City rights-of-way.

- A. No individual, agency, corporation or other entity shall commence any excavation or construction, or make any alteration to existing structures, within any City right-of-way, including the placement of new utility poles or the addition of appurtenances, fixtures, or facilities to existing utility poles, without first having obtained approval from the City Council. This provision shall not apply to routine maintenance of existing structures and/or utility poles in the City rights-of-way.

§191-30. Revocation of permit.

- A. The Highway Superintendent shall have the power to revoke a permit issued hereunder whenever he or she shall find that the applicant has refused or failed to comply with any provisions of this article. There shall be no refunds of any application fees provided for any revoked permit.

- B. Written notice of any such violation or condition shall be served upon the applicant or his or her agent engaged in the work. The notice shall contain a brief statement of the grounds relied upon for revoking the permit. Notice may be given either by personal delivery thereof or registered United States mail addressed to the person notified.
- C. An applicant may be granted a period of three days from the date of the notice to correct the violation and proceed with the diligent prosecution of the work authorized by the permit before said permit is revoked.
- D. When any permit has been revoked and the work authorized by the permit has not been completed, the Highway Superintendent, or his or her designee, shall do such work as may be necessary to restore the street or part thereof to as good a condition as before the opening was made. All expenses incurred by the City shall be recovered from the deposit or bond the applicant has made or filed with the City.

Section 2. Chapter 191, Article IV of the Code of the City of Beacon entitled “Honorary Street Names,” is hereby amended as follows:

§ 191-~~31-23~~ Basic Criteria for consideration.

The City Council may consider a petition to designate a secondary honorary name for an existing street or portion of existing street in the City upon such petition meeting the following basic criteria: The person whose name is proposed for such honorary naming shall have resided in the City of Beacon for at least five continuous or noncontinuous years during his/her lifetime, during which time such person shall have preferably resided on the street in question.

§ 191-~~32~~ 24 Procedure for designation of honorary name for existing street; referral to City Historian for report.

- A. Upon the City Council receiving a petition which meets the basic criteria set forth in § 191-~~31~~23, such petition shall be referred to the City Historian/City Historical Society for his/her or its report to the City Council regarding the following:
 - (1) Such person's history of contributions to the City of Beacon, County of Dutchess, State of New York.
 - (2) Such person's history of residence in the City, including duration and location of such residence.
- B. Upon the City Council reviewing such report from the City Historian/City Historical Society, it may designate the petitioned secondary honorary name for the existing street.

Section 3. Chapter 192, Section 30 of the Code of the City of Beacon entitled “Work in existing city streets” is hereby amended as follows:

- A. All work to be performed within an existing City street shall be subject to the approval of the City. The contractor, developer or other such person performing the work shall be required to obtain a ~~road~~ street opening permit and pay any and all such fees that may apply in relation to the same.
- B. The contractor or person performing the work shall be required to submit to the City a certification of insurance listing the City of Beacon as additional insured (providing primary coverage), providing liability and property damage insurance with a limit of liability not less than \$1,000,000.
- C. All work shall be subject to the review of City representatives, and the contractor or person performing the work shall schedule such work as to permit the necessary reviews and inspections. Where applicable, a fee shall be paid to the City for such reviews and inspections.
- D. All work shall be in accordance with generally accepted and recognized guidelines and the specifications for ~~road~~ street opening permit guidelines in effect at the time of the work. This shall include OSHA regulations.

Section 4. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 191 and Chapter 192 of the City of Beacon are 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

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections,

words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 7. Effective Date

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

City of Beacon Council Agenda
7/16/2018

Title:

Proposed local law to create Section 223-26.4 of the Code of the City of Beacon, concerning Small Cell Wireless Facilities

Subject:

Background:

ATTACHMENTS:

Description	Type
Small Cells LL and EAF	Backup Material
PB comments Small Cell Wireless	Backup Material
DCPB comments small cell wireless	Backup Material

DRAFT LOCAL LAW NO. ____ OF 2018

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO
ADD SECTION 223-26.4 OF THE CODE OF THE
CITY OF BEACON**

A LOCAL LAW to create Section 223-26.4 of Code of the City of Beacon, concerning Small Cell Wireless Facilities.

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

Section 1. Section 223-26.4 of the Code of the City of Beacon entitled “Small Cell Wireless Telecommunications Facilities” is hereby created as follows:

A. Purpose. The purpose of this Section is to establish uniform policies and procedures for the deployment and installation of small cell wireless telecommunications facilities in the City of Beacon, which will provide a public health, safety, and welfare benefit consistent with the preservation of the integrity, safe usage, and visual qualities in the City.

B. Permit Required.

(1) No person shall install a small cell wireless telecommunications facility without first filing a small cell wireless telecommunications facility application and obtaining a small cell permit from the Planning Board.

(2) The Planning Board may issue a permit for the following:

(a) The modification of an existing tower or base station that does not incur a substantial change to the tower or base station or that otherwise qualifies as an Eligible Facilities Request.

(b) Collocation of a small cell wireless telecommunications facility or DAS Facility on an existing tower, utility pole or streetlight not exceeding 50 feet in height in the public right-of-way.

- (c) Collocation on existing buildings within the City of Beacon.
- (d) Replacement of a utility pole or street light that does not result in a change from the original dimensions.
- (e) Installation of a monopole or utility pole for small cell or DAS Facilities in the public right-of-way that does not exceed 50 feet in height.

C. Special Use Permit approval by the City Council is required under § 223-24.5 for the following uses:

- (1) A substantial change to an existing tower or base station.
- (2) Any other application for placement, installation or construction of transmission equipment that does not constitute an Eligible Facilities Request.
- (3) Installation of a new tower.
- (4) Placement of new antenna on an existing tower or base station that results in a substantial change to the tower or base station.
- (5) Installation of equipment located on sidewalk.
- (6) Installation of equipment located at an elevation less than ten feet from the ground.
- (7) Installation of a small cell facility on a pole located within 20 feet of a dwelling unit.

D. Permit Application.

- (1) All small cell wireless telecommunications facility applications for small cell permits filed pursuant to this Section shall be on a form provided by the City.
- (2) The small cell permit application shall be made by the wireless telecommunications provider or its duly authorized representative and shall contain the following:
 - (a) The applicant's name, address, telephone number, and e-mail address;
 - (b) The names, addresses, telephone numbers, and email address of all consultants, if any acting on behalf of the applicant with respect to the filing of the application.

- (c) A general description of the proposed work and the purpose of the work proposed.
 - (d) Identify and disclose the number and locations of any small cells that the applicant has installed or locations the applicant has considered in the past year for small cell infrastructure within the City and those submitted or anticipated to be submitted within a one year period.
 - (e) A description of the anticipated maintenance needs, including frequency of service, personnel needs and equipment needs, and the potential traffic safety and noise impact of such maintenance.
 - (f) Any amendment to information contained in a small cell permit application shall be submitted in writing to the City within 30 days after the change necessitating the amendment.
- (3) An application shall not be required for: (i) routine maintenance; and (ii) the replacement or upgrade of a previously permitted small cell wireless telecommunications facility with another small cell wireless telecommunications facility that is the same as or smaller in size, weight, and height at the same location.
 - (4) A wireless telecommunications provider authorized to install small cell wireless telecommunications facilities shall pay to the City an application fee and administrative fee as set forth in this section.
 - (5) A wireless telecommunications provider is authorized, after 30 days written notice to the City Building Inspector, to remove its facility at any time from the rights-of-way and cease paying the City the administrative fee.

E. Location

- (1) The following locational priorities shall apply in the order specified, consistent with the City's obligation to create the least amount of adverse aesthetic impact and to preserve the scenic values of the City:
 - (a) On the roof of any City owned or federal, state or local government owned buildings or structures.
 - (b) Location on privately-owned buildings
 - (c) Location on an existing City owned utility poles
 - (d) Location on City-owned infrastructure on private poles
 - (e) Location City-owned property, where there is no existing pole

(f) Location on privately-owned utility poles.

(2) If the proposed site is not the highest priority listed above, then a detailed explanation must be provided as to why a site of higher priority was not selected. The person seek such an exemption must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site and the hardship that would be incurred by the applicant if the permit were not granted for the proposed use.

F. Right of Way Fees

(1) In order to ensure that the limited private use of the public right of way authorized herein does not become an additional cost to the City, it is hereby determined by the City Council that the following fees shall be charged to applicants and permit holders seeking to use the public right of way pursuant to this Local Law.

(2) Small Cell Permit Application Fee: shall be \$500.000 (non-refundable) due to the City Building Department upon submittal of a completed application for review.

(3) Annual Small Permit Fee:

(a) For placement on Existing Private Utility Poles -\$1,000.00 per year

(b) For placement on Existing City-owned buildings, utility poles, infrastructure or property - \$1,500.00 per year

(c) For placement of new poles in the right of way \$2,000 per year

(d) Fee start date: The annual permit fee shall be payable January 2 of the year following installation. Failure to pay the annual permit fee shall result in the imposition of a 5% penalty fee, additional collection fees if necessary, and suspension or revocation of the permit.

G. City requirements as to aesthetics and neighborhood impact mitigation

(1) In order to preserve the character and integrity of City neighborhoods the City Council finds that the following requirements are essential to protect the public health, safety and welfare.

(a) New small cell facilities shall not be located in the Historic District and Landmark Overlay Zone.

(b) Wherever possible, new small cell facilities shall include stealth technology designs.

- (c) All small cells placed on any roof shall be set back at least 15 from the edge of the roof along any street frontage.
 - (d) The Planning Board shall consider all impacts to site lines and aesthetic views.
 - (e) Except within the public right of way, all proposed poles, pole equipment and enclosures shall comply with the designated setback requirements.
 - (f) Up to three (3) small cells will be allowed per utility pole if technically feasible and if in the determination of the Planning Board there are no safety or aesthetic concerns. Small cells must be designed and placed in an aesthetically pleasing manner to the reasonable satisfaction of the approving agency.
 - (g) No small cell placement shall be allowed on ornamental street lighting poles as determined by the Building Inspector.
 - (h) No small cell facilities or associated equipment shall be placed on any sidewalk and shall not obstruct pedestrian or vehicular traffic in any way.
 - (i) In no event shall any utility pole or wireless telecommunication support structure as of January 1, 2018, installed in the public right of way, exceed 50 feet. A shorter pole may be required if the initial proposal is deemed out of character of with the neighborhood as determined by the Planning Board.
 - (j) Each new small cell wireless telecommunications facility, including antennas or other associated equipment, installed in the public right-of-way shall not exceed more than ten (10) feet above the existing utility pole or wireless telecommunications support structure on which it is being located.
- H. Duration. Construction pursuant to a small cell permit issued under this section must be commenced within twelve (12) months of issuance of the small cell permit and diligently pursued thereafter, or such small cell permit shall expire.
- I. Routine Maintenance and Replacement. An application shall not be required for: (i) routine maintenance; and (ii) the replacement or upgrade of a small cell wireless telecommunications facility with another small cell wireless telecommunications facility that is same as or smaller in size, weight and height at the same location.
- J. Information Updates. Any amendment to information contained in a small cell building/work permit application shall be submitted in writing to the City within thirty (30) days after the change necessitating the amendment. On an annual basis, the wireless telecommunication provider shall provide a list of existing small cell locations within the City.
- K. Removal, relocation or modification of Small cell Wireless Telecommunications Facility in the Public Right-of-Way

- (1) Notice. Within ninety (90) days following written notice from the City , the wireless provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any small cell wireless telecommunications facilities within the public right-of-way whenever the City has determined that such removal, relocation, change or alteration, is necessary for the construction, repair, maintenance, or installation of any City improvement in or upon, or the operations of the City in or upon, the public right-of-way.
- (2) Emergency Removal or Relocation of Facilities. The City retains the right and privilege to cut or move any small cell wireless telecommunications facility located within the public right-of-way, as the City may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the City shall notify the wireless telecommunications provider and provide the wireless telecommunications provider an opportunity to move its own facilities prior to cutting or removing a facility and shall notify the wireless telecommunications provider after cutting or removing a small cell wireless telecommunications facility.
- (3) Abandonment of Facilities. Upon abandonment of a small cell wireless telecommunications facility within the public rights-of-way of the City, the wireless provider shall notify the City within ninety (90) days. Following receipt of such notice the City may direct the wireless provider to remove all or any portion of the small cell wireless telecommunications facility if the City, or nay of its departments, determines that such removal will be in the best interest of the public health, safety and welfare.

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 4. Effective Date

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

DRAFT

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 which 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: City of Beacon Local Law concerning Small Cell Wireless Telecommunication Facilities			
Project Location (describe, and attach a location map): City of Beacon			
Brief Description of Proposed Action: The proposed Local Law creates Section 223-26.4 of the Code of the City of Beacon to regulate Small Cell Wireless Telecommunication Facilities. The purpose of the Local Law is to establish uniform policies and procedures for the deployment and installation of small cell wireless telecommunication facilities in the City of Beacon. The Local Law provides that no person shall install a small cell wireless telecommunication facility without first filing a small cell wireless telecommunications facility application and obtaining a small cell permit from the Planning Board.			
Name of Applicant or Sponsor: City of Beacon		Telephone: 845-838-5000	
		E-Mail: mayor@cityofbeacon.org	
Address: 1 Municipal Plaza			
City/PO: Beacon		State: NY	Zip Code: 12509
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.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>City of Beacon</u> Date: <u>5/31/18</u></p> <p>Signature: <u>Sam Hornick, Esq. on behalf of the city of Beacon</u></p>		

**CITY OF BEACON
One Municipal Plaza
Beacon, New York 12508
(845) 838-5000**

**Narrative of Purpose for Legislative Enactment of
“Local Law to create Chapter 223, Section 26.4 of the Code of the City of Beacon,
concerning Small Cell Wireless Telecommunication Facilities”**

Short Environmental Assessment Form – Question #1

The purpose of the Local Law is to establish uniform policies and procedures for the deployment and installation of small cell wireless telecommunication facilities in the City of Beacon, which will provide a public health, safety and welfare benefit consistent with the preservation of the integrity, safe usage, and visual qualities in the City. The Local Law provides that no person shall install a small cell wireless telecommunication facility without first filing a small cell wireless telecommunications facility application and obtaining a small cell permit from the Planning Board. The Local Law sets forth locational priorities regulating where small cell wireless telecommunication facilities may be located to create the least amount of adverse aesthetic impacts and to preserve the scenic values of the City. The City hopes to preserve the character and integrity of City neighborhoods by the regulations set forth in the Local Law.

Agency Use Only [If applicable]

Project:	Small Cell Local Law
Date:	May 31, 2018

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:	Small Cell Local Law
Date:	May 31, 2018

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attached.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
City of Beacon	
Name of Lead Agency	Date
Randy Casale	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

**CITY OF BEACON
One Municipal Plaza
Beacon, New York 12508
(845) 838-5000**

Negative Declaration

**“Local Law to create Chapter 223, Section 26.4 of the Code of the City of Beacon,
concerning Small Cell Wireless Telecommunication Facilities”**

The purpose of the Local Law is to establish uniform policies and procedures for the deployment and installation of small cell wireless telecommunication facilities in the City of Beacon, which will provide a public health, safety and welfare benefit consistent with the preservation of the integrity, safe usage, and visual qualities in the City. The Local Law provides that no person shall install a small cell wireless telecommunication facility without first filing a small cell wireless telecommunication facility application and obtaining a small cell permit from the Planning Board. The Local Law sets forth locational priorities regulating where small cell wireless telecommunication facilities may be located so as to create the least amount of adverse aesthetic impacts and to preserve the scenic values of the City. If a proposed small cell site is not located in a high priority location, then a detailed explanation must be provided explaining why a site of higher priority was not selected. Such high priority sites include roofs of any City owned or federal, state or local government owned buildings or structures. The applicant must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site and the hardship that would be incurred by the applicant if the permit were not granted for the proposed use.

The regulations set forth in the Local Law will preserve the character and integrity of City neighborhoods. In its review of a small cell application, the Planning Board will consider all impacts to site lines and aesthetic views that may be affected by the installation of a small cell wireless telecommunication facility. The Planning Board will be able to evaluate each application to assess and minimize the impacts, and may condition any approval. The Local Law also prohibits the installation of new small cell facilities in the Historic District and Landmark Overlay Zone, and requires that all small cells placed on any roof shall be set back at least 15 feet from the edge of the roof along any street frontage.

The law also sets forth specific right-of way regulations and fees. All new utility pole or wireless support structures installed in the public right-of-way must be 50 feet in height or less. Furthermore, each new small cell wireless telecommunication facility, including antennas or other associated equipment, installed in the public right-of-way, may not exceed more than ten (10) feet above the existing utility pole or wireless telecommunication support structure on which it is being located. These regulations will minimize the impacts small cell facilities have on the City of Beacon and its residents.

The City Council believes that the local law will protect the health, safety and welfare of the City and its residents. For the reasons set forth above, the proposed action will not result in any significant adverse environmental impacts.



Memorandum

Planning Board

TO: Mayor Randy Casale and City Council Members

FROM: Planning Board Chairman Gunn and Planning Board Members

RE: City Council Request to Review Proposed Local Law to create Section 223-26.4 concerning Small Cell Wireless Facilities

DATE: July 12, 2018

At the June 12, 2018 and July 10, 2018 Planning Board meeting, members reviewed and discussed the proposed Local Law to create Section 223-26.4 concerning Small Cell Wireless Facilities. A comprehensive review of the proposed law took place with the City Attorney Jennifer Gray and City Planner John Clarke with particular attention to with a focus on areas of the law that pertain to planning and zoning issues and also the jurisdiction of the Planning Board. They reviewed the list of five categories of applications that would be under the Planning Board's jurisdiction and generally agreed that the Planning Board rather than the Building Department should be the approval authority for these categories of applications due to the potential impacts on the community. The Board also reviewed and generally agreed that the City Council is the appropriate approval authority for the categories of applications listed under proposed Section 223-26.4C.

A considerable discussion took place regarding provisions under proposed Section 223-26.4G, entitled, "City requirements as to aesthetics and neighborhood impact mitigation." The board also reviewed the recommendations from Dutchess County Planning and Development. Members were in favor of banning small cell facilities in the Historic District and Landmark Overlay Zone but were open to allowing exceptions on a case by case basis, where appropriate, such as on top of buildings. They were agreeable to each of the remaining requirements set forth at proposed Section 223-26.4G(b)-(j), but noted that subsection (h) may be in conflict with the City Council jurisdictional threshold for applications involving installations on sidewalks. It was also recommended that where the Planning Board is referenced in Section 223-26.4G it should be revised to also include the City Council.

Should you have any questions or require additional information, please feel free to contact me.



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

July 10, 2018

To: City Council, City of Beacon

Re: **Referral 18-193, Local Law Regarding Small Cell Wireless Telecommunication Facilities**

The Dutchess County Department of Planning and Development has reviewed the submitted referral for countywide and intermunicipal impacts as outlined in General Municipal Law (Article 12B, §239-l/m).

ACTION

The City Council is considering a law that would regulate small cell wireless telecommunication facilities.

COMMENTS

To avoid confusion, we encourage the City to review its definitions to ensure that new terms are defined and old terms (regarding telecommunications) are reviewed in the context of the new law. For instance, absent its own definition, it would appear that a "small cell wireless telecommunications facility" would fall under the definition of "wireless telecommunication services facility" which has its own set of standards and is regulated within the City.

Under 223-26.4 (B)(2)(a) it states that the Planning Board may issue a permit for certain small cell facilities, including on an existing "tower". The definition for "tower" relates to a "wireless telecommunication services facility" for which the City Council issues special use permits. We believe there *may* be a conflict between the Planning Board issuing a permit for the "modification to an existing tower" as it appears that City Council may need to issue a permit for the "Wireless Telecommunications Service Facilities" under §223-24.5 of the Code.

Section 223-26.4(G)(1)(b) is unclear with respect to whether stealth technology designs are required due to the use of the words, "wherever possible" and "shall".

The City should note that although the law proposes to restrict new small cell sites in the Historic District and Landmark Overlay Zone, if a telecommunications provider wanted to place a small cell site in either the District or the Zone, they could apply for a use variance. As wireless telecommunications facilities are considered a public utility, they are not held to the same strict standards of the 4-part test that would normally apply. They need only prove that the site they selected is necessary to provide "adequate service".

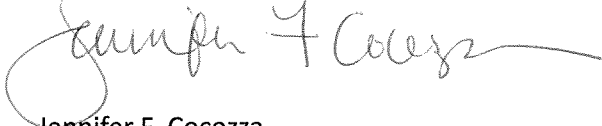
The impacts of the small cell (5G) network will become more apparent over time as multiple carriers begin rolling out their networks. We encourage the City to revisit this topic and, if necessary, amend the law to address impacts as they become evident.

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.

Eoin Wrafter, Commissioner

By

A handwritten signature in black ink, appearing to read "Jennifer F. Coccozza", with a long horizontal flourish extending to the right.

Jennifer F. Coccozza
Deputy Commissioner

7/10/18

3

REC'D 2018 JUN 11 PM 10:46 DCP

Dutchess County Department of Planning and Development

FAX INFO ONLY	To Jenifer Cocozza	Date 6/11/18	# pgs 3
	Co./Dept.	From Lisa Edelson	
	Fax # 845-486-3610	Phone #	

239 Planning/Zoning Referral - Standard Form

Municipality: City of Beacon

Referring Agency: Planning Board Zoning Board of Appeals Municipal Board

Tax Parcel Number(s): _____

Project Name: Local law concerning Small Cell Wireless Telecommunications Facilities

Applicant: City Council

Address of Property: _____

Please fill in this section

Type of Action:

- Local Law / Text Amendment
- Rezoning
- Site Plan
- Special Permit
- Use Variance
- Area Variance
- Other: _____

Parcels within 500 feet of:

- State Road _____
- County Road _____
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

REC'D 2018 JUN 11 PM 10:46 DCP

Date Response Requested (if less than 30 days): Public hearing is June 18th

If subject of a previous referral, please note County referral number(s):

FOR COUNTY OFFICE USE ONLY

Response from Dutchess County Department of Planning and Development

<p>No Comments:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Matter of Local Concern <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> No Authority <input type="checkbox"/> Withdrawn 	<p>Comments Attached:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Local Concern with Comments <input type="checkbox"/> Conditional <input type="checkbox"/> Denial <input type="checkbox"/> Incomplete — <i>municipality must resubmit to County</i> <input type="checkbox"/> Incomplete with Comments — <i>municipality must resubmit to County</i>
--	---

Date Submitted: <u>6/11/18</u>	Notes:	<input type="checkbox"/> Major Project
Date Received: <u>6/11/18</u>		
Date Requested: <u>6/18/18</u>		
Date Required: <u>7/10/18</u>	<input type="checkbox"/> Also mailed hard copy	Referral #: <u>ZR18-193</u>
Date Response Faxed: <u>7/10/18</u>	Reviewer: <u>[Signature]</u>	

City of Beacon Council Agenda
7/16/2018

Title:

Application for a special use permit for the Edgewater project

Subject:

Background:

ATTACHMENTS:

Description	Type
Edgewater Ltr to council	Backup Material
Edgewater Full PB submission	Backup Material
Edgewater Lanc and Tullyreview	Backup Material
Affidavit of mailing	Backup Material
Affidavit of posting	Backup Material
certified receipts	Backup Material
Edgewater PB transmittal	Backup Material
Edgewater Cleary	Backup Material
Edgewater amended SEQRA	Backup Material
Edgewater amended LWRP	Backup Material



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White Plains, New York 10601
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cuddyfeder.com

June 20, 2018

Taylor M. Palmer, Esq.
tpalmer@cuddyfeder.com

VIA E-MAIL

Mayor Randy Casale
and Members of the City Council
City of Beacon City Hall
1 Municipal Plaza
Beacon, New York 12508

Re: Edgewater – Special Permit Application

Dear Mayor Casale and Members of the City Council,

I'm writing to confirm a place on the Council's June 25th Workshop Agenda to continue our discussion regarding the Edgewater project and the Applicant's Reduced Density Proposal.


