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300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Taylor M. Palmer, Esq.
tpalmer@cuddyfeder.com

May 30, 2017

**VIA EMAIL AND
HAND DELIVERY**

Hon. John Dunne
and Members of the Zoning Board of Appeals
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Re: Application: Area Variance For Minimum Lot Area
Premises: 475 Main Street, Beacon, New York (Tax ID: 6054-37-076730)

Dear Chairman Dunne and Members of the Zoning Board of Appeals:

This letter is respectfully submitted on behalf of On behalf of 605 N. Macquesten Parkway, L.L.C., as a single member for 475 Main Street Beacon LLC, (the "Applicant"), the owner of the above-referenced Premises, in connection with an application for an area variance for proposed modifications to an existing mixed-use building in order to construct seven (7) apartments. See **Exhibit A** – ZBA Application Form. The Premises is classified in the CB – Central Business Zoning District and has two (2) street frontages, with an existing (3)-story building frontage located on the south side of Main Street, west of the intersection with Tironda Avenue, on which the 'L'-shaped Premises also fronts. The Premises is comprised of 5,362+/- sq. ft. of land, which is currently improved by a mixed-use building, with a retail/gallery on the Main Street frontage and one (1) residential unit.¹ The existing building is adjacent to similar commercial/retail and residential mixed-use buildings located along Main Street and no changes are proposed to the footprint of the existing building.

This proposal involves the construction of a two (2)-story addition to the rear of the one (1)-story existing building to create seven (7) apartments. The 800+/- sq. ft. retail/gallery space will remain at the Main Street frontage.² The proposed building alterations and addition to the existing mixed-use building conforms to the applicable requirements set forth in the Zoning Code of the City of Beacon (the "Zoning Code"), but for the proposed lot area per dwelling unit, requiring an area variance from this Board. The City of Beacon Zoning Board of Appeals ("ZBA")

¹ Note: In 1992, the Beacon Zoning Board of Appeals granted a density variance to construct seven (7) apartments on the Premises, which will be discussed herein.

² The proposed improvements will include one (1) residential unit on the first floor in the rear of the building; three (3) units on the second floor, including one duplex unit with space on the first floor and three (3) units on the third floor.



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granted a density (use) variance on April 21, 1992,³ which approved a total of seven (7) residential units. The Premises has since been rezoned into the CB District where multi-family dwelling units are permitted. The CB District requires a minimum lot area of 1,500 sq. ft. per dwelling unit. Under the current zoning, while a three (3)-story building is permitted, the minimum lot area requirement only permits three (3) apartments as-of-right. Thus, the proposed addition requires a *de minimis* area variance of 5,138 sq. ft.⁴

Notably, as this Board may be aware, pursuant to the recommendations in the recent Comprehensive Plan Update, the City Council has undertaken to amend the Zoning Code to extend the Central Main Street (CMS) District to the upper and lower sections of Main Street that are currently zoned CB.⁵ As identified in the Comprehensive Plan, “[t]he CMS encourages infill development by raising development potential and lowering parking requirements” the purpose being “... to allow for continued commercial vitality and mix use of area along Main Street.”⁶ Indeed, under the City’s proposed rezoning as currently drafted, the existing improved Premises *would not* be subject to density restrictions, and the Applicant would not be required to obtain area variance relief for the proposed multi-family units. Accordingly, it is respectfully submitted that the Applicant’s proposal is consistent with the existing and proposed development along Main Street.

AREA VARIANCE RELIEF REQUESTED

The Applicant is requesting that the Zoning Board of Appeals (“ZBA”) grant area variance relief from:

- Zoning Code Section 223-17(D), Schedule of Regulations for Nonresidential Districts, Permitted Principal Uses. Pursuant to the Zoning Code Section 223-17(D), in the CB Zoning District:

“Residential density shall be as permitted and regulated in the RMF-1.5 Multifamily Residence District.”

³ Enclosed as **Exhibit B**, please find copy of 1992 Density Variance. Notably, at the time the Use Variance was granted, the Premises was zoned in the GB Zoning District, which did not permit residential.

⁴ Note: Zoning Code Section 223-26(B)(2) provides that parking is not required for the Premises, because the building was in existence on April 20, 1964, and the new use is less than 25% greater intensity than the use existing in 1964.

⁵ CITY OF BEACON COMPREHENSIVE PLAN UPDATE, dated March 29, 2017, at page 171 (the “Comprehensive Plan Update”).

⁶ See Comprehensive Plan Update, at 171.



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- In relevant part, Zoning Code §223-17C, the Schedule of Regulations for Residential Districts, in the RMF-1.5 Multi-Family Residence District, the minimum lot area per dwelling unit is 1,500 sq. ft., but not more than 24 dwelling units. The existing lot area is 5,362 +/- sq. ft., and based on this lot area three (3) dwelling units are permitted as-of-right. This area variance is sought to allow seven (7) dwelling units, which requires a 10,500 sq. ft. minimum lot area. Thus, an area variance of 5,138 sq. ft. ($10,500 - 5,362 = 5,138$) is requested.

