

RESOLUTION

**PLANNING BOARD
BEACON, NEW YORK**

**AMENDED SITE PLAN AND CERTIFICATE OF APPROPRIATENESS
APPROVAL FOR 177 MAIN STREET**

Parcel ID 5954-27-791947

WHEREAS, Frog Leap, Inc., (the “Applicant”), submitted an application for Amended Site Plan approval to construct a one-story sunroom/mudroom to the rear of the existing three-story mixed-use building (the “Proposed Action”) on property located at 177 Main Street in the Central Main Street (CMS) Zoning District and the Historic District and Landmark Overlay District. Said premises being known and designated on the Tax Map of the City of Beacon as **Parcel ID #5954-27-791947** (the “Property”); and

WHEREAS, the Planning Board is the approval authority for the 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 Chapter 134 of the City of Beacon; and

WHEREAS, the application consists of application forms, a Full Environmental Assessment Form (“EAF”), and all other submissions by the Applicant; and

WHEREAS, the Site Plan is shown on the following drawings, generally entitled, “177 Main Street- Amendment to Special Use Permit Application,” prepared by Aryeh Siegel, Architect, last revised February 21, 2020:

<u>Sheet</u>	<u>Title</u>
1 of 4	<i>Site Plan</i>
2 of 4	<i>Existing Conditions Plan</i>
3 of 4	<i>Floor Plans</i>
4 of 4	<i>Elevations; and</i>

WHEREAS, the proposed action is a Type II action pursuant to the New York State Environmental Quality Review Act (9 NYCRR 617.5(c)(9)) and accordingly, no further environmental review is required; and

WHEREAS, the Planning Board reviewed the application at its meetings on March 10, 2020 and April 14, 2020; and

WHEREAS, on April 14, 2020, 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 August 14, 2020; and

WHEREAS, due to public health and safety concerns related to the current COVID-19 pandemic, the public hearing was duly noticed by publication, mailing and signage in accordance with notice requirements of the Zoning Code of the City of Beacon, and held by videoconference in accordance with the Governor's Executive Orders which suspend the "in-person" requirements of the NYS Open Meetings Law and provide alternative means by which to conduct public meetings and hearings remotely; and

WHEREAS, in reviewing the application the Planning Board has considered the criteria for approval of a Certificate of Appropriateness set forth in City Code § 134-7; 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 Code.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby finds pursuant to City Code § 134-7 that the proposed renovations will be consistent with the historic character of the surrounding area.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Amended Site Plan and Certificate of Appropriateness Approval for the property located at 177 Main Street, as shown on the application materials enumerated above; subject to the following conditions and modifications set forth below and any other requirements which must be met by law:

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 Planner's letter to the Planning Board dated April 9, 2020, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Planner.

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. The following are general conditions which shall be fulfilled:

1. All conditions, set forth in 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 Applicant within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within said thirty (30) day period, and an extension therefore has not been granted by the City, this resolution shall be rendered null and void.
4. As used herein, the term “Applicant” shall include its 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 approvals granted by this resolution do not supersede the authority of any other entity.
7. Any proposed revision to the approved Site Plan Drawings, except revisions determined by the Building Inspector and City Engineer to be field changes, shall be submitted to the Planning Board. The Planning Board, in its discretion, shall determine the appropriate procedures for consideration of the proposed revision, and whether such revision is material enough to require further environmental analysis and/or further project review, as the Board may deem appropriate.

Resolution Adopted: April 14, 2020
Beacon, New York

John Gunn Chairman
City of Beacon Planning Board

Date

Motion by _____, seconded by _____:

Kevin Byrne

Voting:

Leonard Warner

Voting:

Rick Muscat

Voting:

J. Randall Williams

Voting:

Karen Quiana

Voting:

John Gunn, Chairman

Voting:

Jill Reynolds

Voting:

Resolution: _____ - -