As we indicated during our last appearance before you on May 29, 2018, the City's recent adoption of the Local Law concerning the calculation of Lot Area per Dwelling Units has resulted in a substantial reduction in the project's unit count. The Reduced Proposal decreases the project's unit count by 61 units or about twenty percent (20%). It also reduces on-site parking spaces by fifteen percent (15%), and increases the amount of green space. The Applicant is also proposing a 140-foot walkway along the western side of the property, facing the Hudson River.

The Reduced Density Proposal is discussed in greater detail in the submission package we delivered to the City on June 12, 2018. The June 12 submission identifies and summarizes key features and additional benefits of the project as noted at our prior appearance. For ease of reference, we have enclosed an additional copy of the June 12, 2018 submission, inclusive of the revised site plan drawing for the Reduced Density Proposal, entitled Site Plan, Sheet 1 of 15, last revised June 11, 2018.

We appreciate the opportunity to appear before you on Monday to further discuss the project.

Thank you for your consideration in this matter.

Very Truly Yours,


Taylor M. Palmer, Esq.

cc: Nicholas M. Ward-Willis, Esq., City Attorney
Anthony Ruggiero, City Administrator
Arthur R. Tully, P.E., City Engineer
Lt. Timothy P. Dexter, Building Inspector
John Clarke, Beacon Planning Consultant
Anthony F. Morando, Esq.

Zoning Regulations Table

Zoning District	Required Setbacks			Proposed Setbacks			Minimum Lot Area	Actual Lot Area	Lot Width	Lot Depth	Maximum Building Coverage	Proposed Building Coverage	Minimum Distance Between Buildings	Proposed Distance Between Buildings	Maximum Building Height	Building Height	Maximum Number of Stories	Proposed Number of Stories	Max. # of Units per Building	Proposed # of Units per Building	Lot Area per Unit	Proposed Building Footprint	Allowable Density	Proposed Density
	Front	Side	Rear	Front	Side	Rear																		
RD 1.7	30'	10'	25'	252'	30'	55'	5,000 sf	523,112 sf	50'	100'	25%	13%	30'	25' Average 12' minimum per variance	55'	55'	4 1/2	Varies 5 Max.	36	Varies 59 Max.	1700	69,960 sf	246	246

Zoning Summary

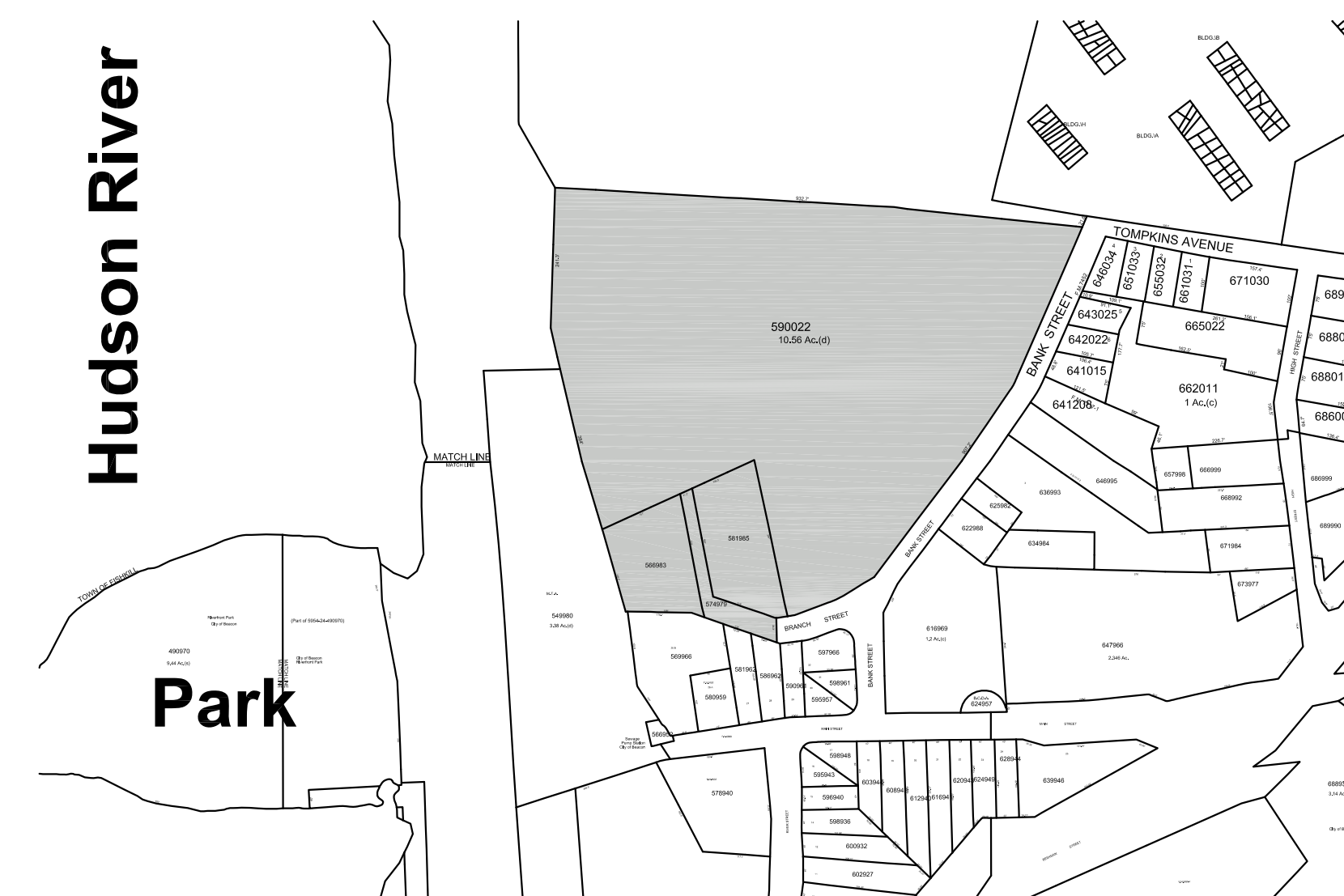
Zoning District: RD 1.7
 Tax Map No.: 5955-19-590022 = 10.560 Acres or 460,004 Sq. Ft.
 5954-25-581985 = 0.682 Acres or 29,727 Sq. Ft.
 5954-25-574979 = 0.158 Acres or 6,190 Sq. Ft.
 5954-25-566983 = 0.579 Acres or 25,234 Sq. Ft.
 Lands Underwater = 10.035 Acres or 437,113 Sq. Ft. (UNDERWATER LANDS ARE NOT INCLUDED IN THIS APPLICATION)

Lot Area: 12,009 acres (523,112.04 sf)
 Building Footprint: 69,960 square feet
 Building Area: 296,840 square feet
 Historical Overlay District: No
 Parking Overlay District: No
 Existing Use: Residential & Vacant
 Proposed Use: Residential

Land Use Compliance	Permitted / Required	Proposed
Residential	236 Dwelling Units	246 Dwelling Units (including 10 bonus units for providing BMR units)
Parking	328 Parking Spaces	328 Parking Spaces

Parking & Loading	Area / Count	Proposed Parking Requirement
Residential	246 apartments 328 bedrooms (for parking) (25) Studios (126) 1-Bedroom (86) 2-Bedroom (9) 3-Bedroom	328 spaces 246 units + (325 x 25) = 82

- Notes:**
- A variance to exceed the maximum number of stories from 4 1/2 stories to 5 stories has been granted by the Zoning Board of Appeals for buildings 3, 4, and 6. Variance #2018-1, dated January 17, 2018.
 - 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 #2018-1, dated January 17, 2018.
 - A variance to allow less than 30 feet between buildings has been granted by the Zoning Board of Appeals. Variance #2018-1, dated January 17, 2018.
 - The Applicant proposes to land bank 45 of the 329 proposed parking spaces, as demonstrated on the site plan.
 - The Applicant is proposing directional signage around the property. No other signage is proposed.
 - Trash will be collected within the buildings and taken out by building personnel to the enclosed trash containers on the property. Trash and recycling pickup will be scheduled as needed.
 - The applicant is proposing a total of 246 apartments. The floor plans presented demonstrate that 46 apartments can be situated in the buildings. The Applicant may change the layout of the floor plans to suit market demand, but the total number of apartments and bedrooms will not exceed what is proposed in the Application.
 - The renderings of the exterior elevations show, in general, the proposed building designs and material specifications. Depending on the final layout of the apartments, the window and door arrangements may be modified to suit the floor plans, while maintaining the general appearance of the design as presented.
 - Note that the project will comply with Section 223-41.9 of the Beacon Zoning Code regarding below market rate units in effect at the time of Site Plan approval. The Below Market Rate (BMR) units shall have exterior finishes and general amenities comparable to the market-rate units within the development. BMR units shall be reasonably distributed throughout the project. The BMR units shall be provided in a mix of unit types in the same proportion as all other units in the development.



Index of Drawings

Sheet	Title
Sheet 1 of 15	Site Plan
Sheet 2 of 15	Existing Conditions Plan / Survey
Sheet 3 of 15	Landscape Plan
Sheet 4 of 15	Lighting Plan
Sheet 5 of 15	Lower Level / Podium Parking Floor Plan
Sheet 6 of 15	1st Floor Plan (2nd & 3rd Floors Typical)
Sheet 7 of 15	5th Floor / Roof Plan
Sheet 8 of 15	Renderings
Sheet 9 of 15	Building Elevations
Sheet 10 of 15	Grading and Utility Plan
Sheet 11 of 15	Erosion and Sediment Control Plan
Sheet 12 of 15	Profiles
Sheet 13 of 15	Site Details
Sheet 14 of 15	Stormwater Details
Sheet 15 of 15	Water and Sewer Details

REVISIONS:

NO.	DATE	DESCRIPTION	BY
1	02/28/17	REVISE PER PLANNING BOARD COMMENTS	AJS
2	03/28/17	REVISE PER PLANNING BOARD COMMENTS	AJS
3	04/25/17	REVISE PER PLANNING BOARD COMMENTS	AJS
4	05/30/17	REVISE PER PLANNING BOARD COMMENTS	AJS
5	07/25/17	REVISE PER PLANNING BOARD COMMENTS	AJS
6	08/29/17	REVISE PER PLANNING BOARD COMMENTS	AJS
7	09/26/17	REVISE PER PLANNING BOARD COMMENTS	AJS
8	10/31/17	REVISE PER PLANNING BOARD COMMENTS	AJS
9	11/28/17	NO CHANGE	AJS
10	01/30/18	REVISE PER PLANNING BOARD COMMENTS	AJS
11	06/11/18	REVISE PER PLANNING STEEP SLOPES LAW	AJS

NOTE: PROVIDE APPROXIMATELY 10' WIDE AREA AT PERIMETER OF DEVELOPED AREA FOR POTENTIAL RE-FORESTATION IF NECESSARY DUE TO CONSTRUCTION OPERATIONS. VERIFY EXTENT OF REQUIRED PLANTING IN THE FIELD (TYPICAL)

RE-FORESTATION PLANTING TO INCLUDE BIRCH / BEECH / MAPLE SAPPLINGS

PATH GENERALLY ADJACENT TO EDGE OF BLUFF - VERIFY EXACT LOCATION IN FIELD. PROVIDE FENCE AT DROP OFF

NOTE: PROTECT EXISTING TREES ON THIS SLOPE TO THE GREATEST EXTENT POSSIBLE. IF NOT POSSIBLE TO SAVE, PLANT NEW TREES IN SIMILAR LOCATIONS

NOTE: EXISTING WOODLANDS TO REMAIN - REMOVE DAMAGED, DEAD, AND DISEASED TREES DURING THE TREE CLEARING PERIOD WHICH IS BETWEEN OCTOBER 1ST AND MARCH 31ST (TYPICAL)

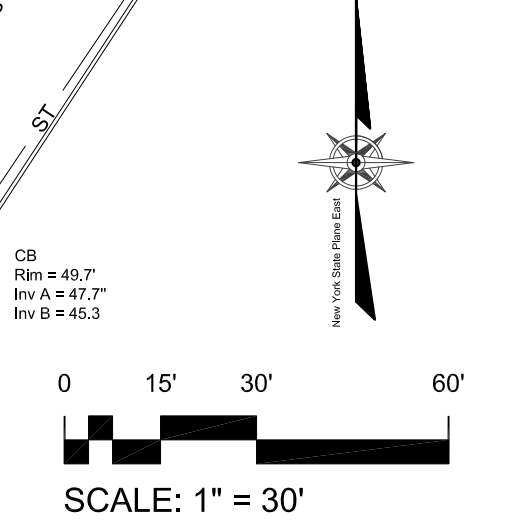
NOTE: TREES ADJACENT TO PARKING AREAS TO BE MINIMUM 3" CALIPER AT FOUR FEET FROM THE GROUND (TYPICAL)

NOTE: PROVIDE AREA AT PERIMETER OF DEVELOPED AREA FOR POTENTIAL RE-FORESTATION IF NECESSARY DUE TO CONSTRUCTION OPERATIONS. VERIFY EXTENT OF REQUIRED PLANTING IN THE FIELD (TYPICAL)

NOTE: EXISTING WOODLANDS TO REMAIN - REMOVE DAMAGED, DEAD, AND DISEASED TREES DURING THE TREE CLEARING PERIOD WHICH IS BETWEEN OCTOBER 1ST AND MARCH 31ST (TYPICAL)

HATCHING & LANDSCAPE LEGEND

- [Hatch] CONCRETE SIDEWALK
- [Hatch] ASPHALT PAVING
- [Hatch] GRAVEL PATH (STEEL EDGING)
- [Hatch] EXISTING WOODLAND TO REMAIN
- [Hatch] ECO-LAWN
- [Hatch] INDIAN SWITCH GRASS (G-PVS)
- [Hatch] NATIVE MEADOW (GRASSES, POLLINATOR ATTRACTING WILDFLOWERS) (ERNMX-106)
- [Hatch] GRASS - RED OCTOBER (G-AGRO)
- [Hatch] SHADED AREA BIO RETENTION MIX - (ERNMX-140)
- [Hatch] VINE - VIRGINIA CREEPER (V-PO)
- [Hatch] EVERGREEN SHRUB (S-G)
- [Hatch] BIOPRETENTION AREA MIX
- [Hatch] PROPOSED NEW ORNAMENTAL NATIVE TREE
- [Hatch] PROPOSED NATIVE EVERGREEN
- [Hatch] EXISTING TREE TO REMAIN (WITH CALIPER)
- [Hatch] RE-FORESTATION / REPAIR PLANTINGS: BIRCH - BEECH - MAPLE SAPPLINGS



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 DEVIATION OF THIS PLAN, 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.

Site Plan
 Scale: 1" = 30'



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cuddyfeder.com

June 12, 2018

Taylor M. Palmer
tpalmer@cuddyfeder.com

BY HAND DELIVERY AND E-MAIL

Hon. John Gunn, Chairman
and Members of the Planning Board
One Municipal Square
Beacon, New York 12508

Re: Edgewater – SEQR & LWRP Consistency Review – Reduced Density Proposal
Application for Site Plan and Preliminary & Final Subdivision Plat Approval
Premises: 22 Edgewater Place, Beacon, New York

Dear Chairman Gunn and Planning Board Members:

On behalf of the Scenic Beacon Developments, LLC, (the “Applicant”), we respectfully submit this letter in furtherance of the above-referenced Application, and to assist this Board in its review of the revised Site Plan in light of the of the substantial reduction in the Project’s total unit count (the “Reduced Density Proposal”) as a result of the City’s recent adoption of the Local Law concerning the calculation of Lot Area per Dwelling Units. The revised Site Plan is now before this Board for its consideration in reaffirming the Negative Declaration and Local Waterfront Revitalization Plan (“LWRP”) Consistency Determination, which were adopted by this Board on December 12, 2017 for the prior 307-Unit Proposal.

As we indicated in our letter to this Board dated May 30, 2018, the adoption of this new Local Law results in a substantial reduction in the Project’s unit count, and as more fully discussed herein, we respectfully submit that the Reduced Density Proposal will result in a further decrease in any perceived potential impacts that were previously considered and addressed by this Board during its Coordinated SEQRA Review. The Applicant’s team has been working diligently to prepare the enclosed submissions to this Board, which were developed in consideration of the procedural requirements outlined in the City’s Zoning Code, and taking into consideration public comments and comments from the City Council during its Special Use Permit review of the multi-family component of the Application, which process is running concurrently. The Applicant is eager to proceed before the Planning Board and to appear again at the City Council following this Board’s environmental and technical review of the reduced-density proposal.

APPLICATION STATUS – PRIOR APPROVALS

Planning Board – Environmental Review:

As this Board is aware, pursuant to Beacon Zoning Code Section 223-17C, the Schedule of Regulations for Residential Districts, “... multiple dwelling[s] in any RD or RMF District...” are “subject to the special permit approval procedure set forth in §§ 223-18 and 223-19.”



June 12, 2018

Page -2-

Procedurally, in accordance with the Zoning Code requirements for parcels in the RD-1.7 Zoning District,¹ the Applicant made its initial Application for Site Plan and Preliminary and Final Subdivision Approval to the Planning Board more than a year and half ago.² As originally designed, the Applicant proposed to construct a new transit-oriented development project consisting of seven (7) multi-family buildings located on 12-acres of land known as 22 Edgewater Place,³ which would contain a total of 307-units comprised of 96 studios, 115 one-bedroom, 86 two-bedroom and 10 three-bedroom units with 413 total bedrooms (the "307-Unit Proposal").

Notably, the 307-Unit Proposal was considered a "Type I" Action under the State Environmental Quality Review Act ("SEQRA") because it involved the proposed development of 307-units, which is more than 250-units in a city that has a population less than 150,000. Accordingly, the Applicant and its consultants met with the City's Planning, Engineering and Legal consultants, and prepared numerous studies and reports to assist the Planning Board in its review as Lead Agency. Through the comprehensive Coordinated environmental review, the Planning Board took the requisite "hard look"⁴ in considering a detailed record including a Stormwater Pollution and Prevention Plan ("SWPPP"), Traffic Impact Study, School Impact Study, Local Waterfront Revitalization Plan Consistency Statement, a Phase 1A Archeological Investigation Report and a Threatened and Endangered Species Habitat Suitability Report, in addition to 100+/- letters of support, as well as public comments from business owners and residents.⁵

¹ As this Board is aware, the Premises, which is currently comprised of four (4) total lots that are proposed to be merged into one (1) resultant lot, is classified in the RD-1.7 Designed Residence District – representing the *only* property in the City of Beacon that is zoned in this District.

² The Applicant appeared before the Planning Board on February 15, 2017; March 22, 2017; and April 11, 2017. The first SEQRA Public Hearing was set scheduled for May 9, 2017, with an additional Public Hearings held on July 11, August 8, September 12, October 11, November 14 and December 12, 2017, at which time the SEQRA Public Hearing was closed.

³ The Premises is currently comprised of four (4) total lots, identified on the Tax Maps as Parcel ID's #30-5954-25-581985, 574979 & 566983-00; and 30-5955-19-590022-00.

⁴ The "hard look" doctrine requires that, in reviewing an agency's determination of environmental significance (or the adequacy of a subsequently prepared EIS), a court, once satisfied that the agency has complied with SEQRA's procedural requirements, will limit its substantive review of the agency's SEQRA determination to consideration of whether "the agency identified the relevant areas of environmental concern, took a 'hard look' at them, and made a 'reasoned elaboration' of the basis for its determination." Gerrard, Ruzow, Weinberg, *Environmental Impact Review In New York* [Matthew Bender 1996] § 4:17, quoting *Jackson v. N.Y.S. Urban Dev. Corp.*, 503 N.Y.S.2d 298 (Ct. of App. 1986).

⁵ To avoid unnecessary repetition, we respectfully incorporate by reference all of our prior submissions and presentations to the Planning Board and Zoning Board of Appeals. This submission summarizes the Applicant's prior submissions, which more fully address traffic; community character; density; impacts to schools and parking. As to the more-detailed studies and analyses prepared, including detailed analyses pertaining to water, stormwater, sewer and related utilities, we respectfully refer this Board to our past submissions and the reviews by the Board's consultants that confirm adequate water and sewer, and reduced inflow and infiltration. Copies of the prior correspondence are available at the Council's request, and are on file with the Building Department.



June 12, 2018

Page -3-

Ultimately, the Planning Board determined that the Project *will not* have a “significant” adverse impact on the environment and at its December 12, 2017, meeting the Planning Board adopted a Negative Declaration. See **Exhibit 1** – Resolution Adopting Negative Declaration and Environmental Findings. Additionally, as will be discussed more fully herein, during the SEQRA review, on December 12, 2017, the Planning Board also adopted a LWRP Consistency Determination, which provides in part that the 307-Unit 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 recommended by the LWRP. See **Exhibit 2** – LWRP Approval Resolution.

City Council Special Use Permit Review:

As this Board is aware, the Applicant last appeared before this Board on February 14th, at which time the Applicant was referred to the City Council in connection with the Applicant’s Special Use Permit Application (“SUP Application”).⁶ Since that time, in connection with the 307-Unit Proposal the Applicant appeared at the City Council’s Work Sessions on March 12, March 26th, April 9th and again on April 16th, at which time a Public Hearing was opened and closed on the SUP Application. Following the City’s adoption of the new Density Reduction Local Law on May 21, 2018 (the “Density Reduction Law” or “Steep Slopes Law”),⁷ the Applicant appeared at the City Council’s Workshop on Tuesday, May 29th, in order to provide the Council with an update within the Special Use Permit context and to reaffirm the Applicant’s commitment to the Edgewater project in light of the recently enacted law.

Currently, the Planning Board has an open Public Hearing regarding the Applicant’s Site Plan application for the Project. As provided in the Zoning Code, the Applicant must appear before the City Council regarding its SUP Application before returning to the Planning Board where the Site Plan Public Hearing would be continued. However, before the Applicant can proceed further on the SUP Application, a new Public Hearing will be held on the revised SUP Application as a result of the significant reduction in density. Accordingly, the Applicant is now appearing before this Board in order to discuss the Reduced Density Proposal for Edgewater, and to seek this Board’s consideration in reaffirming the Negative Declaration and the LWRP Consistency Determinations that were issued for the higher density 307-Unit Proposal.

It should be noted, of course, that the Planning Board’s reaffirmation of the Negative Declaration and LWRP Consistency Determination will not end the review of the Project. Indeed, the Applicant also requires the City Council’s approval of the revised SUP Application, following

⁶ Zoning Code Section 223-18(B)(1), provides that an “[a]pplication for required special permits shall be made to the Planning Board as agent for the City Council...” and that “[t]he Planning Board shall, upon receiving such application, forward a copy of the application to the City Council for the Council’s use...”

⁷ Note: Local Law No. 9 of 2018, filed in the NYS Dept. of State on May 29, 2018, a copy of which is enclosed as **Exhibit 3**.



June 12, 2018

Page -4-

which, the Applicant would continue its Site Plan Public Hearing before this Board and will also hold a Public Hearing on the proposed application for Preliminary and Final Subdivision Approval in order to merge all four (4) existing lots that are zoned RD-1.7 into a single lot.

The Planning Board has ample authority, under its site plan and subdivision jurisdiction, as well as under SEQRA, to continue to discuss and evaluate the Reduced Density Proposal as it proceeds as revised.