AREA VARIANCE STANDARDS:

In considering the granting of the requested area variance, New York State General City Law §81-b and Zoning Code §223-55(C)(2) provide that a ZBA shall consider the benefit to the Applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. For the following reasons, we respectfully submit that upon balancing the area variance criteria, the granting of the requested area variance is warranted:

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

The granting of the requested area variance for the proposed building alterations and additions will not produce an undesirable change in the character of the neighborhood, nor will it be a detriment to nearby properties.

Currently, as shown on the enclosed Site Plan and Building Elevations, approximately two-thirds (2/3) of the existing building is three (3)-stories. *See also Exhibit C* – Google Map Images. Through this application, the Applicant merely proposes an addition that will make the existing building three-stories uniformly throughout. Under the current zoning, the maximum building height is 35 feet. As shown on the enclosed Building Elevations, the proposed addition does not propose to exceed the permitted building height, but rather, the permitted density within the building is the relief sought.

As indicated above, the City Council is currently in the process of rezoning the CB Zoning District consistent with the recommendations in the Comprehensive Plan Update. Specifically, the zoning is being changed to remove density restrictions, consistent with existing approvals in other mixed-used developments along Main Street. Indeed, immediately west of the Premises are mixed-use commercial and apartment developments on the south side of Main Street, including apartments above Brother's Trattoria, and the redevelopment of the Beacon Theater. Additionally, the Beacon Hotel is located west of the Premises on the north side of Main Street.



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Further, the current CMS Zoning District permits up to a four-story building, where only three (3) is proposed herein.⁷ The proposed alterations and additions to the existing building are also consistent with the demonstrated land use pattern along Main Street, and the proposed apartments only modify the interior of the building. Indeed, if the building was built with only three (3) apartments, which is permitted as of right, it is respectfully submitted that the proposed addition could be constructed to three (3) stories without variance relief. However, demand in Beacon has increased the need for additional for sale and rental units, and the size and shape of the unique building and lot has created a hardship to develop units consistent with the current demand and so the instant relief is sought herein.

The Applicant is not submitting an application for a variance to increase the building height – a three (3)-story building is permitted in the CB Zoning District. However, in connection with the Site Plan review for the Premise, the Applicant's architect, Aryeh Siegel, AIA, has also reviewed the potential shadow impacts to adjacent properties for the as-of-right building height. Notably, the properties adjacent to the Premises are also zoned in the CB Zoning District and can be constructed to three (3)-stories. Further, no changes are proposed to the building footprint, and the requested relief is limited to the density of the structure consistent with the recommendations in the Comprehensive Plan Update.

Notwithstanding the above, Courts in this jurisdiction have held that where the record reveals that where many lots in the immediate neighborhood of the subject parcel do not comply with the lot area zoning requirements a Zoning Board's denial of a requested lot area variance will not be upheld.⁸ Indeed, it is understood that "[g]enerally, when an applicant is seeking variances to conform to that which is prevalent in the neighborhood, absent other overriding considerations, a denial of relief is likely to be found arbitrary."⁹

Although an area variance is being requested herein, the requested density is *de minimis* considering the existing building and conditions, and the as-of-right development that permits the building to be three (3) stories. The proposed 7-unit development simply furthers the intent of

⁷ Zoning Code Section 223-41.18(D)(7).

⁸ See Sautner v. Amster, 284 A.D.2d 540 (2 Dept. 2001)(denial of lot area variance was improper where it was based on claim that variances would create undesirable change in character of community or would cause significant impact on rest of neighborhood, where large number of lots in neighborhood were the same size as proposed lots); Easy Home Program v. Trotta, 276 A.D.2d 553 (2 Dept. 2000)(denial of lot area variance is improper where 11 lots in the immediate neighborhood of the subject parcel do not comply with the lot area zoning requirements); see also Cassano v. ZBA of Village of Bayville, 263 A.D.2d 506 (2 Dept. 1999)(denial of variance overturned where at least 9 houses in immediate neighborhood, including the house next door, had similar decks with deficient setbacks).

⁹ Daneri v. ZBA of Town of Southold, 2010 WL 4155289 (N.Y. Sup. 2010).



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the recommendations in the Comprehensive Plan Update, which would remove such density limitations. Thus, there will be no undesirable change and no adverse impacts to the character of the Main Street mixed-use neighborhood by the granting of the minimum lot size area variance, which is consistent with the character of the neighborhood.

Whether the benefit sought by the applicant can be achieved by some method, feasible to the applicant to pursue, other than the area variance.

Zoning Code §223-55(C)(2)(b)(2) requires the ZBA to consider “whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.” The range of appropriate alternatives is limited by two (2) standards: First, the alternative must still provide the benefit sought by the applicant and, second, it must be feasible for the applicant to pursue. A ZBA may not deny a variance and attempt to relegate an applicant to an alternative design that is a “profound departure” from, or substantially more costly than, the design proposed in the variance. Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dept. 2002). See also, Baker v. Brownlie, 248 A.D.2d 527 (2d Dept. 1998) and Salkin, New York Zoning Law & Practice § 29:36 Administrative Relief from Zoning Regulations: Variances.

