

MEMORANDUM

TO: Mayor Randy Casale and Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: 22 Edgewater Place
Zoning District: RD-1.7
Tax Map Nos. 5954-25-581985
5955-19-590022
5954-25-566983
5954-25-574979

DATE: April 20, 2017

The Planning Board circulated its Notice of Intent to declare itself Lead Agency for the environmental review of a residential project proposed at 22 Edgewater Place. The City Council received the Notice of Intent because it is an “Involved Agency” pursuant to SEQRA due to its approval authority over issuing a Special Permit that will be required for the proposed multifamily use. Thus, the City Council has an opportunity to be the Lead Agency, if it so chooses.

The Planning Board has approval authority over the Site Plan and Subdivision (lot merger) Applications and the Zoning Board has approval authority over several area variances that will be required for the project, as proposed. The documents circulated to you from the Planning Board with its Notice of Intent include the Full Environmental Assessment Form, Application Form and the current set of plans. Upon review of the project information, you have the opportunity to respond to the Planning Board’s Notice of Intent by indicating you have no objection to the Planning Board serving as Lead Agency, take no position on the matter, or object if you believe the City Council should be Lead Agency for the environmental review.

The Planning Board scheduled a public hearing for its May 9, 2017 meeting to solicit comments related to the environmental review of the project, subject to the City Council having no objection to the role of the Planning Board as Lead Agency. If the City Council objects to the Planning Board assuming that role, the City Council should indicate its objection prior to the Planning Board’s May meeting.

Project Description:

The residential development project is proposed by Scenic Beacon Developments, LLC (Rodney Weber) and includes the construction of seven (7) apartment buildings

containing a total of 307 units, including below-market-rate units pursuant to Section 223-41.9 of the City Code. Two existing structures on the property are proposed to be demolished. The project area currently consists of four separate lots which are proposed to be merged into a single 12-acre building lot. Water and sewer connections are proposed to be made to existing mains.

The Planning Board engaged a traffic engineer (Creighton Manning Engineering, LLP) to review the applicant's professional traffic study prepared by Maser Consulting. Traffic is expected to be one of the main areas of environmental review for this application. It is anticipated that Creighton Manning will have comments available for the Planning Board's May 9, 2017 meeting. Before the Planning Board can open the public hearing on the Subdivision, it must make a SEQRA determination of significance (for which a public hearing is not required). The Planning Board wanted the benefit of public comments before it made its determination of significance and therefore scheduled a hearing for May 9th.

The following land use approvals are required for this project:

City Council:	Special Use Permit (Multifamily)
Planning Board:	Subdivision (Lot Merger), Site Plan and Local Waterfront Revitalization Program Consistency Determination ¹
Zoning Board:	Area variances (allow buildings to have 5 stores where 4.5 is the maximum permitted; allow buildings to exceed 36 units per building; allow 25 feet between buildings where 30 feet is the minimum required)

In terms of scheduling, assuming the Planning Board is the Lead Agency, it would make its determination of significance. Variances from the ZBA must be received before the matter can be referred to the City Council. The ZBA has held a public hearing and held it open pending the issuance of the determination of significance. Once the variances are granted, the Planning Board would then issue a report and recommendation on the Special Use Permit to the City Council. Only after the City Council approved the Special Use Permit, would the Planning Board continue its review of the Site Plan and Subdivision applications.

¹ The Lead Agency pursuant to SEQRA is responsible for making the LWRP Consistency Determination pursuant to Chapter 220 of the City Code.