**REAFFIRMATION OF SEQR NEGATIVE DECLARATION AND
LWRP CONSISTENCY DETERMINATION FOR REDUCED DENSITY PROPOSAL:**

As noted above, the Planning Board conducted a Coordinated Review of the 307-Unit Proposal, which was considered a Type I Action under SEQRA because it involved the proposed development of 307-units, which is more than 250-units in a city that has a population less than 150,000. However, as more fully discussed herein and shown in the attached revised Site Plan, it is respectfully submitted that the significant reduction in the total unit count also lowers the SEQR classification threshold, such that the instant amended site plan for *the reduced density proposal would be classified as an "Unlisted Action" under SEQR.*

For this Board's consideration, enclosed please find a copy of the Applicant's revised Site Plan, whereby the Applicant proposes to construct a total of 246 multi-family residential units, comprised of 25 studios, 126 one-bedroom, 86 two-bedroom and 9 three-bedroom units with 350 total bedrooms (the "Reduced Density Proposal"). The Reduced Density Proposal reflects the "new" pre-development lot area calculation for the Premises in accordance with new Local Law concerning the calculation of Lot Area per Dwelling Unit,⁸ as well as comments from the City Council about the density of the Project. See **Exhibit 4** - Hudson Land Design Pre-Development Lot Area Calculation Table of Very Steep Slopes. With 246 units, the Reduced Density Proposal is now an Unlisted Action under SEQR, with less than 250-units in a city with a population less than 150,000 people.

In reaching the determination noted above, the Applicant's Engineer and Surveyor reviewed the new Local Law, and prepared additional topographical details for technical review with the City's Planning and Engineering Consultants. Following a preliminary call with these consultants on Tuesday, May 29th, the Applicant's consultants met again with City's consultants on June 11th to discuss how the pre-development lot area was significantly reduced from 307 units down to 252 units under the new Law. Specifically, as a result of the revised definition of "Very Steep Slope"⁹

⁸ A copy of the Steep Slopes Law that was adopted by the Council is enclosed as **Exhibit 3**.

⁹ **New Definition:** "An area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet."

Old Definition: "An area of land with a gradient of 25% or more extending over a horizontal length of at least 100 feet and extending over a horizontal width of at least 100 feet."



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taken together with the revised pre-development lot area per dwelling unit calculation in the Schedule of Regulations applied to the RD-1.7 Zoning District, both as modified by the Steep Slopes Law, only a maximum of 252 units are permitted on the 12-acre Premises.¹⁰ See **Exhibit 4**.

Notwithstanding the fact that the pre-development lot area calculation now permits only 252 total units, in response to the City Council's comments at its May 29th meeting, **the Applicant's Reduced Density Proposal only proposes to construct 246 total units** where 252 are permitted, representing a total loss of loss of 61 units or about a twenty percent (20%) reduction in the density of the Project. To make the Project economically viable using the lowest feasible unit count in light of the City Council's comments, the main physical change to the Site Plan include a reduction of impervious surface as a result of the reduction in parking requirements caused by the significant reduction in the total unit count. The Reduced Density Proposal will also feature twenty-five (25) below-market rate units in accordance with the City's Affordable-Workforce Housing Law.

Additionally, the Reduced Density Proposal provides the following highlights and key features:

- **Maximized Green Space & Open Space Preservation:**
 - Nearly sixty-five (65%) of the overall site as open space, with only twelve percent (12%) building coverage, which is less than half of the twenty-five percent (25%) building coverage that is permitted by the Zoning Code;
- **Accessibility:**
 - Two (2) means of vehicular and pedestrian access to site, from Tompkins and from Bank Street, which also provide walkable and bikeable access (including bicycle storage) to the Metro-North Station and Main Street;
 - Three (3) on-premises Electric Cars for shared tenant-usage;
 - Walking paths along the ridge overlooking the Hudson River, including benches for viewing the river;
 - Additional walking path connections for the adjoining Tompkins Terrace development, providing additional access to Metro-North.
- **Amenities:**
 - 6,300 net square foot common tenant amenity space, including:
 - Gym;
 - Free co-working space for tenants;
 - Common recreation area;

¹⁰ **Note:** The Applicant's Reduced Density Proposal will also include twenty-five (25) below-market rate units in accordance with the City's recently amended Affordable-Workforce Housing Law, which includes a developer incentive right to ten (10) additional market-rate units. Accordingly, the pre-development density permits 242 units, plus ten (10) additional market-rate units for a total of 252 permissible units.



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- Quiet Library - 2,000 square foot reading room/quiet work space in a small building in the central green space;
 - Central green space area, including over an acre of recreational space; and
 - Tenant storage provided on-site.
- **Green Building Design & Landscaping:**
 - Construction techniques aspiring to LEED Gold energy-efficiency practices and standards;¹¹
 - Extensive landscaping plan, including low maintenance all-native plantings, in addition existing meadows and trees. Woods to remain at perimeter of property for additional view screening;
 - Eco-grass that doesn't need regular mowing;
 - Harvesting rain water for irrigation – rainwater will be collected from roof drains and stored in underground tanks;
 - Additionally, remaining stormwater from the parking lots will be treated on-site in bio-retention areas and infiltration basins;
 - Energy-efficient construction techniques, materials, and mechanical systems, including:
 - Exterior siding materials and installation practices specified are green building materials - durability, longevity, and composition. No painting or maintenance required for siding materials;
 - Cool roof / high albedo roof – reflects sunlight for energy efficiency;
 - Roof space and chases for ease of future solar energy installation;
 - Energy efficient windows – Low-E glazing – U-value to value to exceed Code standards;
 - LED lighting throughout;
 - Occupancy sensors for common space lighting;
 - Occupancy sensors for air exchangers;
 - Water saving measures throughout the project, including dual-flush toilets and water-saver shower heads;
 - PEX plumbing lines
 - Water based paints and sealers;
 - High quality products to prevent the need for wasteful replacements;
 - Consideration of greywater systems to be used in collaboration with water filtration systems;
 - Building insulation in excess of Building Code requirements;
 - Insulation between apartments to avoid energy loss;
 - Air tight construction in excess of NYS Code blower door testing standards;
 - Air exchange units to provide fresh air in addition to natural ventilation from windows;

¹¹ **Note:** While the Applicant is aspiring to LEED Gold standards, the Applicant will not seek LEED Certification, which is an added expense from a private certifying entity that does not contribute to the Project's sustainability.



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- Energy efficient heat pumps (heating and hot water heating) - 94% efficient;
- Energy efficient appliances;
- Electric traction elevators (no hydraulic fluid, energy efficient);
- Locally sourced gravel and rock materials;
- Podium/garage parking; and
- Green roof on Quiet Library building.

Accordingly, while the Applicant has modified the Project and associated Site Plan in compliance with the City's Local Law that reduces pre-development density, the Applicant remains committed to the Project and environmental conscious sustainable transit oriented development. Notably, while the Steep Slopes Law amended the local definition of a "Very Steep Slope" and the manner in which the City calculates the number of permitted dwelling units on the property that has qualifying Very Steep Slope(s), the Local Law did not, however, modify the engineering details and environmental conditions of the property, or affect the Project's consistency with the applicable LWRP Policies addressed in the 2017 LWRP Consistency Determination. *See Exhibit 5 - LWRP Statement of Consistency.*

Further, there is no physical change proposed to the overall layout, massing, or exterior design of the (7) seven buildings previously evaluated by the Planning Board and approved by the Zoning Board of Appeals and Architectural Review Board Subcommittee. The main physical change to the Site Plan is the reduction of impervious surface as a result of the reduction in parking requirements caused by significantly reducing the number of units. The Reduced Density Proposal includes approximately fifteen percent (15%) less parking spaces and providing additional green space. The Reduced Density Proposal also has 140+/- feet of additional walkways along the western side of the property, facing the Hudson River. Accordingly, as set forth more fully herein, we respectfully submit that the Reduced Density Proposal will result in a further decrease in any perceived potential impacts that were previously considered and addressed by this Board during its Coordinated SEQRA Review of the larger 307-Unit Proposal.

THE RECORD DEMONSTRATES THAT THERE ARE NO POTENTIALLY "SIGNIFICANT" ENVIRONMENTAL IMPACTS AND THAT THE REDUCED DENSITY PROPOSAL IS CONSISTENT WITH THE POLICIES CONTAINED IN THE CITY'S LWRP:

Where a project will have no "significant" adverse impacts on the environment, the Lead Agency *must* prepare a Negative Declaration.¹² The Reduced Density Proposal and its environmental qualities remain consistent with the Planning Board's findings in the 2017 Negative Declaration, and the record demonstrates that the Reduced Density Proposal will not result in any potentially significant environmental impacts. For ease of the Board's reference, attached please find a copy of the Planning Board's 2017 Negative Declaration (**Exhibit 1**) and the 2017 LWRP Consistency Determination (**Exhibit 2**) – both of which remain applicable to the Reduced Density Proposal.

¹² See, *The SEQRA Handbook*, 3rd Ed. (2010), p. 72 (Response to Question 1).



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To further assist this Board in its review of the revised Site Plan, and for consideration of reaffirming the Negative Declaration and LWRP Consistency Determination, the Applicant has also revised the Long Environmental Assessment Form (EAF) and Narrative, and the SUP Application Form, copies of which are enclosed as **Exhibit 6** and **Exhibit 7**, respectively.

Accordingly, the Reduced Density Proposal (the "Proposed Action") will result in a further decrease in any perceived potential impacts that were previously considered and addressed by this Board during its Coordinated SEQRA Review of the larger 307-Unit Proposal, and will not result in any significant adverse impacts to the environment.

- ***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.***

The main physical change to the Site Plan is the reduction of impervious surface as a result of the reduction in parking requirements caused by significantly reducing the number of units. The Project Site still consists of four (4) parcels which are proposed to be merged into one (1) development parcel. The Reduced Density Proposal involves 246 dwelling units, which is down from 307 units (350 bedrooms, down from 413 bedrooms) in seven (7) apartment buildings with associated infrastructure. As previously noted, much of the project site is characterized by prior soil disturbance and no wetlands or wetland buffer areas will be disturbed as a result of the Project. Disturbance of slopes will be stabilized using best management practices during construction and post-construction. There is no change to the building design or impacts from prior review to slopes on the project site.

- ***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 remain no unique geological features on the Site.

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

Any potential impacts on surface water and groundwater will be reduced. As more fully detailed in the enclosed Long EAF Narrative (**Exhibit 6**), at full build-out, the Reduced Density Proposal is expected to generate 38,500 gallons of wastewater per day, which represents a reduction in the expected usage under the 307-Unit Proposal, which expected a usage of around 45,430 gallons of wastewater per day. Additionally, at full build-out, the Reduced Density Proposal is expected to require 38,500 gallons of water per day, which represents a reduction in the expected usage under the 307-Unit Proposal, which expected



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a usage of around 45,430 gallons of water per day. Otherwise, there are no other changes to the project that would result in a significant adverse environmental impact on surface or groundwater quality or quantity.

- ***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.***

The treatment of stormwater for the Reduced Density Proposal will still be provided for the new impervious area. A Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. As more fully detailed on the enclosed Green Space Plan, the EAF Narrative and LWRP Statement of Consistency, the Reduced Density Proposal includes approximately 15% less parking area allowing for more green space and less impervious surfaces. Further, green infrastructure practices will be implemented 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. Other retention and pretreatment practices remain as detailed in connection with the 307-Unit Proposal.

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

There is no anticipated change in the temporary, construction-related, activities over the 307-Unit Proposal, but for the reduction in total impervious surfaces to be developed in connection with the Reduced Density Proposal.

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

The Reduced Density Proposal will not result in any new potential impacts as considered in the 307-Unit Proposal. 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 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 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.



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

There remain 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.***

The Reduced Density Proposal 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. Enclosed as **Exhibit 5** is a copy of the Applicant's LWRP Statement of Consistency, which reaffirms that the LWRP does not list viewsheds from the Site, or viewsheds that would be obscured by the Project, and that the Reduced Density Proposal remains consistent with the Planning Board's 2017 LWRP Consistency Determination for the Project as it relates to the Site. Additionally, by Resolution dated January 17, 2017 the Zoning Board of Appeals ("ZBA") granted a story variance for the maximum number of stories permitted for Buildings 3, 4 and 6. See **Exhibit 8**. The ZBA Resolution notes in relevant part that:

- "The proposed variances will not have an adverse effect of impact on the physical or environmental conditions in the neighborhood or district." and
- "... 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 variance for half a story permitting a maximum height of 5 stories for three of the seven buildings..."

See **Exhibit 8**, at pages 6 and 3, respectively. Further, each of the buildings complies with the height requirement (each building will be a maximum of 55 feet) in the Zoning Code and the Reduced Density Proposal will not have a significant adverse environmental impact on aesthetic resources.

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

The Reduced Density Proposal will not result in any new or different potential significant adverse environmental impacts to historic or archaeological resources from the submissions considered in connection with the 307-Unit Proposal.

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



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As more fully detailed on the enclosed Green Space Plan, the EAF Narrative and LWRP Statement of Consistency, the Reduced Density Proposal includes approximately 15% less parking area allowing for more green space and less impervious surfaces. *See* enclosed Site Plan and **Exhibits 5 & 6**. The reduced Project also has 140+/- feet of additional walkways along the western side of the property, facing the Hudson River. The area of the Proposed Action is not designated as open space by the City of Beacon. The Reduced Density Proposal 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. The Reduced Density Proposal will not result in any new or different potential significant adverse environmental impacts to open space and recreation.

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

The 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 subject to review and comment by the Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y. Access to the Site remains unchanged. The Applicant's Study was updated by Maser Consulting, P.A., in a letter dated June 5, 2018 (the "Revised Study"), in order to determined trip generation estimates from the used unit count in the Reduced Density Proposal. *See Exhibit 9*. The Revised Study confirm that "... it is the opinion of Maser Consulting that the currently proposed [Reduced Density Proposal] Edgewater Development will have a reduced impact on traffic operation conditions in vicinity to the site and thus the analysis results and traffic mitigations contained in our original study remain applicable to the currently proposed project." The Reduced Density Proposal also proposes improved pedestrian access, bicycle storage and a car share program for residents, and will not have a significant adverse environmental impact on transportation.

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



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It is anticipated that existing energy infrastructure will continue to serve the Proposed Action and that enough surplus exists to meet potential demand.

- Several green building techniques have been incorporated into the Proposed Action. The building design will allow for the ability to utilize solar energy in the future if and when it becomes feasible. The Proposed Action will not have a significant adverse environmental impact on energy.
- ***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.***

The Reduced Density Proposal proposes approximately 15% less parking area allowing for more green space and less impervious surfaces, reducing the development footprint. The Reduced Density Proposal is not anticipated to generate any objectional odors, noise or light.

- ***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.***

There remain no off-site contaminations that pose a threat to development on the Edgewater Site.

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

The Reduced Density Proposal is consistent with the recommendations and goals identified in the 2007 Comprehensive Plan and 2017 Comprehensive Plan Updates regarding density of developments. The Site remains 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 in accordance with the City's new Density Reduction Local Law. The transit oriented nature of the Reduced Density Proposal 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 Reduced Density Proposal is also consistent with the surrounding neighborhood which includes the existing Tompkins Terrace and Colonial Springs residential developments.

In connection with the 307-Unit Proposal, the Applicant's Planning Consultant, Cleary Consulting, prepared a School Impact Study dated June 26, 2017 that documented the



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potential impacts of the Proposed Action on the Beacon City School District. The School Impact Study conservatively concluded that 47 school age children would reside in the 307-Unit Proposal. As more fully-detailed in **Exhibit 10**, the Applicant's planning consultant confirmed that by "[e]mploying the same methodology accepted by the City during the SEQRA review of the project [the 307-Unit Proposal], **the current 246 unit project would reduce the number of school age children from 47 to 41 students**" (bold and underline emphasis added). Accordingly, the Reduced Density Proposal is consistent with adopted community plans and community character, and the Reduced Density Proposal is projected to further reduce the number of school age children.

The Applicant respectfully submits that an exhaustive analysis was done relating to all environmental issues for the much denser development concerning the 307-Unit Proposal, and that the state of the record supports reaffirming the Negative Declaration that the Reduced Density Proposal will *not* create any significant adverse environmental impacts. Accordingly, for the reasons set forth herein, the Applicant requests that this Board consider reaffirming its Negative Declaration and LWRP Consistency Determination.

THE EDGEWATER PROJECT AVOIDS THE DEVELOPMENT OF THE NEWLY DEFINED VERY STEEP SLOPES TO THE MAXIMUM EXTENT PRACTICABLE:

As this Board is aware and is more fully discussed above, in addition to reducing the pre-development density of the Edgewater property based on the calculation of the Very Steep Slope(s) on the Premises, the newly enacted Steep Slopes Law also revised the Zoning Code's definition of what comprises a "Very Steep Slope".¹³ See **Exhibit 4**. Accordingly, as is more fully detailed in the enclosed engineering analysis, the Applicant's engineering consultants also reviewed the Reduced Density Proposal to confirm and reaffirm that the project avoids development of the newly defined Very Steep Slope(s) wherever practicable. See **Exhibit 11** – Hudson Land Design Very Steep Slopes Avoidance Memorandum.

By way of background, City of Beacon Zoning Code Section 223-16 (B) provides:

*For the purpose of preventing erosion, minimizing stormwater runoff and flooding, preserving the City's underground water resources, and protecting the City's character and property values, it is the intent of this chapter to avoid the development of... very steep slopes, and toward this end, **wherever practicable**, new construction shall*

⁹ **New Definition:** "An area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet."

Old Definition: "An area of land with a gradient of 25% or more extending over a horizontal length of at least 100 feet and extending over a horizontal width of at least 100 feet."



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avoid such areas, and existing vegetation in such areas shall not be disturbed ***wherever practicable***" (bold and italic emphasis added).

Given the above, as result of the local definitional change, where the prior denser 307-Unit Development *did not* involve development of Very Steep Slopes, the Applicant revised the site plan to ensure that the Reduced Density Proposal for Edgewater avoids development and disturbance of newly defined Very Steep Slopes wherever practicable. Importantly, while these certain site plan changes were made for the Reduced Density Proposal in response to comments from the City's consultants, as noted in **Exhibit 11**, the footprint of the buildings generally remains the same and the site conditions have not changed since the 2017 Negative Declaration – only the definition of what constitutes a Very Steep Slope has been changed.

Accordingly, as more fully discussed in the enclosed engineering analysis, it is respectfully submitted that the Reduced Density Proposal for Edgewater avoids development and disturbance of newly defined Very Steep Slopes wherever practicable, and further, the stormwater and related mitigation measures included in the Reduced Density Proposal mitigate and prevent erosion; minimize stormwater runoff and flooding; preserve the City's underground water resources; and protected the City's character and property values, in full satisfaction of the criteria in Zoning Code Section 223-16(B). See **Exhibit 11**.

CONCLUSION:

For the reasons set forth above, as well as in prior submissions and appearances, it is respectfully submitted that the Applicant's comprehensive application package regarding the Reduced Density Proposal complies with all the applicable requirements necessary for this Board to reaffirm its Negative Declaration and LWRP Consistency Determination, which were adopted by this Board on December 12, 2017 for the prior 307-Unit Plan.

It is also noteworthy that the Applicant appeared before the City Council as soon as possible after the adoption of the density reduction law in order to reengage and obtain the Council's input, which the Applicant has done its best to address in this letter and the enclosed submissions in connection with the Reduced Density Proposal. Accordingly, we look forward to appearing again before the Planning Board as the SEQR Lead Agency in order to discuss the technical, engineering and environmental aspects of the Reduced Density Proposal.

By this letter, pursuant to our correspondence with the Planning Board Attorney, we look forward to appearing at the Planning Board's June 12th Agenda to discuss the Reduced Density Proposal and to proceed in furtherance of the Board reaffirming the Negative Declaration and the LWRP Consistency Determination. Further, we respectfully request that concurrent Site Plan Public Hearing on this matter be adjourned from the Planning Board's meeting Agenda, which is scheduled to be continued on June 12th, and that it be placed on the Planning Board's July 10th meeting Agenda for the continued Site Plan Public Hearing.



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We look forward to returning to the City Council on June 25, 2018, for a workshop and to discussing the Reduced Density Proposal further within the context of the Special Use Permit Application.

Should the Board or City Staff have any questions, please do not hesitate to contact me. Thank you in advance for your consideration of the enclosed.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Taylor M. Palmer', is written over a light blue horizontal line. The signature is fluid and cursive, with a large initial 'T' and a long, sweeping tail.

Taylor M. Palmer

Enclosures

cc: Jennifer L. Gray, Esq., Attorney to the Planning Board
Arthur R. Tully, P.E., City Engineer
Lt. Timothy P. Dexter, Building Inspector
John Clarke, Beacon Planning Consultant
Nicholas M. Ward-Willis, Esq., City Attorney
Michael A. Bodendorf, P.E., Hudson Land Design
Thomas E. Cerchiara, P.L.S., TEC Land Surveying
Aryeh J. Siegel, Architect
Cleary Consulting
Scenic Beacon Developments, LLC

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**ATTACHMENT TO
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

Based upon a review of Parts 1 and 2 of the Full Environmental Assessment Form (EAF) and all other application materials that were submitted in support of the 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 is 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 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 State Environmental Quality Review Act (SEQRA) public hearing was closed.

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.

The Project Site 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 Project proposes 307 dwelling units (413 bedrooms) in seven (7) apartment buildings with associated infrastructure including utility lines, stormwater facilities, and a below-grade parking garage and on-grade parking. Land banked parking will be utilized for a portion of the proposed parking spaces (33 parking spaces to the west of Building 1) to minimize land disturbance and impervious coverage. The Project will 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. Disturbance of slopes will be stabilized using best management practices during construction and post-construction.

- **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 are 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 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 exceed 1-acre and therefore a full Stormwater Pollution Prevention Plan (SWPPP) was prepared in order to obtain coverage under NYSDEC SPDES General Permit GP-0-15-002. 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 Project will be connected to the existing public water distribution system. At full build-out, the Project is expected to require 45,430 gallons of water per day. 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. It is proposed 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 proposes 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 Project does not propose to use public water for irrigation purposes. Rather, the Project includes an underground cistern for harvesting roof runoff for irrigation purposes.

The Project will be connected to the existing public sanitary sewer system. At full build out, the Project is expected to generate 45,430 gallons of wastewater per day (413 bedrooms x 110 gpd/bedroom). 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 Proposed Action, the treatment of stormwater will be provided for the new impervious area. A Stormwater Pollution Prevention Plan (SWPPP) has 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 will consist of minimal conveyance systems which will include culverts and grass-lined swales/dikes where required. It is 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 will remain undisturbed with natural vegetation remaining.

Green infrastructure practices will be implemented 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. Parking spaces and drive aisles 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/bioretenion practices, use of open channel vegetated conveyance systems, and an underground cistern for roof runoff will also be implemented.

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.

Proposed Bioretention areas 1 and 2 do 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 shallow depth to bedrock. Therefore, 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 RRV.

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

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.

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 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 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 are 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.**

The 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 Project will be experienced from the Metro North train station and from the Hudson River. The Applicant submitted an LWRP Consistency Statement, prepared by Aryeh Siegel, Architect, which was reviewed by the City Planner. Photo renderings of the Project were also submitted by the Applicant demonstrating the possible seasonal views from these vantage points. 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 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 require 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.

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

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.**

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 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 subject to review and comment by the Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y.

The Project proposes access to the Site at a reconstructed driveway connection to Tompkins Avenue located between Tompkins Terrace and Bank Street. The Project also includes 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 concludes 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 Beckman 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 Project also proposes improved pedestrian access to and from the 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 Project also proposes ample bicycle storage and a car share program for its residents.

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

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

Several green building techniques have been incorporated into the 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.

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

Noise impacts associated with the proposed 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.

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.

The 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 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 Project is also consistent with the surrounding neighborhood which includes the existing Tompkins Terrace and Colonial Springs residential developments.