This application proposes modest building alterations and additions to an existing building that is primarily three-stories. Given the site constraints as an ‘L’-shaped lot and the existing development along Main Street, the proposed additions are situated and designed in a manner that allows for meaningful development of the Premises while maintaining consistency with the surrounding uses. Further, as discussed herein, the existing building could be developed to three (3)-stories as-of-right, but the size of three (3) apartments would be too large to meet the demand for units in the City of Beacon. Thus, it respectfully submitted that there are no other feasible alternatives other than pursuing more intense uses of the Premises to achieve the benefit of the alterations and additions sought herein.

Whether the requested area variance is substantial.

It is respectfully submitted that upon consideration of the facts and circumstances in this situation, the requested area variance is not substantial. The substantiality of a variance cannot be judged solely by a comparison of the percentage deviation from the mandated requirements of the Zoning Code. In considering whether a variance is substantial, the ZBA shall examine the totality of the circumstances within an application. See Friends of Shawangunks, Inc. v. Zoning Bd. of Appeals of Town of Gardiner, 56 A.D.3d 883, 886, 867 N.Y.S.2d 238, 241 (3d Dep’t



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2008)(although variances were substantial the ZBA properly determined area variances will not have a substantial impact on the community); *see also* Schaller v. New Paltz Zoning Bd. of Appeals, 108 A.D.3d 821, 824, 968 N.Y.S.2d 702, 705 (3rd Dep't 2013)(upholding ZBA determination that an area variance was not substantial when compared to the nearby buildings).

Thus, the overall effect of granting the relief is the appropriate inquiry. The ZBA must consider the surrounding neighborhood and nearby lots when determining whether the Application is substantial.¹⁰ The requested minimum lot area variance involves a *de minimis* change from the existing conditions, and indeed, the proposed number of apartment units was previously approved by the ZBA. The proposed development permits the existing building to be constructed to the permitted height under the Zoning Code, and allows for apartments that are consistent with the demand and similar developments along Main Street in the CB Zoning District. Additionally, if the Premises was improved as a different, more intense as of right use, the building could be constructed to the proposed three (3)-story building height, which would comply with the Zoning Code requirements and a variance would not be required. Accordingly, there will be no adverse impact whatsoever to the surrounding properties or the adjacent properties in the CB Zoning District.

To the extent the ZBA may believe otherwise, we respectfully remind the Board that the mere fact that a variance may be deemed "substantial," or fails to meet one of the other five factors, does not preclude application of the *overall* balancing test. Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dept. 2002) (determination that a request that was determined "substantial" did not excuse Zoning Board of Appeals from applying the overall balancing test).

The Applicant has submitted plans and information establishing that the proposed alterations and additions to the existing building are consistent with the character of the neighborhood and maintain the building in the Historic District. As described above, neighboring properties will not be adversely impacted by the proposed project and therefore the variances must not be considered substantial when looking at the totality of the variance application. The design of the proposed additions is reflective of other properties within the immediate vicinity of the Premises

¹⁰ *See* Crystal Pond Homes, Inc. v. Prior, 305 A.D.2d 595 (2 Dept. 2003)(Court overturned lot area application for 12,750 square foot lot where 21,780 was required where there were a substantial amount of substandard lots in area); Gonzalez v. ZBA of Putnam Valley, 3 A.D.3d 496 (2 Dept. 2004)(denial overturned where record showed substandard lots next to subject lot and other nearby nonconforming structures similar to that sought by applicant).



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and therefore not a departure of the overall design of the neighborhood. Thus, the requested relief is not substantial.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, as noted above, since the existing building can be improved to three-stories as-of-right, and the proposed use is consistent with the mixed-use development along Main Street. In addition, the proposed variance will not adversely impact the environment. The proposed addition will not change the building footprint, and the proposed addition is consistent with the Comprehensive Plan Update recommendations.

The area variance requested before this Board constitutes an Type I action under the State Environmental Quality Review Act ("SEQRA"). A Long Environmental Assessment Form ("EAF") is enclosed as **Exhibit D**.

Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

The area variance requested herein is not self-created, but instead are the result of the hardship created by the 'L'-shaped lot and the existing development on the Premises. As discussed above, the design presented herein seeks to use a portion of the existing building otherwise undeveloped with a revenue generating use, thus permitting the benefit sought herein. The proposed use is consistent with the prior 1992 Density Variance, which permitted seven (7) apartments for the Premises. This area variance is now requested because the Premises was rezoned to the CB Zoning District after issuance of the 1992 variance. The proposal is also consistent with the recommendations in the Comprehensive Plan Update to remove density restrictions for Premises zoned in the CB Zoning District located along Main Street.

The proposed alterations and additions realize the use of the Premises. Therefore, it is respectfully submitted that the Applicant's request for relief here is not self-created, and to the extent that the ZBA may believe otherwise, we respectfully remind the ZBA that this factor is not dispositive pursuant to N.Y. Village Law § 7-712-b(3)(b)(5). See Daneri, 98 A.D.3d 508 (self-created nature of difficulty is not preclusive of the ability to obtain an area variance).



