

RESOLUTION

**PLANNING BOARD
BEACON, NEW YORK**

**AMENDED SITE PLAN AND CERTIFICATE OF APPROPRIATENESS
APPROVALS FOR 162 MAIN STREET (THE HOSE COMPANY)**

Parcel No. 5954-27-781973

WHEREAS, the Beacon Planning Board received an application from the Hose Company, LLC (the “Applicant”), to amend its previously approved Site Plan and Certificate of Appropriateness Approvals to construct a rear addition on an existing historic building, including a new three-story stairway, storage space, a one-story shop extension, and access to a new two-bedroom apartment on the existing third floor (the “Proposed Action” or “Project”), on property located at 162 Main Street in the Central Main Street (CMS) Zoning District, Historic District and Landmark Overlay (HDLO) Zone and the Lower Main Street National Register Historic Districts and is designated on the Tax Map of the City of Beacon as Parcel No. 5954-27-781973 (the “Property”); and

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

WHEREAS, the Proposed Action includes a request for a 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 application consists of application forms, correspondence and the Environmental Assessment Form (EAF); and

WHEREAS, the Proposed Action is a Type II Action under Section 617.5(c)(8) of the State Environmental Quality Review Act (SEQRA), requiring no further environmental review pursuant to the requirements of SEQRA; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development pursuant to N.Y. General Municipal Law §239 on or about July 1, 2019; and

WHEREAS, the Amended Site Plan is shown on the following drawings:

- 1. “The Hose Company, LLC,” Sheets 1-3, prepared by Hudson Land Design:

<u>Sheet</u>	<u>Title</u>	<u>Dated</u>
1 of 3	<i>Existing Conditions and Demolition Plan</i>	last rev. 10/29/19
2 of 3	<i>Site Plan</i>	last rev. 10/29/19

2. Architectural elevation plan set of 8 sheets, entitled “*Hudson Beach Glas?*” dated May 2019, prepared by Kathleen Rifkin, Architect, consisting of floor layout and elevations, along with a plan dated October 2019 providing colored renderings; and

WHEREAS, on August 13, 2019, the Planning Board opened a duly noticed public hearing on the application for Amended Site Plan and Certificate of Appropriateness approvals concerning the Proposed Action, at which time all those interested were given an opportunity to be heard and the public hearing was closed on December 10, 2019; and

WHEREAS, the Planning Board has reviewed the application for Certificate of Appropriateness pursuant to the requirements set forth in Chapter 134 of the City of Beacon Code; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby finds pursuant to the City of Beacon Code § 134-7 that the proposed renovations will be consistent with the historic character of the surrounding area. The proposed rear addition is compatible with the design standards for the Historic District Landmark Overlay Zone.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Amended Site Plan Approval for the property located and known as 162 Main Street, as shown on the application materials enumerated above, subject to the following conditions:

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

1. All application review fees shall be paid in full.
2. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Project, including but not necessarily limited to approval from the Dutchess County Department of Health, and shall meet all conditions contained in such approvals, as required therein.
3. The comments contained in the City Engineer’s letter to the Planning Board dated November 6, 2019, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Engineer.
4. The comments contained in the City Planner’s letter to the Planning Board dated December 6, 2019, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Planner.

5. A note shall be added to the Site Plan stating that the existing trees on the adjacent municipal parking lot (Parcel No. 5954-27-787978) (herein after referred to as the “Cross Street Municipal Parking Lot”) shall remain, but if any such tree needs to be removed or is damaged due to construction activities, as determined by the City, a replacement tree shall be provided by the Applicant.
6. A note shall be added to the Site Plan stating that the proposed two off-site parking spaces for use by the Applicant in the Cross Street Municipal Parking Lot are subject a License Agreement from the City Council, or such other authorization as may be determined by the City Council.
7. The Applicant shall obtain authorization from the City Council for the proposed two off-site parking spaces for use by the Applicant in the Cross Street Municipal Parking.
8. The Applicant shall seek a written access easement from the City Council which memorializes the access easement referenced in the Deed from the City of Beacon to Michael W. Benzer, recorded on April 18, 2002 in the Dutchess County Clerk’s Office at Document No. 02 2002 3692.
9. The Applicant shall submit written authorization from the owner of Parcel No. 5954-27-777974 (160 Main Street) granting permission to the Applicant to access to 160 Main Street for construction purposes. The written authorization shall contain a notarized signature of the owner of 160 Main Street.

When the conditions above have been satisfied, six (6) sets of the above referenced plans revised as per the conditions above shall be submitted for endorsement by the Planning Board Chairman. One set of the endorsed plans will be returned to the Applicant, one set will be retained by the City Clerk, one set will be provided to the Planning Board, and one set each will be forwarded to the Building Inspector, City Engineer and City Planner.

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

1. A restoration bond shall be posted with the City of Beacon to ensure that any damage to the Cross Street Municipal Parking Lot resulting from the Applicant’s construction activities is repaired. The Applicant’ engineer shall prepare a cost estimate and submit the estimate to the City for review by the City Engineer.

2. The Applicant shall fund an escrow account with the City of Beacon for construction observation of the proposed site improvements in an amount as determined by the City Engineer.
3. The Applicant shall obtain the necessary permits and approvals for the curb and striping removal within the Cross Street Municipal Parking Lot as shown on the Site Plan.

C. Prior to the issuance of a Certificate of Occupancy, the following condition shall be fulfilled to the satisfaction of the Building Inspector:

1. Based on the current and anticipated future need for park and recreational opportunities in the City of Beacon, as set forth in the analysis provided by BFJ Planning, and the demands of the future population of the Project, the Planning Board hereby finds that additional recreation/parkland should be created as a condition of approval. However, the Planning Board hereby determines that recreation/parkland of adequate size and location cannot be provided on the Project Site. Therefore, that Applicant shall pay a Recreation Fee for the one new apartment approved herein as prescribed under Sections 223-25.H(4) and 223-61.A(7) of the Zoning Law, as per the City's Fee Schedule in effect at the time of payment.

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

1. All conditions, set forth in the any previous Planning Board Resolution related to the Property, and not superseded herein, shall remain in full force and effect.
2. The Building Inspector and the City Engineer shall have the right to direct the Applicant to cause the placement, cleaning and/or repair of sedimentation and erosion control devices wherever and whenever deemed necessary during construction.
3. The Applicant shall be responsible for the payment of all application review costs incurred by the City in its review and approval of this project. Such fees shall be paid by the Applicants within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within the thirty (30) day period, and an extension therefor has not been granted by the City, this resolution shall be rendered null and void.
4. As used herein, the term "Applicant" shall include the Applicant and the Applicant's heirs, successors and assigns, and where applicable its contractors and employees.

5. 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.
6. The approval granted by this resolution does not supersede the authority of any other entity.
7. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are subsequently desired other than changes determined to be field changes by the Building Inspector or City Engineer.

Resolution Adopted: December 10, 2019
 Beacon, New York

_____ John Gunn, Chairman City of Beacon Planning Board	_____, 2019 Dated
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Motion by _____, seconded by _____:

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

Resolution: Approved
 Denied