The Project will create an increased demand for community services such as emergency services and the Beacon City School District. The application was referred to the City of Beacon Police and Fire Departments. The Project will be constructed in accordance with all applicable state and local emergency and fire safety requirements. The Applicant also submitted a School Impact Study, dated June 26, 2017, prepared by Cleary Consulting. The School Impact Study concluded that approximately 47 school age children would reside in the new development. This estimate was calculating using the Rutgers University, Center for Urban Policy Research multipliers which tends to be a conservative method for determining the amount of school age children generated by a development project.

The School Impact Study was reviewed by the Planning Board's Planning Consultant. Cleary Consulting's August 7, 2017 letter responds to questions from the Planning Consultant and comments from the public. It clarifies and concludes that the value associated with each unit type in the Rutgers study is based on 2006 market conditions, but it is the ratio of the value to other factors that is more important than the value itself. For example, the values could just as effectively been expressed as low, medium and high, rather than attaching a numeric value to each housing type. The value selected to be utilized in the calculation of the number of

school age children generated by the Project reflects the Applicant's anticipated price point for the market rate units at the proposed transit oriented development project.

The Planning Board's Planning Consultant concludes in his October 6, 2017 review memorandum that the projected 47 school-age children is conservative given (1) average household sizes have declined since the 2006 multipliers were published, (2) several large-scale studies have shown that apartments near train stations generally have lower school children counts, (3) 96 of the 307 proposed units are smaller studio apartments which should have a lower student ratio than the one-bedroom ratio used for studios in the School Impact Study, and (4) the survey of Beacon multifamily housing developments set forth in a chart on page 9 of Cleary Consulting's August 29, 2017 letter, particularly the most recent three projects on the chart (Leonard Street – 74 total units, 49 units rented to date, 0 school-aged children; 1 East Main Street – 19 units, 1 school-aged child; and 11 Creek Drive – 6 units, 0 school-aged children), provides local supporting background information for a lower average number of school age children. The chart of "Actual School-Age Children Residing in Selected Comparable Multi-Family Developments in the City of Beacon," demonstrates an average ratio of 0.71 school-aged children per unit. (August 29, 2017 Cleary Consulting Letter, p. 9) Using this ratio, the Project would produce only 22 school-aged children.

The Beacon City School District has called into question the accuracy of the data and rationale behind the School Impact Study's conclusions in letters dated August 7, 2017, October 12, 2017, November 3, 2017 and December 8, 2017 (received December 11, 2017), and verbal testimony before the Board. The Applicant's consultant responded to the School District's concerns in letters, dated August 29, 2017, September 26, 2017, October 25, 2017 and November 28, 2017. Also, upon request of the Planning Board, in a memorandum dated November 14, 2017 the Beacon City Assessor provided an estimated valuation of Project of \$34-40 million based upon her knowledge of the Project to-date.

Upon review of all correspondence, the Planning Board's Planning Consultant provided his professional opinion regarding the school impacts in his November 9, 2017 memorandum:

As a summary of the school impact positions, the applicant's June 26, 2017 School Impact Study and supplemental comments conclude that the Beacon City School District (BCSD) has adequate capacity for the projected 47 school-age children and that the proposed project will have a net positive financial impact on the district. Three central assumptions have been disputed by the BCSD: the estimate of public school-age children, the assessed value of the completed project, and the cost per student to be used in the fiscal calculation. The schools have available capacity, since overall enrollment has dropped 20%, or 735 students, between 2004-5 and 2015-16.

Both parties agree that the 2006 Rutgers Residential Demographic Multipliers for New York are the industry-accepted standard for estimating school children, but they disagree on what level ratios to apply in this case. The applicant's estimate of 47 appears, if anything, high since the total school-age children table was used from the Rutgers Study, rather than the more targeted public school-age children (PSAC) ratios. Also, 96 of the 307 proposed units are smaller studio apartments, which should have a lower student count than the one-bedroom ratio used in the School Impact Study. My best estimate is below, using the higher 67th-100th percentile PSAC ratio for the market rate units and the medium 34th-66th percentile PSAC ratio for the required workforce units:

Units	#	Market	Ratio	PSAC	Workforce	Ratio	PSAC	Total PSAC
Studio	96	86	.07	6.02	10	.27	2.7	8.72
1 BR	115	104	.07	7.28	11	.27	2.97	10.25
2 BR	86	77	.16	12.32	9	.45	4.05	16.37
3 BR	10	9	.63	5.67	1	1.3	1.3	6.97
Totals	307	276			31			42.31

The City of Beacon Assessor has estimated that the assessed value of the completed project will be between \$34 and 40 million. At the midpoint of this estimate, the development will generate \$810,300 of annual tax revenue for the BCSD.

For the cost of the additional PSAC, the applicant has proposed using the BCSD 2015-16 Instructional Budget cost of \$17,102 per student, which includes teaching salaries/benefits, special needs, library, attendance, guidance, health and social services, interscholastic and other activities, transportation, and similar more student-sensitive functions. The BCSD has maintained that the total budget cost of \$23,116 per student should be used, which also accounts for the Board of Education, central administration, finance, legal, personnel, records management, supervisors' salaries/benefits, and capital budget items, including central services and debt services. The net fiscal impacts depend on which one of these figures seems most reasonable. As another factor of comparison, the actual local tax levy, after state aid and other revenue, is \$12,653 per student.

	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

Marginally increasing enrollment by about 42 students in a district that is down 735 students since 2004-5 and down 128 students from the previous year should not significantly affect the capital and administrative budget sections. I think that the Instructional Budget calculation is justifiable.

Based on the information provided the Planning Board's professional planning consultant, the Applicant's professional planning consultant and the BCSD, it is the Planning Board's opinion that the addition of 42 school-age children represents the most accurate application of the Rutgers ratios. After considering all testimony and written submissions to the Planning Board on this subject, the Planning Board

City of Beacon Planning Board
December 12, 2017
Edgewater

determines that the addition of 42 school-age children as a result of this Project will not create a significant increased demand on the School District.¹

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

¹ The Planning Board notes that even if the Total Budget is used to calculate the cost/student, the resulting estimated \$160,572 deficit is not significant as compared to the BSCD's annual budget of approximately \$66.75 million (2016-2017 final budget), and therefore does not rise to the level of a significant adverse environmental impact.

Project: Edgewater

Date: October 11, 2017

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.

Please see attached

Determination of Significance - Type 1 and Unlisted ActionsSEQR Status: Type 1 UnlistedIdentify portions of EAP 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: Jay Sheers

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency:

Date: December 18, 2017

Signature of Preparer (if different from Responsible Officer): Jennifer L. Gray, Esq.

Date:

For Further Information:

Contact Person: Etha Grogan, Planning Secretary

Address: 1 Municipal Plaza, Beacon, New York 12508

Telephone Number: 845-838-5002

E-mail: egrogan@cityofbeacon.org

For Type I 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>

Received in the Office of the
City Clerk
December 20, 2017

PRINT FULL FORM

2

RESOLUTION

**PLANNING BOARD
BEACON, NEW YORK**

**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, 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 October 31, 2017, 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

Local Waterfront Revitalization Program (LWRP) Consistency Determination
Edgewater

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.

NOW, THEREFORE, BE IT RESOLVED, that 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 hereby adopts the annexed Negative Declaration pursuant to the State Environmental Quality Review Act (SEQRA).

BE IT FURTHER RESOLVED, that there are a number of LWRP policies which do not apply to the Project which policies are those that are contained in the LWRP but not listed below, and also hereby makes the following consistency findings with respect to the LWRP policies which apply to the 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.

Local Waterfront Revitalization Program (LWRP) Consistency Determination
Edgewater

As noted in the SEQRA 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 Project. 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. A Stormwater Pollution Prevention Plan (SWPPP) has 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 will consist of minimal conveyance systems which will include culverts and grass-lined swales/dikes where required. It is 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 will remain undisturbed with natural vegetation remaining.

Green infrastructure practices will be implemented 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. Parking spaces and drive aisles 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 be implemented.

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.

Proposed bioretention areas 1 and 2 do 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. Therefore, 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

Local Waterfront Revitalization Program (LWRP) Consistency Determination
Edgewater

Volume. 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.

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."

The Project is 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.

Local Waterfront Revitalization Program (LWRP) Consistency Determination
Edgewater

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.

See Policy 13.

POLICY 38

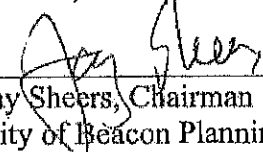
The quality and quantity of surface water and groundwater supplies will be conserved and protected particularly where such waters constitute the primary or sole source of water supply.

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 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 Project will be connected to the existing public water distribution system. At full build-out, the project is expected to require 45,430 gallons of water per day. Notably, the Project does not propose to use public water for irrigation purposes. Rather, the Project includes an underground cistern for harvesting roof runoff for irrigation purposes.

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

Resolution Adopted: December 12, 2017
Beacon, New York



Jay Sheers, Chairman
City of Beacon Planning Board

December 18, 2017
Dated

Received in the Office of the
City Clerk
February 5, 2018

3

CITY OF BEACON



Iola C. Taylor
City Clerk
One Municipal Plaza, Suite One
Beacon, New York 12508

Telephone (845) 838-5003
Facsimile (845) 838-5032

I, IOLA C. TAYLOR, Clerk of the City of Beacon, New York, do hereby certify that the attached is a true and accurate copy of Local Law No. 09 of 2018 entitled:

A LOCAL LAW TO AMEND CHAPTER 223, CONCERNING CALCULATION OF THE LOT AREA PER DWELLING UNIT IN THE R1, RD, AND FISHKILL CREEK DEVELOPMENT DISTRICTS

adopted by the Beacon City Council at a regular meeting held on May 21, 2018. Council Member McCredo made the motion to adopt the proposed local law. The motion was seconded by Council Member Nelson. On roll call Council Members Nelson, McCredo, Kyriacou, Rembert and Grant voted in favor (5). Council Members Mansfield and Mayor Casale were opposed (2).
Motion Carried.

WITNESS THERE I have set my hand and seal of the City of Beacon this 22nd day of May, 2018.

Signed

Iola C. Taylor
Iola C. Taylor, City Clerk

SEAL

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 09 of 2018 of the City of Beacon was duly passed by the City Council on May 22, 2018 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of Beacon was duly passed by the City Council on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the * _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of Beacon was duly passed by the City Council on _____ 20____, and was (approved) (not approved) (repassed after disapproval) by the * _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the _____ was duly passed by _____ on _____ 20____, and was (approved) (not approved) (repassed after disapproval) by the * _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis, or if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____, of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____, of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county considered as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Yvonne C. Taylor

Deputy Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: May 22, 2018

(Certification to execute by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Dutchess

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Richard W. ...
Signature

City Attorney

Title

City of Beacon

Date: May 22, 2018

Local Law Filing

New York State Department of State
41 State Street, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County _____
City of.....Beacon.....
Town _____
Village _____
Local Law No....09...of the year....2018.....

FILED
STATE RECORDS
MAY 29 2018
DEPARTMENT OF STATE

A LOCAL LAW TO AMEND CHAPTER 223, CONCERNING CALCULATION OF THE LOT AREA PER DWELLING UNIT IN THE R1, RD, AND FISHKILL CREEK DEVELOPMENT DISTRICTS

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

Section 1. Chapter 223, Attachment 1 of the Code of the City of Beacon entitled “§ 223-1.7C, Schedule of Regulations For Residential Districts” is hereby amended to add the following footnote “q” after “Lot Area per Dwelling Unit” and in the attached “Notes” list:

q. For all development proposals involving a total lot area of more than three acres within a 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, pre-development very steep slopes of 25 percent or more as defined in § 223-63.

Section 2. Chapter 223 of the City Code, Article IVC entitled "Fishkill Creek Development District" § 223-41.14B is hereby amended as follows:

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, pre-development very steep slopes of 25 percent or more as defined in § 223-63, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland: 11. Additionally, a minimum of 25 percent 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. 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.

Section 3. Chapter 223 of the City Code, Article VI entitled "§ 223-63, Definitions" is hereby amended as follows:

VERY STEEP SLOPE

An area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet

Section 4. Ratification, Readoption and Confirmation

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

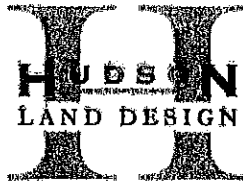
Section 5. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 6. Effective Date

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

4



*Civil & Environmental Engineering Consultants
174 Main Street, Beacon, New York 12508
Phone: 845-440-6926 Fax: 845-440-6637
www.HudsonLandDesign.com*

June 12, 2018

Mr. John Gunn, Chairman
City of Beacon Planning Board
1 Municipal Center
Beacon, NY 12508

Re: Edgewater Site Plan and Subdivision
Tax IDs 5954-25-566983, 574979, 582985, & 5955-19-590022
City of Beacon, New York

Dear Chairman Gunn:

On behalf of the Applicant for the above referenced project, Hudson Land Design (HLD) has prepared a revised steep slopes analysis with regard to the recently adopted Local Law to amend §223-16, §223-17, §223-41.14B and §223-63 of the City of Beacon code. HLD worked with TEC Land Surveying (TEC) after additional topography was compiled. The original topography was compiled using standard survey practices where survey shots are taken at set intervals where slopes are generally uniform, and at strategic locations where there are breaks in grade, structure or other surface features. The bluff area adjacent to the MTA parking lot was not field surveyed originally because it is very steep slopes in excess of 25% or even greater preventing survey personnel from entering this area. As such, available GIS 5' contours were used in that area, and for the purposes of the preliminary steep slopes study, this entire bluff area was assumed to be in excess of 25% slopes.

TEC recently prepared new topography using available USGS LiDAR data that provides a more accurate terrain surface model as data points are much denser than a traditional Total Station survey. The USGS LiDAR data was collected in 2014. The revised Steep Slopes Analysis was conducted using the criteria outlined in the recently adopted Local Law (LL) where "very steep slopes" are now defined as "An area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet", where previously, the threshold called for "100' X 100' area". The new definition of "very steep slopes" results in a significant reduction in the pre-development lot area, which significantly reduces the total number of units.

The revised steep slopes analysis results are summarized in the following table:

Total Area of On-site Slopes 25% or Greater	162,281 sqft
Area of On-site Slopes 25% or greater Without 10,000 sqft Contiguous Area to be Deducted From the Total	51,997 sqft
Net Area of On-site Very Steep Slopes With 10,000 sqft Contiguous Area	$162,281 - 51,997 = 110,284$ sqft
Net Developable Area After Reduction due to Contiguous On-site Very Steep Slope Areas	$523,155$ sqft $- 110,284$ sqft = $412,871$ sqft
Total Number of Allowable Units	$412,871$ sqft/ $1,700$ sqft per unit = 242.86 , or 242 units
Anticipated Units Lost as a Result of Contiguous On-site Very Steep Slopes	$307 - 242 = 65$ Units Lost

The results show a loss of 65 units. Therefore, the new maximum unit count as a result of the reduction of 65 units from 307 is 252 units. The Applicant's revised Site Plan will provide twenty-five (25) below-market rate units, so the developer has the right to ten (10) additional market-rate units, as provided in the City's recently amended Affordable-Workforce Housing Law, which would bring the total permitted to $242 + 10$, or 252 units.

We look forward to continuing discussing the design details of the project with you and your Board members at the next meeting. Should you have any questions or require additional information, please feel free to call me at 845-440-6926.

Sincerely,



Michael A. Bodendorf, P.E.
Principal

cc: Weber Projects, LLC
Tina Andress-Landolfi
Taylor Palmer, Esq.
Anthony Morando, Esq.
Aryeh Siegel, AIA
Jon D Bodendorf, P.E. (HLD File)

ARYEH SIEGEL
ARCHITECT

June 11, 2018

**Local Waterfront Revitalization Program
Statement of Consistency**

Edgewater (22 Edgewater Place, Beacon NY)

The City of Beacon Planning Board adopted a Resolution of Approval on December 12, 2017 issuing a Local Waterfront Revitalization Program (“LWRP”) Consistency Determination for the proposed redevelopment of the property located at 22 Edgewater Place¹ (“Project”). The Project included the construction of seven (7) apartment buildings containing a total of 307 units (413 bedrooms) following the demolition of two (2) existing structures and the merger of four (4) lots into a single 12-acre parcel, along with installing associated infrastructure. Project details such as building height, bulk, and scale were shown on drawings entitled “Site Plan Edgewater,” Sheets 1-15, last revised October 31, 2017.² The Project also received variance approvals from the Zoning Board of Appeals on January 17, 2017.

The City Council subsequently adopted a Local Law to amend the City Code to reduce the permitted unit density on the subject property by modifying the formula for calculating lot area per dwelling unit in the underlying RD Zoning District. The Applicant has modified the Project and associated Site Plan in compliance with this Local Law and is presenting this updated LWRP Statement of Consistency in acknowledgement of a substantial reduction in total number of units proposed for the Project. This Statement of Consistency confirms that the reduced Project is consistent with the 2017 LWRP Consistency Determination.

The Local Law amended the local definition of a “Very Steep Slope” and the manner in which the City calculates the number of permitted dwelling units on the property that has qualifying Very Steep Slope(s). The Local Law did not, however, modify the engineering details and environmental conditions of the property, or affect the Project’s consistency with the applicable LWRP Policies addressed in the 2017 LWRP Consistency Determination.

In accordance with the newly adopted Local Law, the Applicant has reduced the number of dwelling units for the Project from 307 to 246, a loss of 61 units or about a 20% reduction.³ There is no physical change proposed to the overall layout, massing, or exterior design of the (7) seven buildings previously evaluated by the Planning Board and approved by the Zoning Board of Appeals and Architectural Review Board Subcommittee. The main physical change to the Site Plan is the reduction of impervious

¹ Designated on the City tax maps as Parcel Nos. 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979.

² See also Subdivision drawing entitled, “Lot Consolidation Map prepared for Weber Projects LLC,” dated March 6, 2017.

³ Note: The pre-development lot area actually permits 252 total units, which is inclusive of ten (10) density bonus units because the development includes affordable-workforce housing (below market rates units) as a part of the Project.

ARYEH SIEGEL

ARCHITECT

surface as a result of the reduction in parking requirements caused by significantly reducing the number of units. The reduced Project includes 15% less parking spaces and additional green space. The reduced Project also has 140 feet of additional walkways along the western side of the property, facing the Hudson River.

It is my professional opinion that the Reduced Density Proposal remains consistent with the Planning Board's 2017 LWRP Consistency Determination for the Project as it relates to the subject property. The Reduced Density Proposal and its environmental qualities remain consistent with the goals and policies of the LWRP and the Planning Board's findings in the 2017 LWRP Consistency Determination for the Project. For ease of the Board's reference, attached please find a copy of the Board's 2017 LWRP Consistency Determination, together with the original, approved LWRP Statement of Consistency – both of which remain applicable to the reduced Project.

I further submit that maintaining the building layout of the Project as accepted in the 2017 LWRP Consistency Determination confirms continued compliance with the language and the spirit of the applicable LWRP Policies, in particular by clustering buildings, maintaining setback distances and preserving and reinforcing the wooded hillsides to the greatest extent possible. The attached rendered views from the river and from the train station demonstrate that seasonal views of the new buildings would contribute to the scenic qualities of Beacon, as defined in Policy 25. The Applicant demonstrates through photorealistic renderings that the tops of the buildings will be visible to some degree, and that the level of visibility will change with the seasonal leaf coverage.

The proposed building layout and the site design adhere to both the language and the spirit of the LWRP Policy 25. The condensed layout of this reduced Project on this otherwise relatively large property in the City of Beacon continues to fit into modern day environmental best practices, maximizes natural and designed landscapes, and continues to deploy the erosion protection strategies recently accepted by the Planning Board and its staff and consultants.

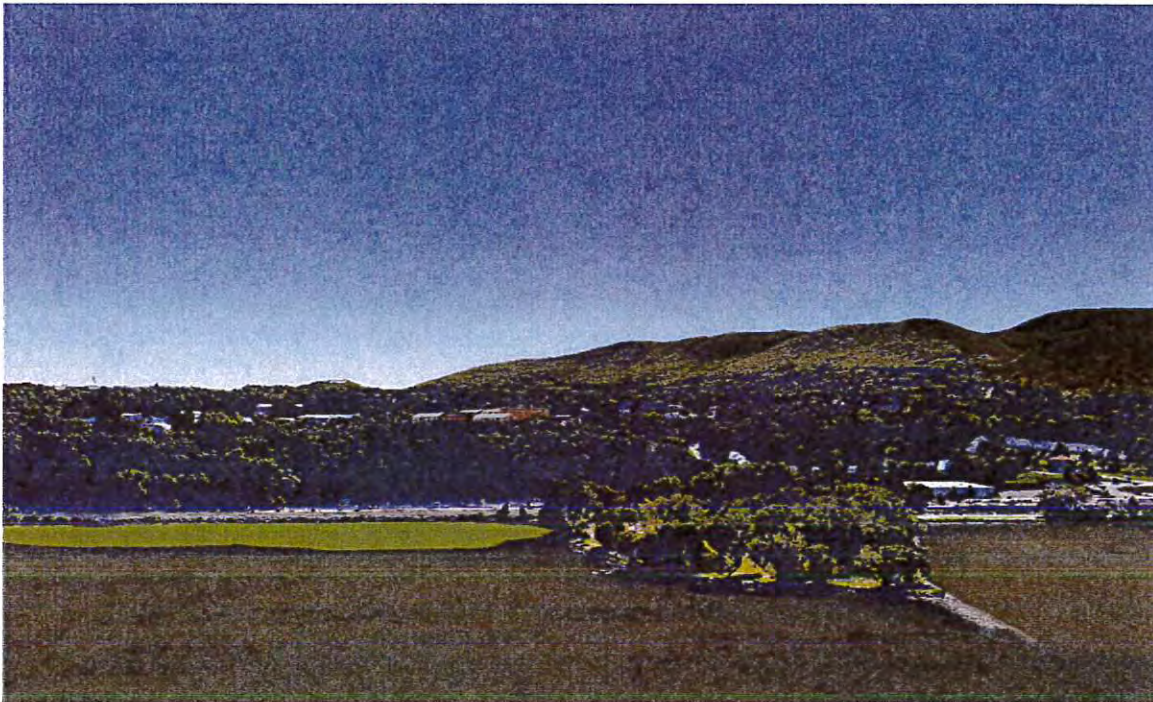
Sincerely,

Aryeh Siegel, AIA

Attachments:

1. Planning Board Resolution of Approval, dated December 21, 2017 adopting Local Waterfront Revitalization Program Consistency Determination for the Edgewater Project
2. Local Waterfront Revitalization Program Statement of Consistency for the Edgewater Project, dated May 18, 2017.
3. Green Space Plan last revised June 11, 2018; Site Plan, Sheet 1 of 15, dated January 31, 2017, last revised June 11, 2018; Photorealistic Renderings.

ARYEH SIEGEL
ARCHITECT



ARYEH SIEGEL
ARCHITECT

Edgewater

LWRP Consistency Statement

1. Review of City of Beacon LWRP (amended April 5, 2012) consistency indicates the following policies which address the development of the property at 22 Edgewater . Note that the property was re-zoned to RD1.7 after the writing of the LWRP:

- a. Section II – Page 4

Section II notes that the property is being re-zoned from RD-3 to RD-6, and describes the properties as “rugged in terrain and this terrain effectively limits their future redevelopment potential. The RD-6 density is in keeping with the actual development potential of the properties for the dwelling unit type (townhouses) most likely to be constructed on the sites.”

The property was subsequently re-zoned to the unique RD1.7 zone, in apparent recognition of the potential for additional development density. Careful planning of building placement and site work consistent with the site’s terrain, as well as the development of apartment building as opposed to townhouses, allows the proposed project to fit within the required density of the RD1.7 zone.