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CONCLUSION

For the reasons set forth above, and as will be further discussed at the public hearing on this matter, the Applicant respectfully requests that the aforementioned area variance be granted to provide relief from the City of Beacon Zoning Code for the minimum lot area per dwelling unit for four (4) additional residential units where three (3) are permitted as-of-right on the Premises. The above list of factors is a tool for the Board to use in determining whether to grant the Application. They should not overwhelm or substitute for the required balancing. No single factor is determinative in assessing an area variance application. However, the Premises and how it compares to the existing neighborhood is a key consideration.

It is respectfully submitted that the that the proposed area variance is [the minimum variance necessary and adequate,] and that the benefit to the Applicant if the area variance is granted outweighs any possible detriment to the health, safety and welfare of the neighborhood or community by such grant.

In support of this application, please find enclosed one (1) original copy of the instant letter with the following documents:

- Exhibit A: City of Beacon Application of Zoning Variance;
- Exhibit B: Prior Use Variance Approval – City of Beacon ZBA, rendered April 21, 1992, permitting a total of seven (7) residential units;
- Exhibit C: Google Maps Aerials of the Premises; and
- Exhibit D: Completed Long Environmental Assessment Form.

In further support of this Application, we respectfully submit site plans entitled “Special Use Permit Application – 475 Main Street”, prepared by Aryeh Siegel, Architect, dated March 27, 2017, and last revised May 30, 2017.

In addition, this submission includes a check made payable to the City of Beacon in the amount of \$250, representing the Area Variance application filing fee.

Should the ZBA or City Staff have any questions or comments with regard to the foregoing, please do not hesitate to contact me. Thank you for your attention to and consideration of this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Taylor M. Palmer'. Below the signature, the name 'Taylor M. Palmer' is printed in a standard font. To the right of the printed name is a small, handwritten mark that looks like 'DWP'.

Taylor M. Palmer

cc: Edward J. Phillips, Esq., Jennifer L. Van Tuyl, Esq.; Aryeh J. Siegel, AIA

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEAL

OWNER: 475 MAIN STREET BEACON, LLCADDRESS: 101 Castleton Street
Pleasantville, NY 10570TELEPHONE: (914) 484-2606E-MAIL: jeffmear@themeargroup.com

APPLICANT (if not owner): _____

ADDRESS: 605 North MacQuesten Parkway
Mount Vernon, NY 10552605 N. MACQUESTEN PARKWAY, L.L.C. as a single member for
475 MAIN STREET BEACON, LLCTELEPHONE: (914) 484-2606E-MAIL: jeffmear@themeargroup.comREPRESENTED BY: Taylor M. Palmer, Esq.
Cuddy & Feder LLPADDRESS: 445 Hamilton Avenue, 14th Floor
White Plains, NY 10601TELEPHONE: (914) 761-1300E-MAIL: tpalmer@cuddyfeder.comPROPERTY LOCATION: 475 Main StreetZONING DISTRICT: CB (Central Business)TAX MAP DESIGNATION: SECTION 6054BLOCK 37 LOT 076730

Section of Zoning Code appealed from or Interpretation desired:

Section 223-17 (D) in the CB Zoning District.Section 223-17 (C)

Reason supporting request:

* See attached narrative description *

Supporting documents submitted herewith: Site Plan, Survey, etc. as required:

* See attached narrative and related enclosures *Date: May 30, 2017475 MAIN STREET BEACON, LLCBy: 

Owner's Signature

605 N. MACQUESTEN PARKWAY, L.L.C., as a single
member for 475 MAIN STREET BEACON, LLCBy: 

Applicant's Signature

Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250

****escrow fees may apply if required by Chairman****

APPLICATION PROCESSING RESTRICTION LAW**Affidavit of Property Owner**Property Owner: 475 MAIN STREET BEACON, LLCIf owned by a corporation, partnership or organization, please list names of persons holding over 5% interest.
605 N. MACQUESTEN PARKWAY, L.L.C.JEFF MEAR, JULIAN MEAR Managing Members

List all properties in the City of Beacon that you hold a 5% interest in:

195 FISHKILL AVE & 475 MAIN STApplicant Address: 605 N. MacQuesten Parkway, Mount Vernon, NY 10552Project Address: 475 Main Street, Beacon, NY 12508Project Tax Grid # 6054-37-076730Type of Application Area Variance

Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent (5%) interest in a corporation or partnership or other business.

Jeff Mear, Member

I, 475 Main Street Beacon, LLC, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon YES
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon NO
3. ALL tax payments due to the City of Beacon are current YES
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon NO
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon NO
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current N/A

475 MAIN STREET BEACON, LLCBy: 

Signature of Owner

Managing Member

Title if owner is corporation

Office Use Only:	NO	YES	Initial
Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)	___	___	___
ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)	___	___	___
ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)	___	___	___



CITY OF BEACON

NEW YORK

May 11, 1992

Pamela Morin
P.O. Box 429
Beacon, N.Y. 12508

RE: Variance Application
475 Main Street
Tax Grid: 6054-37-076730

Dear Ms. Morin:

This letter is your official notification of the decision of the Zoning Board of Appeals rendered on April 21, 1992 in regards to your application for a density variance on the above referenced property.

The Board granted your request to permit a total of seven (7) residential units in the subject building, three (3) units each on the second and third floor and one (1) unit at the rear of the first floor. The remainder of the first floor will be utilized as retail space.

