

## **RESOLUTION**

### **PLANNING BOARD BEACON, NEW YORK**

#### **LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) CONSISTENCY DETERMINATION FERRY LANDING AT BEACON**

**WHEREAS**, the Beacon Planning Board received an application for Subdivision and Site Plan Approval from Ferry Landing at Beacon, LTD. (the “Applicant”) to subdivide 0.56 acres to construct six single-family townhouses (the “Project” or “Proposed Action”); and

**WHEREAS**, the subject property is located at the intersection of Beekman Street and Ferry Street and designated on the City tax maps as Parcel No. 5954-33-556840; and

**WHEREAS**, the subject property is located in the Linkage Zoning District and 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 Site Plan is shown on the drawings entitled, “Site Information Plan for Ferry Landing at Beacon”, Sheets 1-9, dated March 20, 2019, prepared by Ferry Landing at Beacon, Ltd. and T.M. DePuy, Engineering & Land Surveying, P.C.; and

**WHEREAS**, by submission dated May 28, 2019 the Applicant revised the application to reduce the height of the proposed building from 4-stories to 3-stories which revision did not affect changes to the Site Plan dated March 20, 2019; and

**WHEREAS**, by letter dated May 28, 2019 the Applicant withdrew the Subdivision Application; and

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

**WHEREAS**, the Proposed Action is an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA) and on June 11, 2019 after taking a “hard look” at the EAF and all of the associated materials prepared in connection with the Proposed Action, the Planning Board adopted a Negative Declaration, finding the Proposed Action will not result in any significant adverse environmental impacts; 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....”

## **Local Waterfront Revitalization Program (LWRP) Consistency Determination**

### **Ferry Landing at Beacon**

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Board hereby finds 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 where such development has special functional requirements or other characteristics which necessitates its location in other coastal areas.*

Consistent with this policy, the Project will be served by public water and sewer infrastructure and is located in close proximity to public transportation.

#### **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.*

##### **POLICY 25A**

*The following view sheds will be protected:*

- 11. Southwest view from Wolcott Avenue 200 feet west of Bayview Avenue*
- 12. West View from Wolcott Avenue 200 feet west of Bayview Avenue*
- 13. Northwest View from Wolcott Avenue 200 feet west of Bayview Avenue*

The policy notes that views in proximity to the subject site should be protected and enhanced. The height of the Project was reduced from 4-stories to 3-stories and revised renderings of the view from Bayview Avenue were submitted and demonstrate views from Bayview Avenue will not be meaningfully impaired as a result of the Project. Specifically, the Project is consistent with Policy 25A because:

1. The Project will have no effect on any of the above listed view sheds.
2. The Project is not located in any of the view sheds from Wolcott Avenue.
3. The Project is not located 200 feet west of Bayview Avenue.
4. The Project is located behind a vertical rock outcropping that is close to the height of the proposed building.
5. The height, bulk and scale of the proposed project are in conformity with the character and context of the surrounding neighborhood which includes the train station, Hammond Plaza condominiums and single family dwellings. The Project conforms to all zoning requirements.
6. The disturbance of the Project is generally limited to the relatively level area of the site, which requires minimal clearing, and preserves the wooded hillside on the east side of the site along Bayview Avenue.

#### **POLICY 33**

*Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.*

**Local Waterfront Revitalization Program (LWRP) Consistency Determination**  
**Ferry Landing at Beacon**

POLICY 33A

*Regulate construction in steeply sloped and high erosion areas to control excessive stormwater runoff.*

The Project is consistent with Policy Section 33A because the Project was designed with a compact building footprint and minimal amount of impervious surface to reduce stormwater runoff. The Project includes 5,702 square feet (approximately 23% of the lot area) of on-site landscaped area and an additional 1,814 square feet of adjoining off-site landscaped area in the shoulder of the right-of-way to further reduce stormwater runoff. The Project will also control stormwater runoff through effective construction methods such as erosion and sediment control measures utilizing silt fencing and a stabilized construction entrance.

POLICY 41

*Land use or development in the coastal area will not cause national or state air quality standards to be violated.*

The Project will not cause national or state air quality standards to be violated. The Project will conform to all National and State Air Quality Standards.

POLICY 43

*Land use or development in the coastal area must not cause the generation of significant amounts of acid raid precursors: nitrates and sulfates.*

The Project will not generate significant amounts of acid raid precursors: nitrates and sulfates.

**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: June 11, 2019  
Beacon, New York

\_\_\_\_\_  
John Gunn, Chairman  
City of Beacon Planning Board

\_\_\_\_\_, 2019  
Dated

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_:

Gary Barrack      Voting: \_\_\_\_  
David Burke      Voting: \_\_\_\_  
Patrick Lambert      Voting: \_\_\_\_  
Rick Muscat      Voting: \_\_\_\_

Jill Reynolds      Voting: \_\_\_\_  
J. Randall Williams      Voting: \_\_\_\_  
John Gunn, Chairman      Voting: \_\_\_\_

Resolution: Approved \_\_\_\_  
                  Denied      \_\_\_\_

**Local Waterfront Revitalization Program (LWRP) Consistency Determination**  
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