- b. Section IV – Page 4

The property is mentioned again in Section IV as related to the previous zoning designation that was since changed to RD1.7. The previous and now outdated zoning change from Medium High to Medium density is discussed in this section of the LWRP.

The current RD1.7 zoning allows higher density than either of the previous zoning designations, and the proposed project fits within the current allowable density without the need to seek density variances.

- c. Section V – Page 6

The property is mentioned again in Section IV as related to the previous zoning designation that was since changed to RD1.7. See the comments above regarding Section II and Section IV regarding the outdated zoning designations.

- d. The LWRP does not specifically mention the RD1-7 zoning district that includes this property. There are no listed view sheds from the property, or obscured by development of the property. The site is not a historic property and is not adjacent to a historic property.

ARYEH SIEGEL

ARCHITECT

Policy 25 states – “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 building will be important factors in maintaining the character of the City, as will the preservation of the wooded hillsides that intersperse the developed areas”

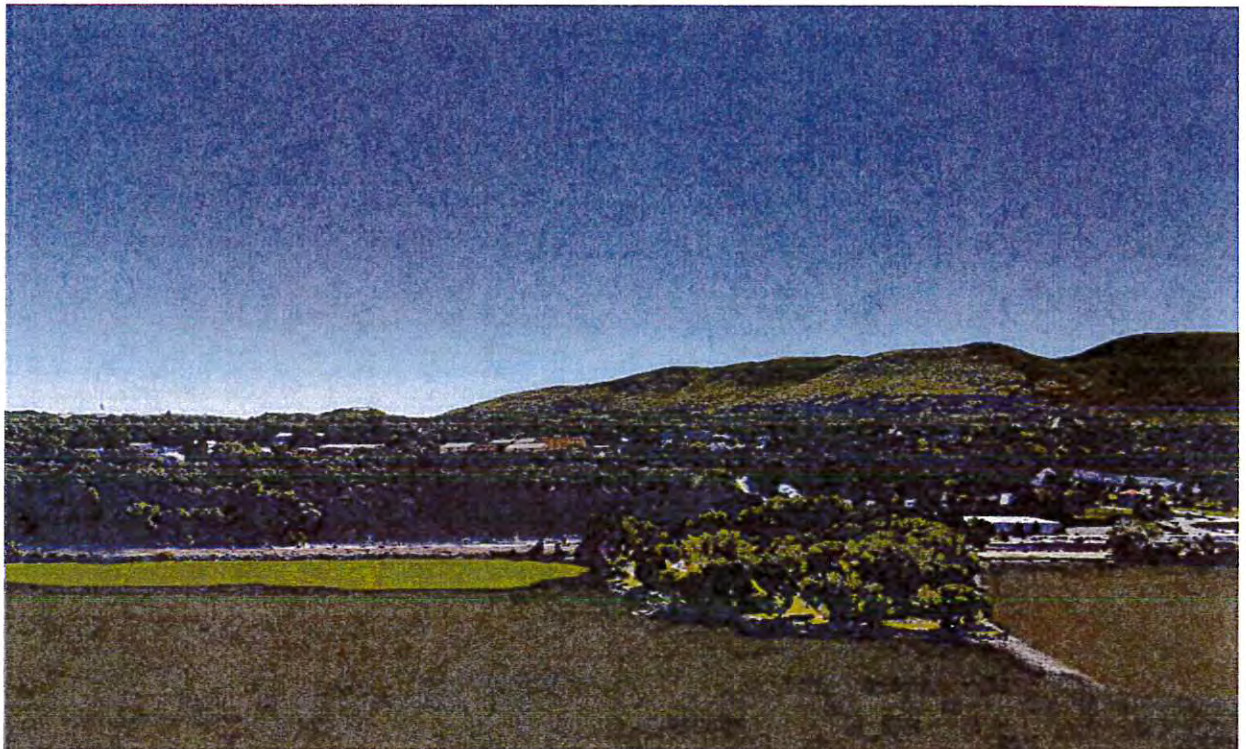
The proposed project is consistent with Policy 25 in its condensing and clustering of the footprint of buildings and impervious surfaces to achieve the clustered effect recommended by the LWRP policy. The buildings are well set back from the property lines, which allows for the maintenance, reinforcement, and integration of the existing wooded hillsides around the proposed developed areas.

The project will also follow Policy 33, which states that “Best management practices will be used to ensure the control of storm water runoff and sewer overflows draining into coastal waters.” Policy 41 will be followed: Land use or development in the coastal rea will not cause national or state air quality standards to be violated.

The Applicant believes that the proposed project is consistent with the City of Beacon LWRP as it relates to the subject property. The attached rendered views from the river and from the train station demonstrate that seasonal views of the new buildings would contribute to the scenic qualities of Beacon, as defined in Policy 25. The Applicant demonstrates through photorealistic renderings that the tops of the buildings will be visible to some degree, and that the level of visibility will change with the seasonal leaf coverage.

The proposed site strategy and building layout design adhere to both the language and the spirit of the LWRP Policy 25, in its use of clustered buildings in combination with the strategy of preserving and reinforcing the wooded hillsides to the greatest extent possible. The design proposes to condense the building and paving footprint in order to fit into modern day environmental practice and to maximize area of natural and designed landscapes.

ARYEH SIEGEL
ARCHITECT



6

**EDGEWATER
ENVIRONMENTAL ASSESSMENT FORM**

APPLICATION FOR SITE PLAN, SUBDIVISION & SPECIAL USE PERMIT APPROVAL

SUBMITTED BY SCENIC BEACON DEVELOPMENTS, LLC

For Property Located at:

22 Edgewater Place

Beacon, NY

SUBMITTED TO:

CITY OF BEACON PLANNING BOARD

**January 9, 2017
Revised 6/11/2018**

CONTRIBUTORS

Applicant: **Scenic Beacon Developments, LLC**
11 Creek Drive Suite 102A
Beacon, NY 12508

Architect: **Aryeh Siegel, Architect**
514 Main Street
Beacon, NY 12508

Civil Engineer: **Hudson Land Design**
174 Main Street
Beacon, NY 12508

Traffic Engineer: **Maser Consulting , P.A.**
11 Bradhurst Avenue
Hawthorne, NY 10532

Surveyor: **TEC Land Surveying PC**
15 Tioronda Ave.
Beacon, NY 12508

Schools: **Cleary Consulting**
529 Asharoken Ave
Northport, NY 11768

Attorney: **Cuddy & Feder LLP**
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

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- 2. Site Redevelopment Plan**
- 3. Site Plan Application**
- 4. Environmental Assessment Form; Part 1**
- 5. Environmental Assessment Form; Part 2**
- 6. Traffic Impact Analysis**
- 7. Phase 1A Archeological Study**
- 8. Habitat Study**
- 9. School Impact Study**

Development Plan Overview and Description

Site Plan, Subdivision and Special Use Permit Application Submitted by Scenic Beacon Developments, LLC, for Property Commonly Referred to as, Edgewater, 22 Edgewater Place, City of Beacon, Dutchess County, NY

Project Description

This 12-acre site, identified herein as “Edgewater” is located at 22 Edgewater Place, City of Beacon, Dutchess County, New York, and is further identified as tax parcels: **5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979.**

This Application and the revised submissions are for the Reduced Density Proposal for the development of the above-referenced tax parcels, collectively referred herein as “Edgewater”, in order to construct approximately 246 residential units (including market-rate and below market rate units) comprised of 25 studios, 126 one-bedroom, 86 two-bedroom and 9 three-bedroom units with 350 total bedrooms in seven (7) apartment buildings, together with associated infrastructure.

Zoning

The entire site is located within the RD-1.7 (1,700 square feet of lot area per dwelling unit) Designed Residence zoning district. Consequently, the development proposed and described herein is permitted subject to Site Plan, Subdivision and Special Use Permit approvals.

Stormwater

As the site disturbance will exceed 1-acre when the mostly vacant parcels are built out, a full Stormwater Pollution Prevention Plan (SWPPP) is required to be prepared in order to obtain coverage under the NYSDEC SPDES General Permit GP-0-15-002. The proposed disturbance area requires quality and quantity control of the stormwater per New York State requirements along with erosion and sediment control measures.

Drainage calculations for the proposed conveyance system and any quality and quantity control facilities will be included in the SWPPP. Design of an underground site stormwater conveyance system and three (3) infiltration basins are anticipated.

Water Supply

At full build-out, the Reduced Density Proposal is expected to require 38,500 gallons of water per day, which represents a reduction in the expected usage under the 307-Unit Proposal,

which expected a usage of around 45,430 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. There is a 6" ductile iron (DI) water main that runs beneath Tompkins Terrace, and an 8" DI main that runs beneath Bank Street. An 8" DI spur that runs into the site beneath Branch Street from Bank Street to an existing hydrant. It is proposed to connect to the 8" DIP 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" DIP 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 20' wide 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 is available for the project.

Sewage Disposal

At full build-out, the Reduced Density Proposal is expected to generate 38,500 gallons of wastewater per day, which represents a reduction in the expected usage under the 307-Unit Proposal, which expected a usage of around 43,430 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; however the West Main Street sewer pump station may require upgrades to handle the additional flows generated from this site, and other new construction sites that flow toward this pump station. Hudson Land Design has engaged in conversations with the City Engineer and Sewer Superintendent regarding the sewer pump station and forcemain. Discussions will continue with the engineer and superintendent as City's hydraulic model of the sewer system is updated. 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*.

Use	Flow Rate	Daily Water Usage/Wastewater Generation
Residential (350 bedrooms*)	110 per bedroom	38,500 gpd
TOTAL		38,500

*The current bedroom breakdown is as follows: 25 studios, 126 one-bedroom, 86 two-bedroom, and 9 three-bedroom apartments.

Summary

The Reduced Density Proposal, as further described herein and in the attached Full Environmental Assessment Form and associated reports, would allow for the development of Edgewater to allow a total of 246 new single-family dwelling units, which will be a mix of studio, one-bedroom, two-bedroom and three-bedroom spaces.

The additional residents occupying the new units will contribute to the viability of a vibrant street life in the area, as Beacon continues to attract new residents to its historic and culturally rich City.

To avoid unnecessary repetition, we respectfully incorporate by reference all of our prior submissions and presentations to the Planning Board and Zoning Board of Appeals. The Applicant's submission summarizes the Applicant's prior submissions, which more fully address traffic; community character; density; impacts to schools and parking. As to the more-detailed studies and analyses prepared, including detailed analyses pertaining to water, stormwater, sewer and related utilities, we respectfully refer this Board to our past submissions and the reviews by the Board's consultants that confirm adequate water and sewer, and reduced inflow and infiltration. Copies of the prior correspondence are available at the Council's request, and are on file with the Building Department.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: Edgewater Multi-Family Apartments		
Project Location (describe, and attach a general location map): 22 Edgewater Place Beacon, NY 12508		
Brief Description of Proposed Action (include purpose or need): The proposed action is to construct seven residential apartment buildings with a total of 246 single-family dwelling units. This will require the demolition of an existing one family dwelling and an existing residential apartment building. The 246 new units will be a mix of studio, one-bedroom, two-bedroom and three-bedroom apartments, with a combined equivalent (i.e., including studios) total of 350 bedrooms.		
Name of Applicant/Sponsor: Scenic Beacon Developments, LLC	Telephone: 917-622-0657	E-Mail: rodney@weberprojectsllc.com
Address: 11 Creek Drive Suite 102A		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Rodney Weber	Telephone: 917-622-0657	E-Mail: rodney@weberprojectsllc.com
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Council - Special Use Permit	1/2018
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Site Plan & Subdivision	12/27/2016
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ZBA - Building Separation, Story Height and Number of Units Per Building Variances	2/2017
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Architectural Review Subcommittee	12/27/2016
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DCDOH - Water & Sewer; Cnty Planning referral	3/2017
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - SPDES GP-0-015-002; NYSDOT	3/2017
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

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

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

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
City of Beacon

c. Which fire protection and emergency medical services serve the project site?
City of Beacon

d. What parks serve the project site?
Pete & Toshi Seeger Riverfront Park; Long Dock

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? _____ 12 acres
 b. Total acreage to be physically disturbed? _____ 9.31 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 12 acres

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

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? _____
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: _____ months
 ii. If Yes:
 • Total number of phases anticipated _____ 2
 • Anticipated commencement date of phase 1 (including demolition) _____ 9 month 2017 year
 • Anticipated completion date of final phase _____ 9 month 2018 year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____
All phases shall not exceed 5 acres of disturbance.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	0			
At completion of all phases	246			

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:
 i. What is the purpose of the excavation or dredging? Grading and building foundations; blasting may be required
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): 17,259 cubic yards (6,800 cy rock estimated)
 • Over what duration of time? 6 months
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
To be used on another site in Beacon
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ 9.34 acres
 vi. What is the maximum area to be worked at any one time? _____ 5 acres
 vii. What would be the maximum depth of excavation or dredging? _____ 15 feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____
The excavated area will be reclaimed to either stable hardscapes, building, paved areas or landscaped areas. Excess material will be trucked off site to other projects within Beacon. Rock removal will be accomplished by mechanical means as much as possible.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

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

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

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

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

i. Total anticipated water usage/demand per day: _____ 38,500 gallons/day

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

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

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

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

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

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

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

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

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

i. Total anticipated liquid waste generation per day: _____ 38,500 gallons/day

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

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

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

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ 4.2 acres (impervious surface)
 _____ Square feet or _____ 12 acres (parcel size)
 ii. Describe types of new point sources. _____

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 The storm water runoff will be directed to two on site bioretention areas, and one infiltration basin, and then conveyed offsite, or to the City of Beacon closed storm water system.
 • If to surface waters, identify receiving water bodies or wetlands: _____

 • Will stormwater runoff flow to adjacent properties? Yes No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Heavy equipment will be used during construction. Delivery vehicles (garbage trucks, parcel service etc.) will be used after construction completion.
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 Generators or rock processing equipment (e.g., crushers) could be utilized
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing 13 Proposed 329 Net increase/decrease 316

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
Branch Street will be widened to 24' from its current 20' width

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
2,883,023 KWH/ Year

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Central Hudson

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7AM - 7PM</u> • Saturday: <u>8AM - 5PM</u> • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>N/A</u> • Saturday: <u>N/A</u> • Sunday: <u>N/A</u> • Holidays: <u>N/A</u>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
General construction related noise during normal business hours

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: Tree Removal on-site.

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Parking lot and building mounted lights. All lighting fixtures will be shielded and pointed downward. Parking lot height = 16 feet. Closest occupied structure is approximately 59 feet.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: Existing trees will be removed for construction of the proposed features; however, new landscaping will be planted as part of the project.

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

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

If Yes:

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

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

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

- Construction: _____
- Operation: _____

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

- Construction: _____
- Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): Metro North Train Station

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.2	4.2	(+) 3.0
• Forested	5.9	2.7	(-) 3.2
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	4.6	0	(-) 4.6
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Grass and Landscaped areas</u>	0.3	5.1	(+) 4.8

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): V00293 , C314112 , V00096 , 314069 , 546031
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
V00293-Closed. Development restrictions: C314112 - requires additional cleanup; V00096 combined with C314112: 314069 - Closed, redeveloped.
546031- Ongoing. Hudson River PCB's

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

DwB -- Dutchess - Cardigan	81.7 %
DxB -- Dutchess - Cardigan Urban	8.3 %
NwD -- Nassau - Cardigan	10.0 %

d. What is the average depth to the water table on the project site? Average: _____ >5 feet

e. Drainage status of project site soils: Well Drained: _____ 91 % of site
 Moderately Well Drained: _____ 9 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 34 % of site
 10-15%: _____ 22 % of site
 15% or greater: _____ 44 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Hudson River Classification B
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>White Tail Deer _____ Red Fox _____</p> <p>Grey Squirrel _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Atlantic Sturgeon; Bald Eagle; Indiana Bat. A habitat Study was completed for the site. The study concluded that approximately 3.2 acres of forest habitat will be removed as part of the project. Mitigation consists of limiting tree clearing to between October 1st through March 31st., providing downward directed and shielded site lighting and implementing erosion and dust control during construction activities.</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? Yes No

If Yes:

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

ii. Name: Bogardus--DeWindt House

iii. Brief description of attributes on which listing is based:
Single family dwelling built in 1792 located at 16 Tompkins Avenue.

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

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: Phase 1A archeological study was done. No further investigation was recommended.

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

If Yes:

i. Identify resource: Hudson River

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Long Dock Park; Pete & Toshi Seeger Riverfront Park

iii. Distance between project and resource: _____ 0.2 miles.

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

If Yes:

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

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

F. Additional Information

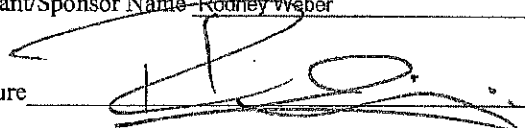
Attach any additional information which may be needed to clarify your project.

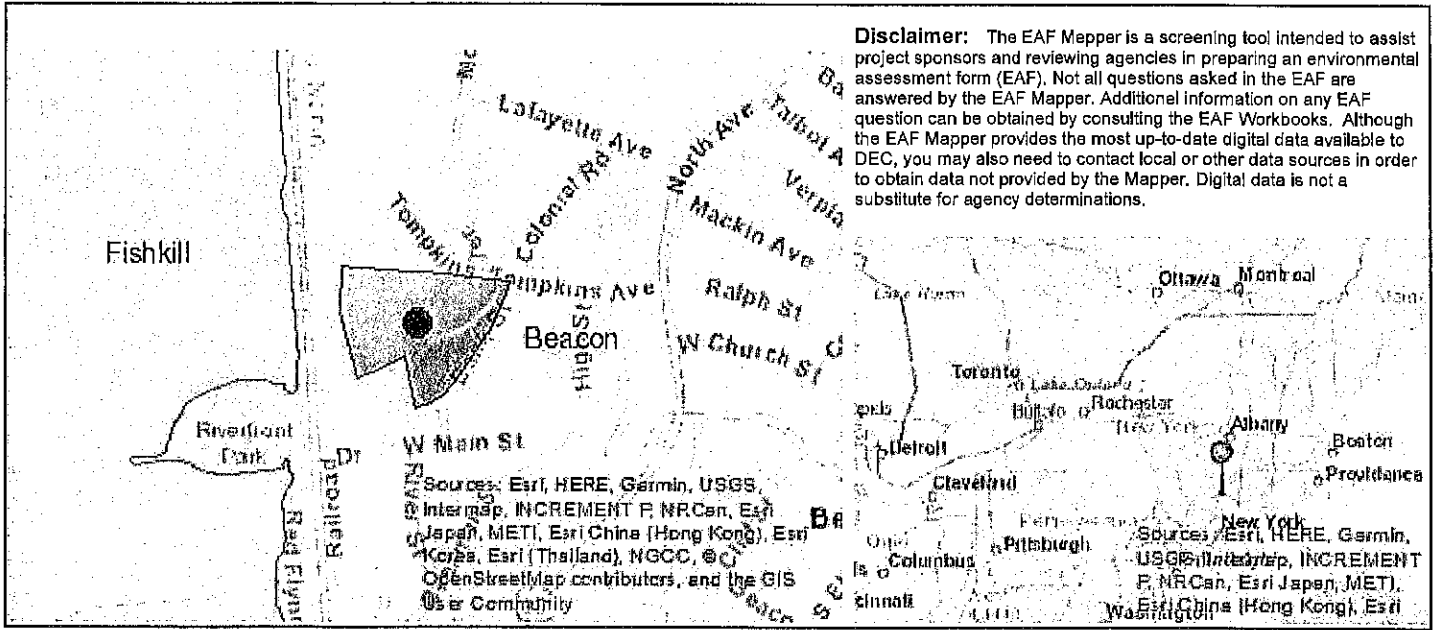
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Rodney Weber Date 9/25/2017, Revised 6/12/18

Signature  Title Owner



B.1.i [Coastal or Waterfront Area]	Yes
B.1.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00293 , V00096 , 314069 , C314112 , 546031
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

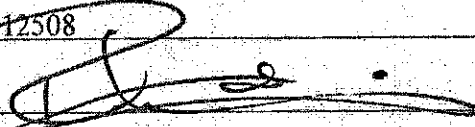
E.2.o. [Endangered or Threatened Species - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Bogardus--DeWindt House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

7

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: 11 Creek Drive Suite 102A
Beacon, NY 12508
Signature: 
Date: June 6, 2018
Phone: (845) 440-6520

(For Official Use Only)

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

Date Initials

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Aryeh Siegel Architect
Address: 84 Mason Circle, Beacon, NY 12508

Phone: (845) 838-2490
Fax: (845) 838-2657
Email address: ajs@ajsarch.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: 22 Edgewater Place
Tax Map Designation: 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979
Land Area: 12 Acres (total of 4 combined parcels) Zoning District(s) RD-1.7

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Multi-family residential
Gross Non-Residential Floor Space: Existing 0 Proposed 8,168 sf
TOTAL: 8,168 sf of Tenant Amenity Space accessory to the residential use
Dwelling Units (by type): Existing 0 Proposed 246 Apartments
TOTAL: 246

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.
- f.

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
Zoning Board of Appeals	Use Variance \$500
	Area Variance \$250
	Interpretation \$250

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)	\$ 2,500	\$ 1,000	Current bills + \$1,000
6-15	\$ 7,500	\$ 2,500	Current bills + \$1,000
Over 15	\$ 15,000	\$ 5,000	Current bills + \$5,000

NON-RESIDENTIAL SITE PLAN AND SUP APPLICATIONS

	Initial Deposit	Depleted to	Replenishment
Existing Buildings/Change of Use with no site development	\$ 1,500	\$ 1,000	Current bills + \$500
Up to 3,000 s.f. gross floor area	\$ 2,500	\$ 1,000	Current bills + \$1,000
3,000 to 10,000 s.f. gross floor area	\$ 2,500 + \$0.50 per sq.ft. over 3,000	\$ 2,500	Current bills + \$2,500
Over 10,000 s.f. gross floor area	\$ 7,500 + \$0.50 per sq.ft. over 10,000	\$ 2,500	Current bills + \$2,500

ZONING

<i>* if required by Chairman</i>	Initial Deposit	Depleted to	Replenishment
Use Variance*	\$ 1,000	\$500	Current bills + \$500
Area Variance*	\$ 1,000	\$500	Current bills + \$500
Interpretation*	\$ 1,000	\$500	Current bills + \$500

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

<i>* if required by Chairman</i>	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.

Richard Schoninger, Owner of SMUV Reality-Beacon LLC, Stephane Bibeau and Rodney Weber.

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

5954-25-581985, 5955-19-590022, 5954-25-566983, 5954-25-574979 and 5954-16-751258.

Applicant Address: 11 Creek Drive, Suite 102A, Beacon, NY 12508

Project Address: 22 Edgewater Place, Beacon, NY 12508

Project Tax Grid # 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979

Type of Application Special Use Permit in Furtherance of Site Plan & Subdivision Applications

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, 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 X
- 2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon _____
- 3. ALL tax payments due to the City of Beacon are current X
- 4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon _____
- 5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon _____
- 6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current X

Scenic Beacon Developments, LLC

By: _____

Signature of Owner

Title if owner is corporation

Office Use Only:

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)

NO	YES	Initial
___	___	___
___	___	___
___	___	___

**CITY OF BEACON
SITE PLAN SPECIFICATION FORM**

Name of Application: Scenic Beacon Developments, LLC

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:	✓	
LEGAL DATA		
Name and address of the owner of record.	✓	
Name and address of the applicant (if other than the owner).	✓	
Name and address of person, firm or organization preparing the plan.	✓	
Date, north arrow, and written and graphic scale.	✓	
NATURAL FEATURES		
Existing contours with intervals of two (2) feet, referred to a datum satisfactory to the Planning Board.	✓	
Approximate boundaries of any areas subject to flooding or stormwater overflows.	✓	
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.	✓	
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.	✓	
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.	✓	
Other existing development, including fences, retaining walls, landscaping, and screening.	✓	
Sufficient description or information to define precisely the boundaries of the property.	✓	
The owners of all adjoining lands as shown on the latest tax records.	✓	
The locations, names, and existing widths of adjacent streets and curb lines.	✓	
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 properties.	✓	

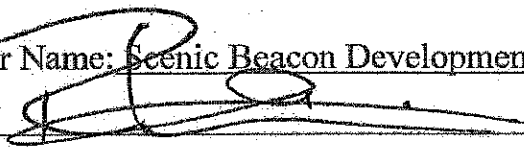
PROPOSED DEVELOPMENT	YES	NO
The location, use and design of proposed buildings or structural improvements.	✓	
The location and design of all uses not requiring structures, such as outdoor storage (if permitted), and off-street parking and unloading areas.	✓	
Any proposed division of buildings into units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

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

The items are not applicable to the proposed development. Please see attached project narrative in connection with this corrected

Special Permit Application Form.