A copy of the notice of hearing as it appeared in the April 15, 1992 issue of the Hudson Valley News is enclosed for your records.

Yours truly,

Anne R. Thomas
Secretary
Zoning Board of Appeals

Encl.

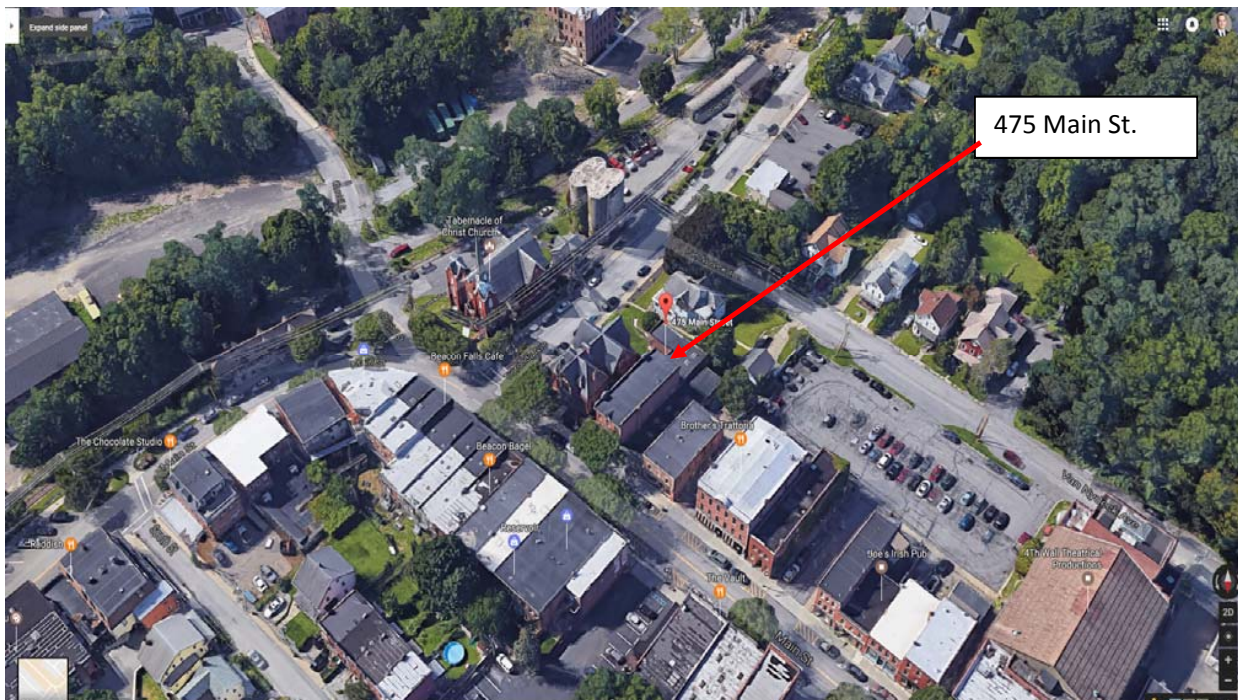
cc: Building Inspector
Planning Board

Filed: May 12, 1992

Exhibit C

Google Map Aerials – 475 Main Street

View of Premises Facing South:

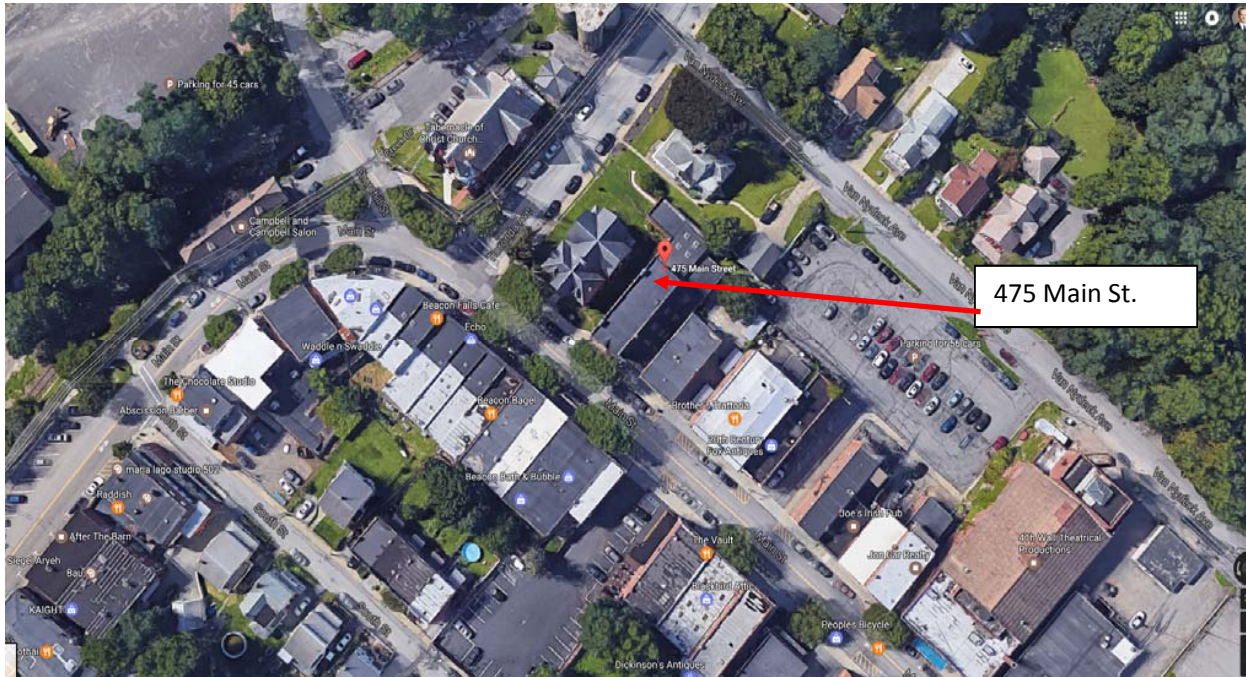


View of Premises Facing North:



Exhibit C (Cont.)

Ariel View (Birds-eye) of Premises Facing North:



View of Premises From Tironda Avenue:



Exhibit C (Cont.)

Street View of Premises From Main Street Facing South:



Street View From Main Street Premises Facing East:



Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 475 Main Street - Application for Area Variance		
Project Location (describe, and attach a general location map): 475 Main Street, Beacon, New York (Tax ID: 6054-37-076730).		
Brief Description of Proposed Action (include purpose or need): Application for Area Variance for minimum lot area per dwelling unit for proposed renovation of, and vertical addition to, existing 3-story masonry building. The addition will add two (2) floors on top of the existing 1-story section at the rear of the building. A total of seven (7) apartments and 1 (one) retail space will be created as a result of the renovation and addition.		
Name of Applicant/Sponsor: 605 N. Macquesten Parkway, L.L.C., single member for 475 Main Street Beacon LLC		Telephone: (914) 484-2606
		E-Mail: jeffmear@themeargroup.com
Address: 101 Castleton Street #206		
City/PO: Pleasantville	State: NY	Zip Code: 10570
Project Contact (if not same as sponsor; give name and title/role): Jeff Mear		Telephone: (914) 484-2606
		E-Mail: jeffmear@themeargroup.com
Address: 101 Castleton Street #206		
City/PO: Pleasantville	State: NY	Zip Code: 10570
Property Owner (if not same as sponsor):		Telephone: (914) 484-2606
		E-Mail: jeffmear@themeargroup.com
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council - Special Use Permit	April 21, 2017
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Special Use Permit / Site Plan	March 28, 2017
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Central Business zone, with Parking overlay and Historic overlay	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.4. Existing community services.	
a. In what school district is the project site located? Beacon City School District	
b. What police or other public protection forces serve the project site? City of Beacon	
c. Which fire protection and emergency medical services serve the project site? City of Beacon	
d. What parks serve the project site? Memorial Park	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multi-family residential and commercial	
b. a. Total acreage of the site of the proposed action?	0.12 acres
b. Total acreage to be physically disturbed?	0.02 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	0.12 acres
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: 7 units	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) ii. Is a cluster/conservation layout proposed? iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Will proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months ii. If Yes: • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	7
At completion of all phases	_____	_____	_____	7

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 660 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: City of Beacon
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 450 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</p> <p style="margin-left: 40px;">• If to surface waters, identify receiving water bodies or wetlands: _____</p> <p style="margin-left: 40px;">• Will stormwater runoff flow to adjacent properties? _____</p>	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ _____ _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: _____ 8am to 5pm • Saturday: _____ 8am to 5pm • Sunday: _____ 8am to 5pm • Holidays: _____ 8am to 5pm </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ 8am to 10pm • Saturday: _____ 8am to 10pm • Sunday: _____ 8am to 10pm • Holidays: _____ 8am to 10pm </td> </tr> </table>		i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: _____ 8am to 5pm • Saturday: _____ 8am to 5pm • Sunday: _____ 8am to 5pm • Holidays: _____ 8am to 5pm 	ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ 8am to 10pm • Saturday: _____ 8am to 10pm • Sunday: _____ 8am to 10pm • Holidays: _____ 8am to 10pm
i. During Construction: <ul style="list-style-type: none"> • Monday - Friday: _____ 8am to 5pm • Saturday: _____ 8am to 5pm • Sunday: _____ 8am to 5pm • Holidays: _____ 8am to 5pm 	ii. During Operations: <ul style="list-style-type: none"> • Monday - Friday: _____ 8am to 10pm • Saturday: _____ 8am to 10pm • Sunday: _____ 8am to 10pm • Holidays: _____ 8am to 10pm 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>Low, post mounted path lights. All light sources shall be shielded to eliminate spreading onto neighboring properties</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.08	0.08	0
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.04	0.04	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input type="checkbox"/> Yes – Spills Incidents database</p> <p><input type="checkbox"/> Yes – Environmental Site Remediation database</p> <p><input type="checkbox"/> Neither database</p> </div> <div style="width: 45%;"> <p>Provide DEC ID number(s): _____</p> <p>Provide DEC ID number(s): _____</p> </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): 314044 , C314118</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ 6 feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: <u>Ur (Urban Land)</u> 100 %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ N/A feet	
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: _____ 100 % of site	
<input type="checkbox"/> Moderately Well Drained: _____ % of site	
<input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____ 5 % of site	
<input type="checkbox"/> 10-15%: _____ % of site	
<input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name _____	Classification _____
• Wetlands: Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____
E.3. Designated Public Resources On or Near Project Site
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____

