

RESOLUTION

**PLANNING BOARD
BEACON, NEW YORK**

**GRANTING AMENDED SITE PLAN APPROVAL
FOR 511 FISHKILL AVENUE**

Parcel ID#6055-04-580285

WHEREAS, the Beacon Planning Board received an application for Amended Site Plan Approval from Aryeh Siegel, Architect, on behalf of applicant, DP 108, LLC (the “Applicant”) to add a new outdoor deck on the southern side of an existing 128,317 square foot building. (“Proposed Action” or “Project”); and

WHEREAS, the subject property is located at 511 Fishkill Avenue in the Heavy Industrial (HI) Zoning District and is designated on the City tax maps as Parcel No. 6055-04-580285 (the “Site” or “Property”); and

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

WHEREAS, the Site Plan is shown on the drawings entitled, “Amendment to Site Plan Application – Industrial Arts Brewing Company”, Sheets 1-4, dated February 25, 2020, and last revised March 31, 2020, prepared by Aryeh Siegel, Architect and Hudson Land Design Professional Engineering, P.C. (“Site Plan Drawings”), as follows:

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

WHEREAS, the Proposed Action is a Type II action pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and accordingly, no further environmental review is required; 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, on July 14, 2009 the Planning Board granted Site Plan approval for a 54,000 square foot expansion of the existing building for a manufacturing/distribution facility (Mechtronics) which included the construction of 100 parking spaces plus 85 land-banked parking spaces for future use, if needed; and

WHEREAS, on May 14, 2019 the Planning Board granted Amended Site Plan approval for converting a vacant 128,317 square foot building into a 37,247 square foot brewery with an accessory 2,296 square foot office and an accessory 4,965 square foot event space/lounge; 72,428 square foot warehouse; 11,381 square foot arcade and associated site work including land-banked parking spaces; and

WHEREAS, the application was referred to the Dutchess County Department of Planning and Development and a response dated April 2, 2020 was received; 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 and closed a duly noticed public hearing on the application for Amended Site Plan approval concerning the Proposed Action, at which time all those interested were given an opportunity to be heard; 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, the Planning Board is fully familiar with the Project and has reviewed the Project relative to all applicable provisions of the City Code.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Amended Site Plan Approval to the Project, as shown on the Site Plan Drawings and other application materials listed above, subject to the following conditions and modifications set forth below and any other requirements which must be met by law:

A. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Chairman of the Planning Board:

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 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: April 14, 2020
Beacon, New York

John Gunn, Chairman
City of Beacon Planning Board

_____, 2020
Dated

Motion by _____, seconded by _____:

Kevin Byrne Voting:
Rick Muscat Voting:
Karen Quiana Voting:
Jill Reynolds Voting:

Len Warner Voting:
Randall Williams Voting:
John Gunn, Chairman Voting:

Resolution: Approved ____
 Denied ____