Applicant/Sponsor Name: Scenic Beacon Developments, LLC

Signature: 

Date: June 6, 2018

FOR OFFICE USE ONLY

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 person(s))

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 223-62 of the City Code of the City of Beacon. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A

Name of Applicant: Scenic Beacon Developments, LLC

Address of Applicant: 11 Creek Drive, Suite 102A, Beacon, NY 12508

Telephone Contact Information: (845) 440-6520

SECTION B. 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	11 Creek Drive Suite 102A	(845) 440-6520	Deeds dated 6/20/16	Recorded in the Dutchess County Clerk on 7/1/20/16 as Doc#'s 02-2016-4225 and 02-2016-4226

SECTION B. Is any owner of record 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 C. 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.

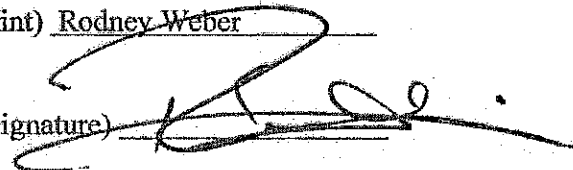
SECTION D. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

YES NO

I, Rodney Weber being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

SCENIC BEACON DEVELOPMENTS, LLC
By:

Print) Rodney Weber

(Signature) 

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 policies 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 units), 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			



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June 5, 2018

VIA E-MAIL

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

Re: Edgewater
City of Beacon
MC Project No. 16003078A

Dear Chairman Gunn:

We are writing on behalf of the Applicant for the proposed Edgewater Project. It is our understanding that based on the Local Law recently passed by the City Council, the proposed project will now be reduced in total size. The City of Beacon's latest ruling to adopt a revised steep slopes law will result in a reduction of the overall project size for the Edgewater Development from the previously proposed 307 units to the currently proposed 246 units. Maser Consulting had previously conducted a complete Traffic Impact Study date February 27, 2017 as well as a supplemental analysis provided in response to comments from the City's Traffic Consultant dated May 9, 2017. These analyses studied the traffic impacts of the 307 unit development and indicated that with specific signal timing improvements at the NYS Route 9D/Beekman Street intersection and future monitoring of the Route 9D/Tompkins Avenue and Beekman Street/W. Main Street intersections for potential signalization, the additional traffic generated by the project can be accommodated without significant traffic impacts to the area roadways. For convenience of review Table No. 1 from our February 27, 2017 study is attached, which summarizes the trip generation estimates for the 307 unit development.

In order to assess the traffic associated with the modified development size of 246 units, revised trip generation estimates were computed utilizing the Institute of Transportation Engineers (ITE) data as contained in their publication entitled *Trip Generation*, 9th Edition dated 2012. The trip generation estimates for the modified development are summarized on Table No. 1-R attached. A comparison of the trip generation estimates for the original 307 unit development and the currently proposed 246 unit development is provided in the table below.



	AM PEAK HOUR			PM PEAK HOUR		
	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL
307 UNIT DEVELOPMENT (TABLE NO. 1)	31	124	155	122	66	188
246 UNIT DEVELOPMENT (TABLE NO. 1-R)	25	99	124	99	54	153
NET REDUCTION IN TRIP GENERATION	-6	-25	-31	-23	-12	-35


As shown in the table above, the currently proposed 246 unit development will have a net reduction in the projects trip generation during each of the peak hours when compared to the previously proposed 307 unit development. It should be noted, that as with our original study, these trip generation estimates do not account for any mass transit usage by residents of the development to provide a conservative analysis. However, due to the projects proximity to the Beacon Metro-North Train Station, it is likely at a portion of residents will utilize mass transit and therefore the actual trip generation of the project will likely be somewhat lower than estimated.

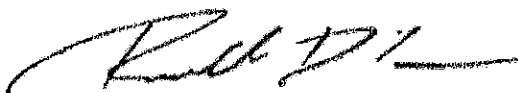
As a result of the reduction in the projects size, it is the opinion of Maser Consulting that the currently proposed Edgewater Development will have a reduced impact on traffic operation conditions in the vicinity of the site and thus the analysis results and traffic mitigations contained in our original study remain applicable to the currently proposed project.

If you have any questions regarding the above, please do not hesitate to contact us.

Very truly yours,

MASER CONSULTING P.A.


 Philip J. Grealy, Ph.D., P.E.
 Principal/Department Manager


 Richard G. D'Andrea, P.E., PTOE
 Senior Associate/Project Manager

PJG/jfm
 Enclosures

TABLE 1-R

**HOURLY TRIP GENERATION RATES (HTGR) AND ANTICIPATED
SITE GENERATED TRAFFIC VOLUMES**

EDGEWATER BEACON, NY	ENTRY		EXIT	
	HTGR*	VOLUME	HTGR*	VOLUME
APARTMENT (246 DWELLING UNITS)				
PEAK AM HOUR	0.10	25	0.40	99
PEAK PM HOUR	0.40	99	0.22	54

NOTES.

1) * HTGR-HOURLY TRIP GENERATION RATES EXPRESSED IN TERMS OF TRIPS PER 1000 S.F. FOR LAND USES - 220 APARTMENT;
BASED ON THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) PUBLICATION ENTITLED "TRIP GENERATION", 9TH EDITION, 2012.

TABLE 1

**HOURLY TRIP GENERATION RATES (HTGR) AND ANTICIPATED
SITE GENERATED TRAFFIC VOLUMES**

EDGEWATER BEACON, NY	ENTRY		EXIT	
	HTGR*	VOLUME	HTGR*	VOLUME
APARTMENT (309 DWELLING UNITS)				
PEAK AM HOUR	0.10	31	0.40	124
PEAK PM HOUR	0.39	122	0.21	66

NOTES:

1) * HTGR-HOURLY TRIP GENERATION RATES EXPRESSED IN TERMS OF TRIPS PER 1000 S.F. FOR LAND USES - 220 APARTMENT;
BASED ON THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) PUBLICATION ENTITLED "TRIP GENERATION", 9TH EDITION, 2012.

10



June 5, 2018

Mayor Randy Casale
and Members of the City Council
City of Beacon
1 Municipal Plaza
Beacon, NY 12508

Re: Edgewater – Modified Unit Mix – Revised School Children Generation

Dear Mayor Casale and Members of the City Council,

This letter is submitted to the City Council on behalf of Scenic Beacon Developments, LLC to revise the number of school aged children estimated to be generated by Edgewater resulting from the change in the number of units from 307 to 246.

It was previously documented that the 307 units proposed in the prior plan would have generated 47 school aged children. Employing the same methodology accepted by the City during the SEQRA review of the project, the current 246 unit project would reduce the number of school age children from 47 to 41 students.

PROJECTED NUMBER OF SCHOOL AGED CHILDREN GENERATED BY EDGEWATER					
Unit Type	Student Multiplier	307 Unit Plan		246 Unit Plan	
		Number of Units	Public School Students	Number of Units	Public School Students
Studio	0.08	96	7.68	25	2
1 Bedroom	0.08	115	9.2	126	10.08
2 Bedroom	0.23	86	19.78	86	19.78
3 Bedroom	1.0	10	10	9	9
		307	46.66	246	40.86

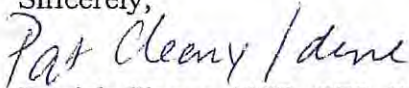
Employing the refined school aged children calculation formula recommend by John Clarke, the following projection of school aged children results:

Units	#	Market	Ratio	PSAC	Workforce	Ratio	PSAC	Total SAC
Studio	25	22	0.07	1.54	3	.27	.81	2.35
1 BR	126	114	0.07	7.98	12	.27	3.24	11.22
2 BR	86	78	.16	12.48	8	.45	3.6	16.08
3 BR	9	8	.63	5.04	1	1.3	1.3	6.34
Totals	246	222			24			35.99

To further reinforce the conservative nature of both of the estimates presented above, the project at 71 Leonard Street contains 78 units (40 two-bedroom and 38 one-bedrooms) generated 3 children from the two-bedroom units, all of which are below school age. That project is comparable to Edgewater in that it is a new rental project with similar amenities.

Should you have any further questions, please do not hesitate to contact me.


Sincerely,



Patrick Cleary, AICP, CEP, PP, LEED AP
Cleary Consulting

cc: Rodney Weber, Scenic Beacon Developments, LLC
Taylor Palmer, Cuddy & Feder

Memo

To: City of Beacon Planning Board
CC: Rodney Weber, Tina Andress-Landolfi, Aryeh Siegel, AIA, Taylor M. Palmer, Esq.
From: Mike Bodendorf, P.E. 
Date: June 12, 2018
Re: Reduced Density Proposal – Avoidance of Newly Defined Very Steeps Slopes Wherever Practicable

City of Beacon Zoning Code Section 223-16 provides that: “[f]or the purpose of preventing erosion, minimizing stormwater runoff and flooding, preserving the City’s underground water resources, and protecting the City’s character and property values, it is the intent of this chapter to avoid the development of... very steep slopes, and toward this end, **wherever practicable**, new construction shall avoid such areas, and existing vegetation in such areas shall not be disturbed **wherever practicable**” (emphasis added).

While the Applicant’s denser 307-Unit Proposal was previously reviewed by the Planning Board during the 2017 SEQR and LWRP review process, at which time the 307-Unit Proposal *did not* involve development on Very Steep Slopes as previously defined,¹ the Applicant provides the following analysis and comments in response to the City’s recent adoption of the density reduction law, which also changed the local definition of a “Very Steep Slope”.²

The following is a summary of the ways that the Reduced Density Proposal avoids development or impacts to the newly defined Very Steep Slopes, wherever practicable. Indeed, while it is our professional opinion that the development of 307-Unit Proposal and the stormwater and related mitigation measures proposed therein adequately mitigated and prevented erosion; minimized stormwater runoff and flooding; preserved the City’s underground water resources; and protected the City’s character and property values, changing the local definition of a Very Steep Slope should not change the technical analysis of how the features are considered or accounted for in the relevant site engineering for the proposed development.

Notwithstanding, in response to the new Law that changed the local definition of what is considered a “Very Steep Slope”, the Applicant revised the Site Plan for the Reduced Density Proposal to respond to comments from the City’s consultants in reviewing the calculation of pre-development lot area, and to confirm and reaffirm that the Reduced Density Proposal satisfies the criteria outlined in Zoning Code §223-16(B) for the following reasons:

- (1) ***“That there is no other suitable alternative area within the lot available for the proposed use, improvement or development of such lot;”***

A Very Steep Slopes Analysis was prepared to determine how the Law’s new definition of “Very Steep Slope” together with the revised pre-development lot area per dwelling unit calculation as applied to the

¹ **Old Definition:** “An area of land with a gradient of 25% or more extending over a horizontal length of at least 100 feet and extending over a horizontal width of at least 100 feet.”

² **New Definition:** “An area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet.”

RD-1.7 Zoning District, significantly reduce the density of the project. A copy of the Very Steep Slopes Analysis is included in the Application's submission. In summary, our analysis shows that the new Law results in the loss of 55 units, permitting a maximum of 252 units, which maximum is inclusive of 10 density incentive units as more fully detailed in the Applicant's submission. The Applicant is proposing to develop six (6) fewer units than what is otherwise permitted under the new Law in response to comments from the City Council regarding density. The Reduced Density Proposal avoids and minimizes development on the newly defined Very Steep Slopes as much as possible by clustering the development away from such areas that have not already been disturbed by past developments on the Premises. Said another way, there are on-site Very Steep Slopes that were created by previous development of the property. Additionally, the Reduced Density Proposal includes buildings that have been placed as close to one another as possible to reduce the need for additional area.

Additionally, following a meeting with the City's consultants on June 11th, the revised site plan for the Reduced Density Proposal includes the following modifications to further avoid the newly defined Very Steep Slopes and to mitigate or reduce any perceived impacts:

- A retaining wall is proposed along the parking area along Buildings 1 and 2 to minimize impacts to very steep slopes along Bank Street and to maintain existing vegetation;
- The access trail along the bluff that overlooks the Hudson River and Bioretention Area 2 have been moved approximately 20 to 30 feet away from the ridgeline. In addition, the parking spaces and retaining wall that were once located behind Buildings 6 and 7 have been removed now that there are significantly fewer units;
- Parallel parking spaces have been eliminated from the access road that connects the upper and lower parking areas, which reduces impacts to fragmented interior Very Steep Slopes; and
- The retaining wall along the west side of the site entrance to the Premises off of Branch Street has been moved closer to the road to minimize impacts to Very Steep Slopes.

The Applicant has made every effort to avoid or otherwise mitigate any potential impacts to the newly defined on-site Very Steep Slopes; however, disturbing a small portion of them is necessary for any type of development on this property. A looped road with two (2) points of ingress/egress was recommended by the City for safety purposes. This would likely be required for any type of multi-family and transit-oriented development on this property, which is further evidenced by prior disturbance of these slopes for previous development. Further, the interior travel ways have been positioned and graded to provide ADA accessibility through most of the site and for connectivity to the Metro-North railroad. Moving these travel ways in any direction would decrease ADA accessibility because of the existing tie-in grades at both ingress/egress points (approximately 60 feet in elevation change between Branch Street and Tompkins Avenue). It is important to point out that most of the on-site Very Steep Slopes with the exception of the bluff area overlooking the River appear to be man-made from previous developments on the site and from construction of Bank Street. Historical photos show several former buildings and former development of roads and parking areas on the property in areas where many of these Very Steep Slopes exist. Edgewater Place once extended into the property and continued down to Branch street. The long and thin upper slope adjacent to former Edgewater Place appears to be material that either imported or graded to create a flat road and parking area for the pervious house that once stood on the property. Accordingly, there is no other suitable alternative area within the lot available for the proposed use, improvement or development of such lot.

(2) "That the activity proposed is the minimum necessary to make reasonable use of the land;"

Clustering the development and maximizing the number of units located within in each of the proposed seven (7) buildings reduces the need for a larger footprint that would be created by development additional buildings. Parking areas and travel lanes have been reduced from previous standards to allow for maximized green space. The Reduced Density Proposal includes the minimum amount of parking spaces required, and further proposes to land-bank parking and provide parking underneath buildings.

Indeed, as noted in the Applicant's submission, the density reduction law significantly reduced the density of the project from 307 units down to 252 units. The Reduced Density Proposal, and the location of the site components involves the minimum impacts to the newly defined Very Steep Slopes to make reasonable use of the land.

(3) "That all feasible construction standards and precautions will be taken to assure that environmental impacts will be minimized; and"

Temporary erosion and sediment control (E&SC) measures will be implemented during construction, and permanent E&SC measures are incorporated into the project design for the Reduced Density Proposal. Proposed temporary E&SC measures on this project include silt fencing, erosion control matting, temporary seed and mulch of disturbed slopes, retaining walls and topsoil and seeding, thus minimizing environmental impacts during and after construction. Weekly inspections of the temporary E&SC measures by a qualified professional is required as part of obtaining the necessary State Pollutant Discharge Elimination System coverage under General Permit GP-0-015-002. The City of Beacon will also have rights to enter the site during construction ensure that the temporary and permanent E&SC measures are being properly implemented. Accordingly, as previously reviewed in the 2017 SEQR review, the project and the Reduced Density Proposal incorporate all feasible construction standards and precautions to assure that the environmental impacts will be minimized. Indeed, while the Applicant has also made every effort to avoid and otherwise mitigate any potential impacts to the newly defined Very Steep Slopes with certain site plan changes recommend by the City's consultants, the site conditions have not changed since the 2017 SEQR determination – only the definition of what constitutes a Very Steep Slope has. Accordingly, the Reduced Density Proposal would have less potential impacts than the denser 307-Unit Proposal.

(4) "That the purpose and intent of this section are satisfied to the maximum degree feasible."

The siting of the Reduced Density Proposal is within the footprint of denser 307-Unit Development, and as noted above most of the on-site Very Steep Slopes with the exception of the bluff area overlooking the River appear to be man-made. Indeed, much of the property was also previously disturbed by prior developments. While the purpose and intent of this section are satisfied to the maximum degree feasible as set forth herein and through the Applicant's submissions to this Board to date, in addition to the measures mentioned above, the final grades proposed on the Reduced Density Proposal will also be protected by a vigorous landscaping plan. The Applicant also proposes special seeding requirements on the site plan that will provide permanent stabilization of all disturbed/graded Very Steep Slopes. Given the nature and topography of the site, no additional adjustments are feasible for the internal travel-ways, while providing two (2) points of ingress/egress to the property, which includes ADA accessibility and connectivity to Metro-North as noted above. Accordingly, existing newly defined Very Steep Slopes, particularly on the perimeter of the development area are being avoided to the maximum extent practical and will continue to exist with existing stabilized vegetative cover.

Conclusion

For the aforementioned reasons, and as submitted in the Applicant's site plan and related submissions, the Reduced Density Proposal for Edgewater avoids development and disturbance of newly defined Very Steep Slopes wherever practicable, and further, the stormwater and related mitigation measures included in the Reduced Density Proposal mitigate and prevent erosion; minimize stormwater runoff and flooding; preserve the City's underground water resources; and protected the City's character and property values and satisfy the criteria in Zoning Code Section 223-16(B).

LANC & TULLY
ENGINEERING AND SURVEYING, P.C.

John J. O'Rourke, P.E., Principal
David E. Higgins, P.E., Principal
John Queenan, P.E., Principal

Rodney C. Knowlton, L.S., Principal
Jerry A. Woods, L.S., Principal

John D. Russo, P.E., Principal
John Lane, P.E., L.S.
Arthur R. Tully, P.E.

June 22, 2018

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

RE: Edgewater
City of Beacon
Tax Map Nos. 5954-25-566983, 574979,
581985, & 5955-19-590022

Dear Mr. Gunn:

Our office has reviewed the following documents as presented to the City's consultants at the June 12th, Planning Board meeting:

- Sheet 1 of 15, entitled "Site Plan", last revised June 11, 2018, as prepared by Hudson Land Design, TEC Land Surveying, Landscape Restorations, and Aryeh Siegel, Architect.
- Sheet 1 of 1, entitled "Steep Slopes Analysis Map, dated June 8, 2018, as prepared by Hudson Land Design, TEC Land Surveying, Landscape Restorations, and Aryeh Siegel, Architect.
- Letter from Cuddy & Feder, dated June 12, 2018, regarding SEQR & LWRP Consistency Review, along with eleven (11) supplements to support the consistency review.

Our office has also received CAD files from the applicant's consultants on June 20, 2018, so that our office could verify the slope analysis information provided by the applicant. Per the documents submitted, the applicant has reduced the total number of units to be constructed at the site from 307 to 246, a 65 unit reduction, to address comments received from the City Council as well as the reduction in buildable area due to the deduction of steep slopes.

Based upon our review of the submitted plans and documents, we offer the following comments:

General Comments:

1. With the electronic point data provided in the CAD files, our office was able to create an existing surface of the site that could be analyzed to determine the areas on site containing steep slopes of 25% or greater. Once the location of steep slopes was determined, we then looked at each area to determine which of the areas contained 10,000 square feet or more as per the City's recently adopted code. Based upon our analysis of the site, we calculated a total area of 110,533

square feet that would need to be deducted prior to determining the net buildable area for the site. Although slightly higher than the value calculated by the applicant's consultants, the net results still yield a loss of 65 units from the originally planned 307 units, for a unit count of 242. It should be noted that the unit count of 242 is prior to the addition of the 10 allowable units per the City's Affordable Work Force Housing Law, bringing the total allowable units to a new total of 252.

2. We would recommend that a plan be prepared and presented to the Planning Board showing the proposed project laid atop of the steep slope analysis plan, so it is clear as to where the steep slopes on site will be disturbed by the proposed project. We would further recommend that this plan show the original limits of disturbance along with the newly proposed limits of disturbance based upon changes made to the plan to avoid steep slopes where possible, and the net area for the previous and newly proposed disturbance limits be noted on the plan.
3. As there is a reduction in the amount of disturbance to the site and possibly impervious area based upon revisions to the plan, the previously submitted Stormwater Pollution Prevention Plan (SWPPP) will need to be updated for the project.
4. The site plan as presented shows a total of 238 parking stalls to be constructed and a total of 64 spaces to be land banked, for a total of 302 spaces. As parking is proposed under buildings 2 and 3, a note should be added to the plans stating the number of available parking spaces proposed under each of these buildings, to clarify the actual number of parking spaces to be constructed.
5. A sidewalk should be shown along the lower driveway to the south of buildings 3 and 4, to allow for a continuous pedestrian friendly route from the east side of buildings 1, 2 and 3 to the top of the Branch Street entry.
6. Note No. 5 states that the Applicant is proposing only directional signage around the property. This note should be modified to include traffic control signs, as stop signs are also noted on the site plan.

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

Very truly,
LANC & TULLY, P.C.



John Russo, P.E.

Cc: John Clark, Planner
Jennifer Gray, Esq.
Tim Dexter, Building Inspector

City of Beacon City Council
City of Beacon, New York

In the matter of the application of

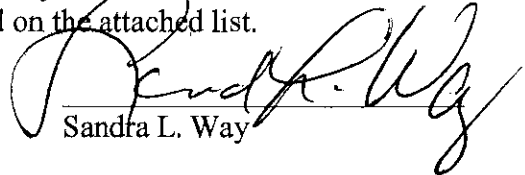
Scenic Beacon Developments, LLC
22 Edgewater Place, Beacon, NY

AFFIDAVIT OF MAILING

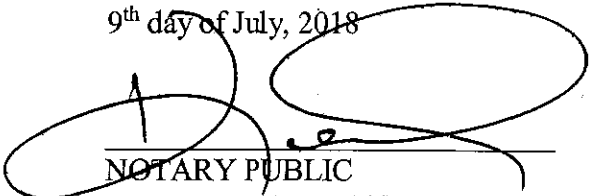
STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

Sandra L. Way, being duly sworn deposes and says:

1. I am not a party to the action, am over 18 years of age and reside in Fishkill, New York.
2. That on July 6, 2018, I served a copy of the annex Notice of Public Hearing relating to the above application by mailing the same in a sealed envelope, with postage prepaid thereon, by certified mail, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the addresses indicated on the attached list.


Sandra L. Way

Sworn to before me this
9th day of July, 2018



NOTARY PUBLIC
KELLIE MCCRAY-GENTLE
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01MC6033171
QUALIFIED IN DUTCHESS COUNTY
COMMISSION EXPIRES: NOVEMBER 15, 2021

CITY OF BEACON
CITY COUNCIL

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the City of Beacon will hold a public hearing on Monday, July 16, 2018 at the City of Beacon Municipal Center, One Municipal Plaza, Beacon, New York at 7:00 p.m. or as soon thereafter as the matter is reached on the agenda, to consider an application for a Special Use Permit relative to the construction of residential apartment buildings with a total of 246 dwelling units on property located and collectively known as 22 Edgewater Place, applied for by Scenic Beacon Developments, LLC.