F. Additional Information

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

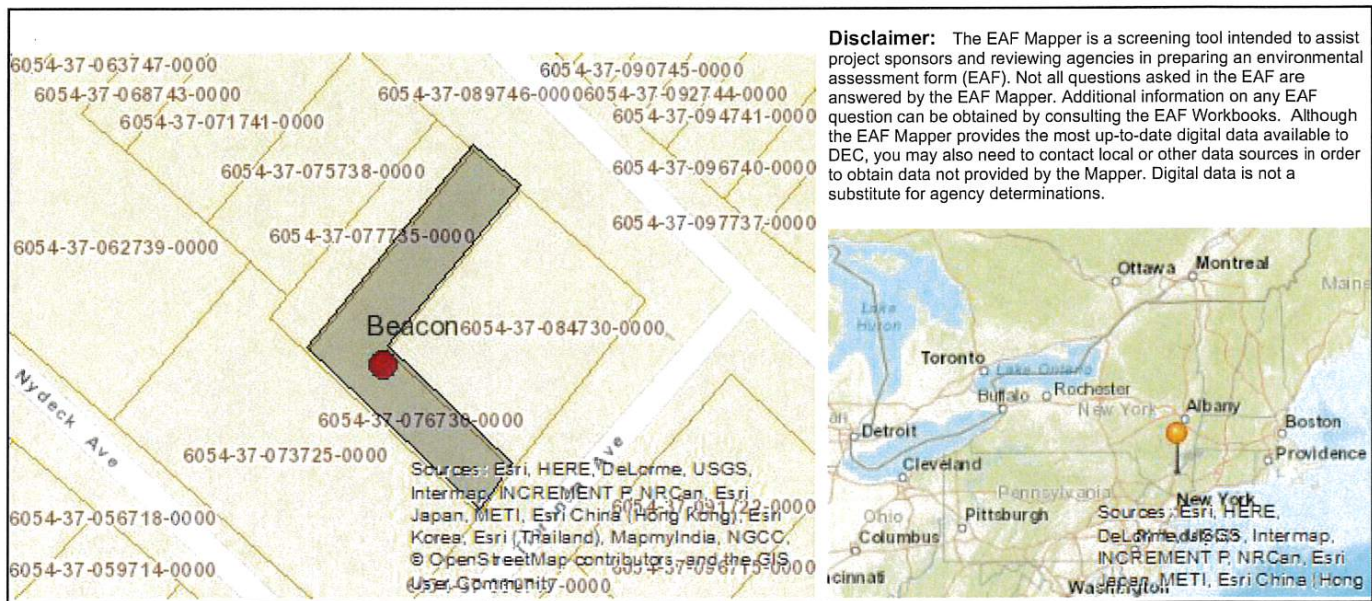
I certify that the information provided is true to the best of my knowledge.

Signature _____ Title Member _____

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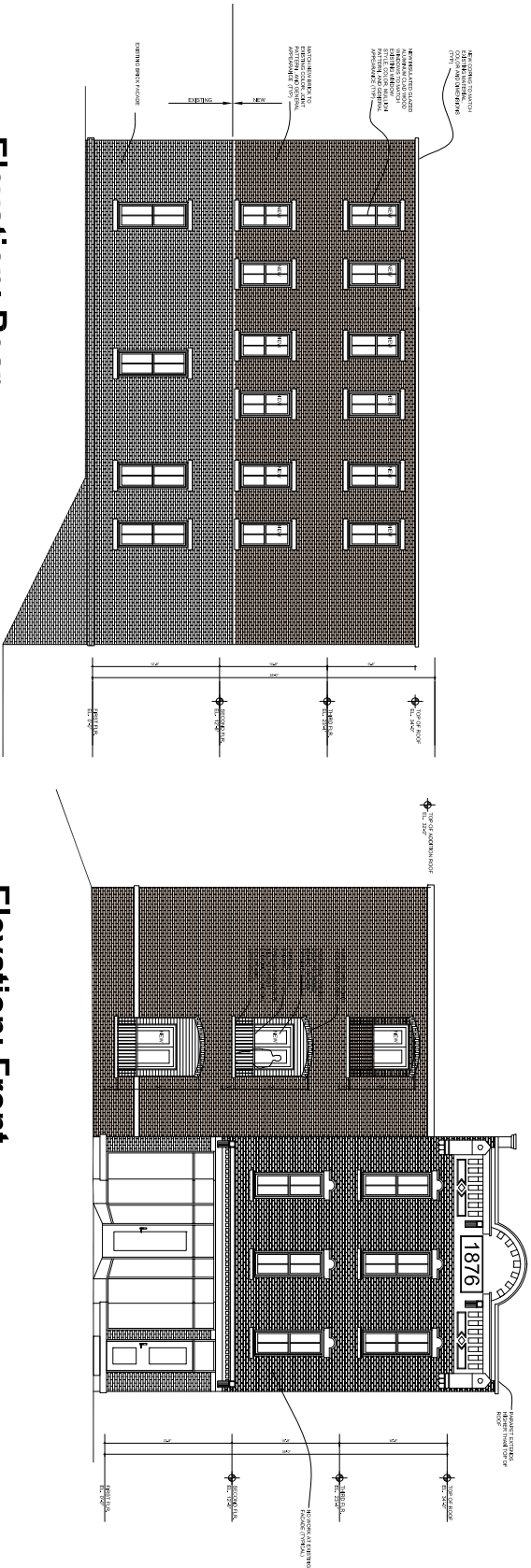
EAF Mapper Summary Report

Tuesday, May 30, 2017 10:43 AM



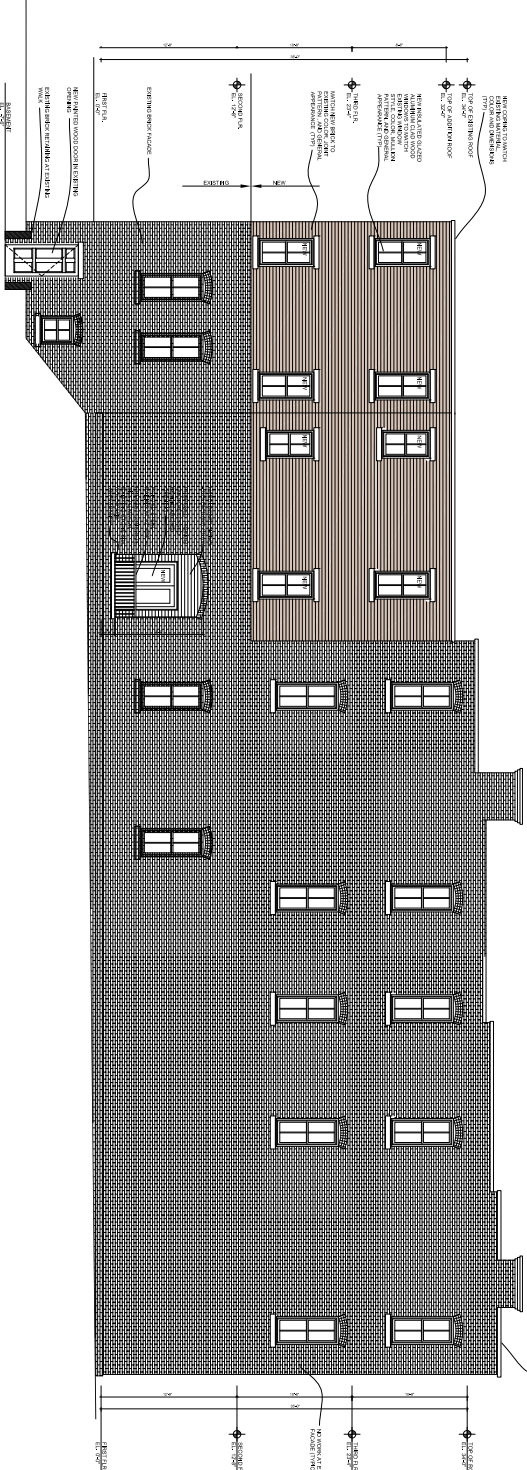
B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	314044 , C314118
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Howland Library, Brett, Madam Catharyna, Homestead
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



Elevation: Rear
Scale: 3/8" = 1'-0"

Elevation: Front
Scale: 3/8" = 1'-0"



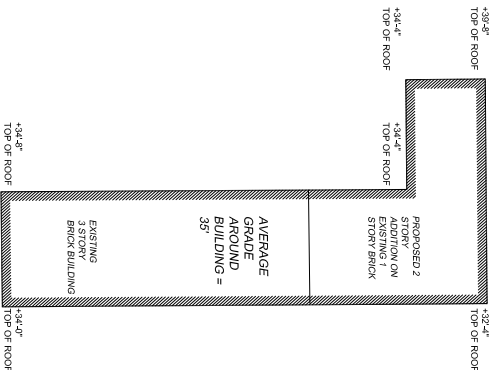
Elevation: Side
Scale: 3/8" = 1'-0"

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20____, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION ANY CHANGE, ENLARGEMENT, MODIFICATION OR REVISION OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS _____ DAY OF _____, 20____, BY _____ CHAIRMAN

IN WITNESS WHEREOF, THE SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY HAS SIGN IN THIS PLACE.

REVISIONS:		
NO.	DATE	DESCRIPTION
1	04/25/17	REVISED PER PLANNING BOARD COMMENTS
2	05/30/17	REVISED PER PLANNING BOARD COMMENTS



Average Grade Diagram



Special Use Permit Application

Sheet 4 of 4 - Building Elevations

Owner:
605 N. Macquesten Pkwy, LLC
101 Castleton Street #206
Pleasantville, NY 10570

Architect:
Ayeh Siegel, Architect
514 Main Street
Beacon, New York 12508

Surveyor:
Fusco Engineering & Surveying, PC
233 East Main Street
Middletown, NY 10940

475 Main Street
Beacon, New York
Scale: 1" = 10'
March 28, 2017