A copy of the proposal is available for inspection at the Municipal Center, lower level, One Municipal Plaza, Beacon, New York during regular business hours (Monday-Friday 8:00a.m.– 4:00 p.m.)

All interested persons and citizens shall have an opportunity to be heard on said proposals at the date, time and place aforesaid.

Iola C. Taylor, City Clerk

Dated: July 3, 2018

Justin Riccobono	30 Bank St	Beacon	NY	12508
Peter Nocerino	28 Bank St	Beacon	NY	12508
Phillip J. Boyd	25 Tompkins Ave	Beacon	NY	12508
Sonia Y. Brimo LT	27 Tompkins Ave	Beacon	NY	12508
Darrell Bechtler	9 Main St W	Beacon	NY	12508
Michael Scott Witkowski	170 Sands Springs Rd	Williamstown	MA	01267
Tompkins Terr Preservation LP	13155 Noel Rd	Dallas	TX	75240
Nicky Pataru	127 Amsterdam Ave	Hawthorne	NY	10532
Alex W. Lau	10 Bisbee Ln	South Salem	NY	10590
Henry M. Zook	12 Jackson St	Beacon	NY	12508
John H. Kelly	29 Tompkins Ave	Beacon	NY	12508
Michael E. Cain	26 Bank St	Beacon	NY	12508
Shirley Botsford	19 High St	Beacon	NY	12508
Aaron E. Garner	31 Tompkins Ave	Beacon	NY	12508
Juan Diaz	22 Bank St	Beacon	NY	12508
William Going	5 Stella Dr	Gardiner	NY	12525
Scenic Beacon Developments LLC	11 Creek Dr	Beacon	NY	12508
Beacon Realty Management of	16 Main St W	Beacon	NY	12508
Rosemary Heady	16 Bank St	Beacon	NY	12508
Robert Maddock	12 Main St W	Beacon	NY	12508
Helen F. Duggan	10 Main St W	Beacon	NY	12508
Carl Wade	4 Main St W	Beacon	NY	12508
Idelia Gillespie, LT	3 Bank St	Beacon	NY	12508
Jennifer E. Dreaper	1 Bank St	Beacon	NY	12508
S Vasantha Dhanapala	8 Main St W	Beacon	NY	12508
James E. Ward, Jr.	6 Main St W	Beacon	NY	12508
Mark Bobbitt	19 Branch St	Beacon	NY	12508
7 West Main Street LLC	1100 Route 9	Beacon	NY	12508
Beacon Todd LLC	4 Cross St	Fishkill	NY	12524
MTA	333 34th St W	Beacon	NY	12508
Conrail	1700 Broadway	New York	NY	10001
Genoveffa Flagello	256 Bedford Ln	New York	NY	10019
Jeffrey C. Breen	48 Ridgemont Dr	Fishkill	NY	12524
Leonard P. Behney, Jr.	9 Schofield Pl	Hopewell Junction	NY	12533
Piccone Equities Inc.	8 Eliza Street	Beacon	NY	12508
Jesse Michael Colon	8 Colonial Rd	Beacon	NY	12508
ADG Property Management LLC	31 Green Hill Rd	Beacon	NY	12508
	Unit 16	Goldens Bridge	NY	10526

Russell J. Watson	817 Huntington Dr		Fishkill	NY	12524
Nina Shapiro	135 96th St W		New York	NY	10025
Nicole M. Rizzo	7 Colonial Rd	Unit 9	Beacon	NY	12508
Catherine Odabashian, LT	151 Cherrywood Dr		Fishkill	NY	12524
Anthony W. Lassiter, Trustee	328 Hudson Ave		Beacon	NY	12508
Kimberlee Markarian	1 Overlook Ct		Wappingers Falls	NY	12590
Donna L. Mason	7 Colonial Rd	Unit 1	Beacon	NY	12508
Jose Nunez	P.O. Box 1024		Wappingers Falls	NY	12590
Rhonda E. Thompson	7 Colonial Rd	Unit 23	Beacon	NY	12508
Michael Galdiero	8 Colonial Rd	Unit 8	Beacon	NY	12508
Jens O. Bille	10 Buchanan St		Beacon	NY	12508
Lauren Collica	7 Colonial Rd	Apt 5	Beacon	NY	12508
Jamie L. Leonard	59 Autumn Dr		Poughkeepsie	NY	12603
Richard Stern	223 19th St	#1R	Brooklyn	NY	11232
Rachel Perez	24 Bank St		Beacon	NY	12508
City of Beacon	One Municipal Plaza		Beacon	NY	12508
Elizabeth Recendiz	6 Edgewater Place	Unit 1	Beacon	NY	12508
Carlos Castrejon	6 Edgewater Place	Unit 2	Beacon	NY	12508
Larry Oatess	6 Edgewater Place	Unit 3	Beacon	NY	12508
Joshua Matthews	6 Edgewater Place	Unit 4	Beacon	NY	12508
Maria Recendiz	6 Edgewater Place	Unit 6	Beacon	NY	12508
Clair Braken	8 Branch St		Beacon	NY	12508
Genoveffa Flagello	PO Box 208		Fishkill	NY	12524
Ronald Hernandez	6 Edgewater Place	Unit 5	Beacon	NY	12508
ADG Property Management LLC	P.O. Box 171		Goldens Bridge	NY	10526

City of Beacon City Council
Beacon, New York

In the matter of the application of

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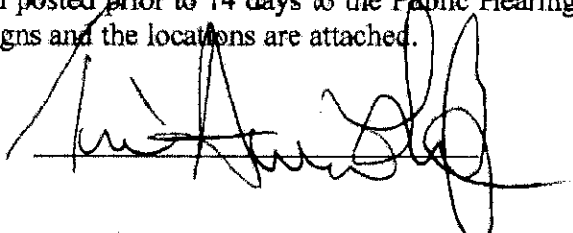
Scenic Beacon Developments, LLC
For Special Permit approval for property located
at 22 Edgewater Place, City of Beacon, NY

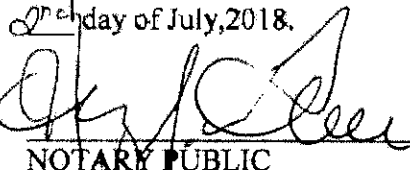
STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, Tina Andress-Landolfi, being duly sworn deposes and says:

1. I am over 18 years of age and reside in Beacon, New York.

2. That on July 2, 2018, in anticipation of the Public Hearing on July 16th, 2018, I posted the Notice of Public Hearing sign at 22 Edgewater Place and the Notice of Public Hearing sign at the intersection of Bank Street and Branch Street. The signage is in accordance with the City of Beacon's Zoning Ordinance and has been posted prior to 14 days to the Public Hearing. Photographs taken on July 2, 2018 showing the signs and the locations are attached.



Sworn to before me this
2nd day of July, 2018.

NOTARY PUBLIC

HILLARY J. GHEE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01GH6323692
Qualified in Dutchess County
My Commission Expires April 27, 2019



PUBLIC NOTICE
A PUBLIC HEARING
FOR A SPECIAL PERMIT APPLICATION
FOR A MULTI-FAMILY DEVELOPMENT
PROJECT WILL BE HELD BY THE
CITY OF BEACON CITY COUNCIL
ON JULY 16th, 2018 AT 7:00 P.M.
AT THE CITY OF BEACON CITY HALL
1 MUNICIPAL PLAZA, BEACON, NY
ADDITIONAL INFORMATION IS AVAILABLE AT
THE BEACON BUILDING DEPARTMENT
(845) 834-5820



PUBLIC NOTICE

A PUBLIC HEARING
FOR A SPECIAL PERMIT APPLICATION
FOR A MULTI-FAMILY DEVELOPMENT
PROJECT WILL BE HELD BY THE
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ON JULY 16th, 2018 AT 7:00 P.M.
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ADDITIONAL INFORMATION IS AVAILABLE AT
THE BEACON BUILDING DEPARTMENT
(845) 838-5020

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Ronald Hernandez
6 Edgewater Place
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Beacon, NY 12508

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Fishkill, NY 12524

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Clair Braken
8 Branch St
Beacon, NY 12508

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Maria Recendiz
6 Edgewater Place
Unit 6
Beacon, NY 12508

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Sent to:
Joshua Matthews
6 Edgewater Place
Unit 4
Beacon, NY 12508

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Larry Oatess
6 Edgewater Place
Unit 3
Beacon, NY 12508

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Sent to:
Carlos Castrejon
6 Edgewater Place
Unit 2
Beacon, NY 12508

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Postage	\$ 0.47
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Sent to:
Elizabeth Recendiz
6 Edgewater Place
Unit 1
Beacon, NY 12508

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Sent to:
Rachel Porez
24 Bank St
Beacon, NY 12508

Reference Information
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Sent to:
Richard Stern
223 19th St
#1R
Brooklyn, NY 11232

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Postage	\$ 0.47
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Sent to:
Jamie L. Leonard
59 Autumn Dr
Poughkeepsie, NY 12603

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Sent to:
Lauren Collica
7 Colonial Rd
Apt 5
Beacon, NY 12508

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Total Postage and Fees	\$ 3.92

Sent to:
Jens O. Bille
10 Buchanan St
Beacon, NY 12508

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Sent to:
Michael Galdiero
8 Colonial Rd
Unit 8
Beacon, NY 12508

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Sent to:
Rhonda E. Thompson
7 Colonial Rd
Unit 23
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Jose Nunez
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Wappingers Falls, NY 12590

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Sent to:
Donna L. Mason
7 Colonial Rd
Unit 1
Beacon, NY 12508

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Kimberlee Markarian
1 Overlook Ct
Wappingers Falls, NY 12590

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Total Postage and Fees	\$ 3.92

Sent to:
Anthony W. Lassiter, Trustee
328 Hudson Ave
Beacon, NY 12508

Reference Information
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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Catherine Odabashian, LT
151 Cherrywood Dr
Fishkill, NY 12524

Reference Information
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Total Postage and Fees	\$ 3.92

Sent to:
Nicole M. Rizzo
7 Colonial Rd
Unit 9
Beacon, NY 12508

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Sent to:
Russell J. Watson
817 Huntington Dr
Fishkill, NY 12524

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ADG Property Management LLC
31 Green Hill Rd
Goldens Bridge, NY 10526

Reference Information
38156-12

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Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

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Jesse Michael Colon
8 Colonial Rd
Unit 16
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

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Piccone Equities Inc.
8 Eliza Street
Beacon, NY 12508

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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Leonard P. Behney, Jr.
9 Schofield Pl
Beacon, NY 12508

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Certified Mail Fee	\$ 3.45
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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Jeffrey C. Breen
48 Ridgmont Dr
Hopewell Junction, NY 12533

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Genoveffa Flagello
256 Bedford Ln
Fishkill, NY 12524

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Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Conrail
1700 Broadway
New York, NY 10019

Reference Information
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Return Receipt (Hardcopy)	\$ 0.00
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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
MTA
333 34th St W
9FL
New York, NY 10001

Reference Information
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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Beacon Todd LLC
4 Cross St
Beacon, NY 12508

Reference Information
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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
7 West Main Street LLC
1100 Route 9
Fishkill, NY 12524

Reference Information
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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Mark Bobbitt
19 Branch St
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

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Jennifer E. Dreaper
1 Bank St
Beacon, NY 12508

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Idella Gillespie, LT
3 Bank St
Beacon, NY 12508

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Rosemary Heady
16 Bank St
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Scenic Beacon Developments LLC
11 Creek Dr
Ste 102A
Beacon, NY 12508

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
William Go
5 Stella Dr
Gardiner, NY 12525

Reference Information
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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Juan Diaz
22 Bank St
Beacon, NY 12508

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Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Aaron B. Garner
31 Tompkins Ave
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Shirley Botsford
19 High St
Beacon, NY 12508

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Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
James E. Ward, Jr.
6 Main St W
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
S Vasantha Dhanapala
8 Main St W
Beacon, NY 12508

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Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Carl Wade
4 Main St W
Beacon, NY 12508

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Helen F. Duggan
10 Main St W
Beacon, NY 12508

Reference Information
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Return Receipt (Hardcopy)	\$ 0.00
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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Robert Maddock
12 Main St W
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Beacon Realty Management of
16 Main St W
Beacon, NY 12508

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Darrell Bechtler
9 Main St W
Beacon, NY 12508

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Michael E. Cain
26 Bank St
Beacon, NY 12508

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Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
John H. Kelly
29 Tompkins Ave
Beacon, NY 12508

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Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Henry M. Zook
12 Jackson St
Beacon, NY 12508

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Certified Mail Fee	\$ 3.45
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Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Alex W. Lau
10 Bisbee Ln
South Salem, NY 10590

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Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Nicky Patariu
127 Amsterdam Ave
Hawthorne, NY 10532

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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Tompkins Terr Preservation LP
13155 Noel Rd
Suite 100 LB 73
Dallas, TX 75240

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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Michael Scott Witkowski
170 Sands Springs Rd
Williamstown, MA 01267

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Sonia Y. Brimo LT
27 Tompkins Ave
Beacon, NY 12508

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Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Phillip J. Boyd
25 Tompkins Ave
Beacon, NY 12508

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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Peter Nocerino
28 Bank St
Beacon, NY 12508

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Certified Mail Fee	\$ 3.45
Return Receipt (Hardcopy)	\$ 0.00
Return Receipt (Electronic)	\$ 0.00
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.47
Total Postage and Fees	\$ 3.92

Sent to:
Justin Riccobono
30 Bank St
Beacon, NY 12508

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445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Taylor M. Palmer, Esq.
tpalmer@cuddyfeder.com

July 9, 2018

**VIA FEDERAL EXPRESS
AND E-MAIL**

Chairman John Gunn
and Members of the Planning Board
City Hall, One Municipal Plaza
Beacon, New York 12508

Re: Edgewater – Response to Memorandum from Office of the Assessor
SEQR Discussion of Reduced Unit Count
Premises: 22 Edgewater Place, Beacon, New York

Dear Chairman Gunn and Members of the Planning Board:

On behalf of Scenic Beacon Developments, LLC, (the “Applicant”), we respectfully submit five (5) copies of the enclosed letter prepared Cleary Consulting, dated July 9, 2018, which responds to comments from the City’s Planning Consultant and the findings in the City of Beacon Assessor’s Memorandum dated July 3, 2018 for consideration at this Board’s July 10th meeting.

Please incorporate the enclosed as part of the official record of proceedings in connection with the above-referenced Application. We look forward to attending the July 10th meeting of this Board to answer any questions you may have regarding this matter.

Thank you for your consideration herein.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "T. Palmer", is written over a horizontal line. The signature is fluid and cursive.

Taylor M. Palmer, Esq.

Enclosure

cc: Jennifer L. Gray, Esq., Attorney to the Planning Board;
Arthur R. Tully, P.E., City Engineer;
John Clarke, Beacon Planning Consultant;
Nicholas M. Ward-Willis, Esq., City Attorney;
Anthony Morando, Esq.



July 9, 2018

Mayor Randy Casale
and Members of the City Council
City of Beacon
1 Municipal Plaza
Beacon, NY 12508

Re: Edgewater – Reduced Density Proposal
Modified Unit Mix – Revised School Children Generation

Dear Mayor Casale and Members of the City Council,

In response to John Clark’s comment that the 246 unit Reduced Density Proposal should include 25 below market rate units (not the 24 previously noted), the projection of school aged children resulting from the Edgewater project has been revised accordingly – from 35.99 students to 36.28 students. As more fully documented in the School Impact Study dated June 26, 2017, the 307-unit proposal projected 47 students, and so the Reduced Density Proposal and its modified unit mix projects a net reduction of over 10 students.

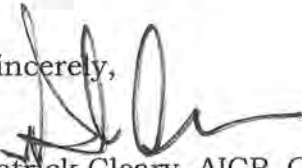
Units	#	Market	Ratio	PSAC	Workforce	Ratio	PSAC	Total SAC
Studio	25	23	0.07	1.61	2	.27	.54	2.15
1 BR	126	113	0.07	7.91	13	.27	3.51	11.42
2 BR	86	77	.16	12.32	9	.45	4.05	16.37
3 BR	9	8	.63	5.04	1	1.3	1.3	6.34
Totals	246	221			25			36.28

In addition, since our last submission on June 5th, the City Assessor has issued an opinion indicating that even though the number of units in the project would be reduced from 307 to 246, the square footage of the project would remain roughly equivalent (unit sizes would increase from an average of 850 square feet to 1,000 square feet). As such, her estimated assessed value for the project would remain unchanged at between \$34 to \$40 million dollars.

Therefore, consistent with the original finding, and as documented in significant detail in prior submissions, the 246 unit Reduced Density Proposal will result in a net surplus in tax revenue to all taxing jurisdictions, including the Beacon City School District.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Cleary', with a stylized flourish at the end.

Patrick Cleary, AICP, CEP, PP, LEED AP
Cleary Consulting

cc: Rodney Weber, Scenic Beacon Developments, LLC
Taylor Palmer, Cuddy & Feder

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 UnlistedIdentify 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.

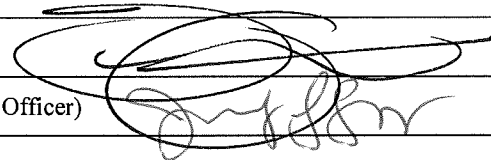
Name of Action: Edgewater

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 consist 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 Consulting, 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 Rutgers’ 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:

	<u>Cost/Student</u>	<u># Students</u>	<u>Add'l. Costs</u>	<u>Revenue</u>	<u>Net Impacts</u>
<i>Instructional Budget</i>	\$17,102	42	\$718,284	\$810,300	+\$92,016
<i>Total Budget</i>	\$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.

City of Beacon Planning Board
July 10, 2018
Edgewater

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.

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

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

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;

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

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.

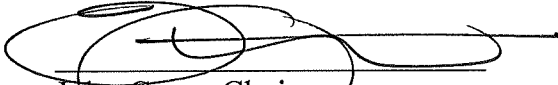
Residential land uses are generally not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on-site. The Amended Project does not include or require wastewater discharged to groundwater, and is not located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

City of Beacon Council Agenda
7/16/2018

Title:

Resolution to appoint Kavita Shenoy as Clerk/Typist

Subject:

Background:

ATTACHMENTS:

Description
Reso Shenoy

Type
Resolution

**CITY OF BEACON
CITY COUNCIL**

Resolution No. _____ of 2018

**RESOLUTION APPOINTING
ACCOUNT CLERK TYPIST I**

WHEREAS, the Mayor has appointed Kavita Shenoy as Account Clerk Typist I, Step 1; and

WHEREAS, the City Council wishes to approve the Mayor’s appointment of Kavita Shenoy as Account Clerk Typist I, Step 1.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council approves the Mayor’s appointment of Kavita Shenoy as Account Clerk Typist I, Step 1, effective as of July 17, 2018.

IT IS FURTHER RESOLVED that such appointment is subject to a probationary period of 26 Weeks.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Not on roll call.					<input type="checkbox"/> 3/4 Required		
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							

City of Beacon Council Agenda
7/16/2018

Title:

Resolution to refer a local law concerning driveway permits to the City of Beacon Planning Board and Dutchess County Planning Board

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso_Driveways	Resolution

**CITY OF BEACON
CITY COUNCIL**

Resolution No. _____ of 2018

RESOLUTION TO REFER A LOCAL LAW CONCERNING DRIVEWAY PERMITS TO THE CITY OF BEACON PLANNING BOARD AND DUTCHESS COUNTY PLANNING BOARD

WHEREAS, a Local Law to create Chapters 97 and amend Chapters 192 and 223 of the Code of the City of Beacon concerning Driveway Permits has been introduced; and

WHEREAS, the Local Law revises the City Code to require any person, association, corporation or firm to obtain a written permit before constructing or paving a driveway or parking lot for vehicular access, which abuts upon, provides access to or adjoins a City highway or street.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Beacon hereby refers the Local Law to the City of Beacon Planning Board and Dutchess County Planning Board for report and recommendation and notes for the Planning Board’s information that the City Council will hold a public hearing on the Local Law on September 20, 2018.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Not on roll call.				<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							

City of Beacon Council Agenda
7/16/2018

Title:

Resolution ratifying award of contract with Tam Enterprises, Inc. for Main Street sewer main repair

Subject:

Background:

ATTACHMENTS:

Description	Type
Sewer Main Repair Reso	Resolution
Main Street Sewer repair	Backup Material

CITY COUNCIL

Resolution No. _____ of 2018

RESOLUTION RATIFYING AWARD OF CONTACT WITH TAM ENTERPRISES, INC.

WHEREAS, on May 10, 2018 the City’s Water and Sewer Department (the “Department”) received a complaint of a sewer back up from 470 Main Street and upon investigation determined that an emergency repair of the sewer main was required to prevent further damage, and

WHEREAS, the City Water and Wastewater Superintendent authorized TAM Enterprises, Inc. (“TAM”) to perform the repair; and

WHEREAS, in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer of the political subdivision pursuant to the provisions of General Municipal Law § 103(4).

NOW THEREFORE BE IT RESOLVED, that the City Council hereby establishes that there was an urgent need to abate the health and safety hazard arising from the sewer main break on Main Street to justify the City’s bypass of statutory competitive bidding procedures for public works contracts and the City’s hiring of private contractor to repair the sewer main; and

BE IT FURTHER RESOLVED, that the City Council hereby ratifies the contract with TAM in the amount of \$255,000 for services rendered in connection with the sewer main repair on Main Street.

Resolution No. _____ of 2018		Date: <u>2018</u>		<input type="checkbox"/> Amendments		<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call		<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							



**114 Hartley Road
Goshen, NY 10924**
Phone: (845)-294-8882
Fax: (845)-294-8883

Bill To

City of Beacon
 1 Municipal Plaza
 Beacon, NY 12508

Invoice

Date: 6/18/2018
 Invoice #: 51132

RECEIVED
 JUN 25 2018

P.O. No.

Terms: Net 30

BY: _____

Qty	Description	Rate	Amount
	Date of Service: 05/09/18- 05/23/18 Intersection of Main St. & Tioronda Ave: Emergency excavation to repair collapsed sewer, includes: - All excavation, back fill, repaving, bypass pumping, traffic control, new manhole and repair of damaged pipe. - Work was done on a time & material basing using attached rate sheet. For the sum of: Price includes the following unforeseen items: In order to repair sewer main that was 23' deep, the existing watermain needed to be temporarily cut and capped, then reinstalled after sewer main was repaired. Includes: - Temporary hook up of (2) existing water services while watermain was removed. - Drainage manhole & drainage piping, next to sewer manhole being replaced, also needed to be temporarily removed & replaced. - After sewer manhole & sanitary piping was installed, watermain was reinstalled & the (2) services were hooked back up to the watermain - Drainage manhole was replaced with all associated drainage piping. - Repaved intersection. Good Customer Courtesy Discount	283,424.18	283,424.18
		-28,424.18	-28,424.18

A Service Charge of 1.5%, 18% APR, will be added to all overdue accounts. Accounts are considered overdue on the 31st day past the invoice date. You will also be liable for all legal and collection fees.

Total	\$255,000.00
Payments/Credit	\$0.00
Balance Due	\$255,000.00

24 Hour Emergency Service • Hydro Vacuum Excavation • Pump Station, Installation & Maintenance
 High Pressure Water Jetting • Video Inspection of Underground Lines • Installation of Water & Sewer Lines
 Clearing of Catch Basins • Man-Hole Rehabs • Sewer & Water Plant Rehabs • Confined Space Entry
 Pipe Lining Services • Soil Remediation Services • Pipe Location Services • Industrial Tank Pumping
 Excavation Services • Emergency Sewer By-pass Pumping • Emergency Utility Services



114 Hartley Road
 Goshen, NY 10924
 Phone: (845)-294-8882
 Fax: (845)-294-8883

Bill To
 City of Beacon
 1 Municipal Plaza
 Beacon, NY 12508

Proposal

Date: 5/8/2018
 Proposal #: 12656

P.O. No.

Terms: Net 30

Qty	Description	Rate	Amount
	Proposal: - Emergency Sewer Collapse TAM Enterprises Inc. is pleased to quote the following: Emergency excavation to repair collapsed sewer at intersection of Main St. & Tioronda Ave: Includes: - All excavation, back fill, repaving, bypass pumping, traffic control, new manhole and repair of damaged pipe. - Work will be done on a time & material basing using attached rate sheet. Price not to exceed \$140,000.00	0.00	0.00

A Service Charge of 1.5%, 18% APR, will be added to all overdue accounts.
 Accounts are considered overdue on the 31st day past the invoice date.
 You will also be liable for all legal and collection fees.

Total \$0.00

Payments/Credit

Customer Signature: _____

Accepted By: _____

24 Hour Emergency Service • Hydro Vacuum Excavation • Pump Station, Installation & Maintenance
 High Pressure Water Jetting • Video Inspection of Underground Lines • Installation of Water & Sewer Lines
 Clearing of Catch Basins • Man-Hole Rehabs • Sewer & Water Plant Rehabs • Confined Space Entry
 Pipe Lining Services • Soil Remediation Services • Pipe Location Services • Industrial Tank Pumping
 Excavation Services • Emergency Sewer By-pass Pumping • Emergency Utility Services

City of Beacon Council Agenda
7/16/2018

Title:

Resolution ratifying award of contract with Chemung Supply Corporation for Mountain Street Bridge repair

Subject:

Background:

ATTACHMENTS:

Description	Type
Mountain Lane BridgeReso	Resolution
Mountain Lane Bridge	Backup Material

CITY COUNCIL

Resolution No. _____ of 2018

RESOLUTION RATIFYING AWARD OF CONTRACT WITH CHEMUNG SUPPLY CORPORATION

WHEREAS, on April 3, 2018, a driver crashed his/her vehicle into a concrete bridge rail on Mountain Lane causing structural damage to the wall of the bridge rail and upon investigation it was determined that emergency repairs to the bridge rail were required to protect public safety, and

WHEREAS, the City Administrator authorized Chemung Supply Corporation to perform the necessary repairs; and

WHEREAS, in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer of the political subdivision pursuant to the provisions of General Municipal Law § 103(4).

NOW THEREFORE BE IT RESOLVED, that the City Council hereby establishes that there was an urgent need to abate the health and safety hazard arising from the structural damage to the wall of the bridge rail on Mountain Lane to justify the City’s bypass of statutory competitive bidding procedures for public works contracts and the City’s hiring of private contractor to repair the sewer main; and

BE IT FURTHER RESOLVED, that the City Council hereby ratifies the Contract with Chemung Supply Corporation in the amount of \$42,244 for the services rendered in connection with repairs to the bridge rail on Mountain Lane.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Not on roll call.					<input type="checkbox"/> 3/4 Required		
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							

5-23-18



Ph. (607)733-5506, Fax. (607)732-5379
www.chemungsupply.com

Mr. Reuben Simmons Jr.
City of Beacon Highway Dept.
Re: guidrail - Dutchess Co. Bid RFB-DCP-38-18

Dear Reuben,
As per your request:

1) MOUNTAIN LANE - 4 RAIL BRIDGE RAIL WITH PEDESTRIAN HAND RAIL.

32 FT. BRIDGE RAIL X \$514.70 FT. = \$16,470.40

87 FT. TRANSITION RAIL X \$242.26 FT. = \$21,071.40

33 FT. BOX BEAM X \$55.10 FT. = \$1,818.30

4 - END ASSEMBLIES @ \$721.00 ea. = \$2,884

TOTAL = \$42,244.10 MATERIAL + INSTALL

Tag Williams
914-213-3579



Chemung Supply Corp. ♦ P.O. Box 527 ♦ Elmira, NY 14902

**City of Beacon Council Agenda
7/16/2018**

Title:

Resolution granting a special use permit for 1181 North Avenue

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso 1181 North Ave	Resolution

CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2018

RESOLUTION

**GRANTING A SPECIAL USE PERMIT FOR
1181 NORTH AVENUE**

WHEREAS, Normington Schofield (the “Applicant”), has submitted an application for a Special Use Permit to construct a new two story office building on property located at 1181 North Avenue, and designated on the Tax Map of the City of Beacon as Parcel ID 5955-19-716048 (the “Property”) in the R1-7.5 Zoning District and Historic District and Landmark Overlay District in the City of Beacon, Dutchess County, New York (the “Application”); and

WHEREAS, the Special Use Permit Application was submitted by the Applicant in conjunction with its application for Subdivision and Site Plan approvals to subdivide an existing 0.74 acre parcel into two lots, and to construct a new office building, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting and off-street parking areas (the “Proposed Action”); and

WHEREAS, the Proposed Action includes a request for a determination of consistency with the Local Waterfront Revitalization Program (LWRP), Certificate of Appropriateness from the Planning Board pursuant to the criteria set forth in § 134-7 of the City of Beacon Code, and one area variance from the Zoning Board of Appeals; and

WHEREAS, the subdivision is shown on the drawing, entitled “Preliminary Subdivision Plat,” last revised April 24, 2018, as prepared by John J. Post, Jr.; and

WHEREAS, the Site Plan is shown on the drawings entitled, “Special Use Permit Application” Sheets 1-5, last revised April 24, 2018, as prepared by Aryeh Siegel; and

WHEREAS, the Proposed Action is a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) because the project is located immediately west of the Bogardus-DeWindt House which is listed on the National Register of Historic Places; 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 8, 2018 at which time the State Environmental Quality Review Act (SEQRA) public hearing was also closed; and

WHEREAS, on May 8, 2018 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 pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, on May 8, 2018 the Planning Board adopted a Resolution finding the Proposed Action to be consistent with the relevant policies of the LWRP; and

WHEREAS, on June 19, 2018, the Zoning Board of Appeals opened and closed a public hearing on the Applicant’s request for a 13 foot lot width variance where the minimum required lot width is 75 feet pursuant to City Code § 223-17.C/223 Attachment 1:2, in connection with the proposed new lot on the Property; and

WHEREAS, on June 19, 2018, the Zoning Board of Appeals granted the application for a 13 foot lot width variance; and

WHEREAS, on July 16, 2018, the City Council opened a public hearing on the Special Permit application 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, 223-24.7 and 134-7, and finds the proposal complies with these sections of the Zoning Law, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds pursuant to Sections 223-18, 223-24.7, and 134-7 of the City Zoning Code:

1. Any exterior restoration shall maintain the architectural and historic integrity of the structure. Any new construction shall be compatible with neighboring structures.
2. The proposed building has been designed with consideration to the historical nature of the buildings in the vicinity, including the DeWindt House to the rear. The siting of the proposed office building on the proposed lot fills a void in the continuous street frontage common along both sides of this block and locates the building away from the historic DeWindt House. The proposed building will also screen the existing parking lot at the rear of the property.
3. The property is located on North Avenue, also known as Route 9D, which is a main thoroughfare through the City of Beacon. This portion of Route 9D features a mix of commercial and residential properties.
4. The existing house on the property is currently used as an office building.

5. The proposed office use is compatible with the neighborhood, and activities permitted within the structure.
6. The resulting traffic generation will not overburden existing roads, and adequate parking can be provided without unduly destroying the landscape or the setting of the structure.
7. 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.
8. 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.
9. 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.
10. Parking areas will be of adequate size for the particular use and properly located and suitably screened from 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 Normington Schofield to construct a new two story office building on property located at 1181 North Avenue, and designated on the Tax Map of the City of Beacon as Parcel ID 5955-19-716048 (the "Property") in the R1-7.5 Zoning District and Historic District and Landmark Overlay District in the City of Beacon, Dutchess County, New York as set forth and detailed on the plans prepared by Aryeh Siegel and John Post, Jr., dated April 24, 2018 upon the following conditions:

1. Prior to the issuance of a Building Permit, the Applicant shall obtain Subdivision, Site Plan and Certificate of Appropriateness Approval from the City of Beacon Planning Board.
2. *The professional office permitted by Special Permit shall not exceed 10 employees. (In approving a Special Permit for a professional office use in the HDLO, the City Council shall establish limitations on the number of employees, as it deems warranted. Professional offices shall not exceed 10 employees pursuant to § 223-24.7 of the City Zoning Code, unless the City Council determines that a larger number is warranted by one or more of the following: a) building size; (b) building configuration, (c) the nature of the proposed*

preservation and/or adaptive reuse of the building or (d) the historic nature and context of the building and the need for preservation and/or adaptive reuse. (See § 223-24.7C))

3. The office's hours shall be 7:00 a.m. to 10:00 p.m. Monday through Sunday, inclusive.
4. 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.
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) 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: July 16, 2018

Resolution No. _____ of 2018		Date: <u>2018</u>		<input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required <input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent		
		Terry Nelson							
		Jodi McCredo							
		George Mansfield							
		Lee Kyriacou							
		John Rembert							
		Amber Grant							
		Mayor Randy Casale							
		Motion Carried							

City of Beacon Council Agenda
7/16/2018

Title:

Resolution granting a special use permit for 850 Wolcott Avenue

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso 850 Wolcott	Resolution

CITY OF BEACON

CITY COUNCIL

Draft 7/12/18

Resolution No. _____ of 2018

RESOLUTION

**GRANTING A SPECIAL USE PERMIT FOR
850 WOLCOTT AVENUE**

WHEREAS, St. Luke’s Episcopal Church and Hudson Hills Academy (the “Applicant”), has submitted an application for a Special Use Permit to lease one of its existing buildings to Hudson Hills Academy for a private school use on property located at 850 Wolcott Avenue, and designated on the Tax Map of the City of Beacon as Parcel ID 6054-45-120587 (the “Property”) in the R1-7.5 Zoning District and Historic District and Landmark Overlay District in the City of Beacon, Dutchess County, New York (the “Application”); 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 Planning Board considered the Application at its June 12, 2018 meeting and issued a report to the City Council dated June 13, 2018 recommending approval of the Special Use Permit; and

WHEREAS, the Special Use Permit Application was submitted by the Applicant in conjunction with its application for Subdivision and Site Plan approval to subdivide a 9.88 acre parcel with an existing church, school building, rectory and garage into two lots so that the school building is located on its own parcel (the “Proposed Action”); and

WHEREAS, the Proposed Action includes a request for Certificate of Appropriateness from the Planning Board pursuant to the criteria set forth in § 134-7 of the City of Beacon Code; and

WHEREAS, the subdivision is shown on the drawing, entitled “Subdivision Plat prepared for Saint Luke’s Episcopal Church,” last revised June 25, 2018, as prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings entitled, “850 Wolcott Avenue- St. Luke’s Episcopal Church & Hudson Hills Academy” Sheets 1-4, last revised June 26, 2018, as prepared by Aryeh Siegel; and

WHEREAS, the Proposed Action is a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) because St. Luke’s Episcopal Church, located on the Property, is listed on the National Register of Historic Places; and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on June 12, 2018 at which time the State Environmental Quality Review Act (SEQRA) public hearing was also closed; and

WHEREAS, on June 12, 2018 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 pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, on July 16, 2018, the City Council opened a public hearing on the Special Permit application 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. Proposed landscaping between the play equipment and Rector Street will serve to buffer the sound to residents on Rector Street.
3. 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.
4. 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.
5. 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.
6. The existing off-street parking spaces on the project site will be shared between the proposed private school and the Church. There are 40 existing off-street parking spaces. The proposed private school and the church intend to share the existing 40 parking spaces with all parking spaces being available to the Church on Sundays and Church Holidays. In the event of an occasional special event by the proposed private school lawn parking will be made available for any overflow. Overall, adequate parking can be provided without unduly destroying the landscape or the setting of the structure. The parking area will be of adequate size for the particular use and properly located and suitably screened from 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 Saint Luke's Episcopal Church and Hudson Hills Academy to lease one of the existing buildings to Hudson Hills Academy for a private school use on property located at 850 Wolcott Avenue, and designated on the Tax Map of the City of Beacon as Parcel ID 6054-45-120587 (the "Property") in the R1-7.5 Zoning District and Historic District and Landmark Overlay District in the City of Beacon, Dutchess County, New York as set forth and detailed on the plans prepared by TEC Land Surveying and Aryeh Siegel, dated June 26, 2018 upon the following conditions:

1. Prior to the issuance of a Building Permit, the Applicant shall obtain Subdivision, Site Plan and Certificate of Appropriateness 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. The applicant shall place a crosswalk across Rector Street and a stop bar and stop sign s across the Rector Street property entrance.
4. The Applicant shall cap enrollment of the private school at 100 students. Students shall arrive at approximately 8:20 AM and depart at approximately 3:15 PM.
5. Arrival and dismissal traffic shall be supervised and coordinated by school personnel.
6. All car traffic shall enter and exit from and to Wolcott Avenue and appropriate signage shall be posted and notification distributed to parents/guardians that vehicular access from Rector Street is prohibited. All bus traffic shall enter from Phillips Street and exit to Wolcott Avenue. No vehicle shall enter or exit from Rector Street.
7. The Applicant shall prepare easements and/or declarations of restrictive covenants related to shared use of parking on the site. Such easements and/or declarations of restrictive covenants shall be submitted to the City Attorney for approval as to form.
8. A copy of this Resolution shall be attached to the Certificate of Occupancy.
9. As used herein, the term "Applicant" shall include its heirs, successors and assigns.
10. In accordance with Section 223-18.F(1) 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 one (1) 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.
11. 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.
12. 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.
13. 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.

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

Dated: July 16, 2018

Resolution No. _____ of 2018		Date: <u>2018</u>		<input type="checkbox"/> 2/3 Required <input type="checkbox"/> 3/4 Required			
<input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call					
Motio	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							

City of Beacon Council Agenda
7/16/2018

Title:

Resolution to adopt a local law to amend Chapter 191, Article II and Chapter 192, Section 30 concerning Street and Sidewalk Opening Permits

Subject:

Background:

ATTACHMENTS:

Description

Reso street openings

Type

Resolution



**CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. _ OF 2018**

**A RESOLUTION TO ADOPT A LOCAL LAW TO AMEND CHAPTER 191,
ARTICLE II AND CHAPTER 192 OF THE CODE OF THE
CITY OF BEACON**

BE IT RESOLVED, that the Beacon City Council hereby adopts a local law to amend Chapter 191, Article II and Chapter 192, Section 30 concerning Street and Sidewalk Opening Permits.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call <input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required <input type="checkbox"/> 3/4 Required					
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Council Agenda
7/16/2018

Title:

Resolution to adopt a local law to create section 223-26.4 of the Code of the City of Beacon concerning small cell wireless telecommunication facilities

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso small cell	Resolution



CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. _____ OF 2018

A RESOLUTION TO ADOPT A LOCAL LAW TO CREATE SECTION 223-26.4 OF THE CODE OF THE CITY OF BEACON CONCERNING SMALL CELL WIRELESS TELECOMMUNICATION FACILITIES.

NOW, THEREFORE, BE IT RESOLVED, that the City Council in accordance with 6 NYCRR Part 617 and upon review of the Short Environmental Assessment Form and all other materials prepared, hereby adopts the attached Negative Declaration for the proposed action.

BE IT FURTHER RESOLVED, that the Beacon City Council hereby adopts the proposed local law to create Section 223-26.4 of the Code of the City of Beacon concerning Small Cell Wireless Telecommunication Facilities.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Not on roll call.				<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
Motion Carried							

**City of Beacon Council Agenda
7/16/2018**

Title:

Approval of Minutes from July 2, 2018

Subject:

Background:

ATTACHMENTS:

Description

Type

Minutes_July_2_2018

Minutes

CALL TO ORDER

Mayor Casale called the meeting to order at 7:00 PM

PLEDGE OF ALLEGIANCE

Mayor Casale led the Pledge of Allegiance

A moment of silence was observed for those who serve and have served in the United States military

ROLL CALL

Present:

Councilmembers George Mansfield, At Large (GM); Lee Kyriacou, At Large (LK); Terry Nelson, Ward One (TN); John Rembert, Ward Two (JR); Jodi McCredo, Ward Three (JM); Amber Grant, Ward Four (AG); and Mayor Randy Casale (RC) Total: 7, **quorum present**

Also Present:

City Attorney Nick Ward-Willis (NWW)

Excused:

City Administrator Anthony Ruggiero (AR)

1ST OPPORTUNITY FOR PUBLIC COMMENT

Speakers:

- Thomas Flynn spoke about Delavan Avenue construction issues
- Stosh Yankowski spoke about small cell towers and potential negative health effects
- George Spafford spoke in support of Reuben Simmons from the Highway Department
- Reuben Simmons spoke about his role in the Highway Department
- Ed McNair spoke in support of Reuben Simmons from the Highway Department
- Theresa Kraft requested the Council's support in preserving the City's heritage at Tioronda Bridge

PUBLIC HEARINGS**1. Public Hearing on a proposed local law to amend Chapter 195 of the Code of the City of Beacon, concerning lot line adjustments**

Speakers: none

- ⇒ A motion was made by JM, seconded by GM to close the public hearing on lot line adjustments. The motion was carried unanimously by voice vote.

REPORTS**Council**

- AG – no report
- JR – asked people to reach out to the elderly when the weather is hot and let them know about cooling centers
- LK – stated he was happy to be back
- GM – thanked Key Food and the Beacon Natural Market for their support of the 4th of July celebration.
- JM – has received letter from constituents about immigration, what's happening at our borders and cell towers. Urged constituents to also contact their state representatives on these issues due to the limitations of local government. Would like the City to start discussing Municipal IDs. Announced that all kids & teens 18 and younger can receive a nutritious meal for free during the summer. Locations - JV Forrestal Elementary at 125 Liberty Street, 11-11:45 am July 5 – August 15; Rombout Middle School at 88

Matteawan Road, 12-12:45pm July 5 – August 15; Beacon Community Center at 23 West Center Street, 12-12:30pm July 2 – August; and Davies South Terrace at 52 Davies Avenue, 12-12:45pm, June 25 – August 24.

- TN – reported a constituent asked about the regulation of exterior lighting on residential/single family houses.
- RC thanked Key Food and The Beacon Natural Market – LT and Junior for their efforts. Thanked the performers. Thanked the Rec Dept. volunteers who helped build the skate park. Announced that there was a computer error resulting in a “past due interest: showing on invoices with a zero past due balance. For further information people are instructed to call 845-838-5000 ext 0.

LOCAL LAWS AND RESOLUTIONS

- 1. A resolution to adopt a local law to amend Chapter 195 of the Code of the City of Beacon, concerning lot line adjustments.**
 - ⇒ A **motion was made** by TN, seconded by GM **to adopt**. The **motion was carried** unanimously by voice vote.
- 2. Resolution to set a public hearing for August 16, 2018 to received public comment on a Special Use Permit application for 1181 North Avenue**
 - ⇒ A **motion was made** by GM, seconded by JR **to adopt**. The **motion was carried** unanimously by roll call vote.
- 3. A resolution to set a public hearing on July 16, 2018 to receive public comment on a Special Use Permit application for 850 Wolcott Ave**
 - ⇒ A **motion was made** by AG **to adopt**, seconded by JM. The **motion was carried** unanimously by voice vote.
- 4. A resolution accepting a report by Francis E Griggs, Jr. on the Bridge Street Bridge**
 - ⇒ A **motion was made** by TN **to adopt**, seconded by JM. The **motion was carried** unanimously by voice vote.
- 5. A resolution authorizing the execution of an agreement with Dr. Francis E Griggs, Jr concerning the Tioronda Avenue Bridge**
 - ⇒ A **motion was made** by JM **to adopt**, seconded by AG. The **motion was carried** unanimously by roll call vote.
- 6. A resolution to set a public hearing for July 16th to receive public comment on a Special Use Permit for the Edgewater project**
 - ⇒ A **motion was made** by JR, seconded by JM **to adopt**. The **motion was carried** unanimously by voice vote.
- 7. A resolution to adopt as the names of private streets Coyne Hill Road and Liam Drive for E9-1-1 purposes**
 - ⇒ A **motion was made** by GM, seconded by TN **to adopt**. The **motion was carried** unanimously by voice vote.
- 8. A resolution authorizing entering into subordination agreement with the Kearney Realty and Development Group, Inc. and modification to agreement**
 - ⇒ A **motion was made** by GM, seconded by JR **to adopt**. The **motion was carried** unanimously by voice vote.

9. A resolution authorizing easement agreement for existing sanitary sewer main at 135-137 Spring Valley Street

⇒ A **motion was made** by GM, seconded by TN **to adopt**. The **motion was carried** unanimously by voice vote.

10. A resolution authorizing the Mayor or City Administrator to accept the bid results and execute a contract with A Plus Striping, Inc. for stop bars, crosswalks and parking lines

⇒ A **motion was made** by JM, seconded by TN **to adopt**. The **motion was carried** unanimously by roll call vote.

11. A resolution authorizing the Mayor or City Administrator to accept the bid results and execute a contract with A. Colorusso and Son for asphalt milling of various streets

⇒ A **motion was made** by JR, seconded by GM **to adopt**. The **motion was carried** unanimously by roll call vote.

12. A resolution authorizing the Mayor or City Administrator to accept the bid results and execute a contract with Safety Marking, Inc. for street lines

⇒ A **motion was made** by JM, seconded by GM **to adopt**. The **motion was carried** unanimously by roll call vote.

13. A resolution to accept the proposal for park restorations at Green Street Park

⇒ A **motion was made** by JM, seconded by TN **to adopt**. The **motion was carried** unanimously by roll call vote.

14. A resolution authorizing the Mayor or City Administrator to sign an agreement with Complus for parking ticket collection

⇒ A **motion was made** by JR **to adopt**. Following a brief discussion JR **rescinded the motion**. A **motion was then made** by LK, seconded by JM **to table** the item and workshop it further. The **motion to table was carried** unanimously by voice vote.

APPROVAL OF MINUTES

1. A **motion was made** by AG, seconded by JR **to approve** the minutes from June 18, 2018. AG requested a correction to the minutes removing a typo in the reports section. The **motion to approve the minutes with suggested correction was carried** by voice vote.

2ND OPPORTUNITY FOR PUBLIC COMMENT

Speakers

- Troy Swain spoke about a letter written on behalf of the Highway Department stating that he was not involved with it and didn't want to be associated with it.
- Junior Dabashi spoke in support of Reuben Simmons of the Highway Department.

ADJOURNMENT

⇒ A **motion was made** by JM, seconded by TN to adjourn. **Motion was carried** unanimously by voice vote. **Meeting was adjourned.**

Next Council Meeting is July 2nd at 7:00 PM.

Next Council Workshop is July 30th at 7:00 PM.

A video recording of this meeting in its entirety can be found here -<http://www.cityofbeacon.org/Government/videos.htm>

Submitted by Lisa Edelson

COUNCIL MEETING SIGN-IN SHEET

DATE: July / 2 / 2018

Print Name (clearly -- so we can spell it correctly in the record)	General Comment	Public Hearing Topic	Preferred contact information
✓ Thomas Flynn	✓	DELAWARE AVE. CONSTRUCTION	Home 831-7592 Cell 520-1705
✓ STOSIA XANKOWSKI	✓		
✓ George Spafford	✓	Highway Dept. Administration	245-542-1236
✓ Reba Simons	✓	Highway	845-831-0932
✓ Ed McNair	✓		
Theresa Kraft	✓		

**City of Beacon Council Agenda
7/16/2018**

Title:

Executive Session: Personnel

Subject:

Background: