

RESOLUTION
PLANNING BOARD
BEACON, NEW YORK

SITE PLAN APPROVAL FOR
208 MAIN STREET

WHEREAS, the Beacon Planning Board received an application for Site Plan Approval from 206-208 Main Street LLC (the “Applicant”) for the renovation of an existing building including a new third story and rear addition to create two storefronts and a total of eight apartments (the “Project” or “Proposed Action”); and

WHEREAS, the subject property is located at 208 Main Street in the Central Main Street (CMS) Zoning District and designated on the City tax maps as Parcel No. 5954-27-842935 (the “Site”); and

WHEREAS, the Site Plan is shown on the drawings entitled, “Site Plan Application,” Sheets 1-5, dated April 24, 2018, last revised June 26, 2018, prepared by Aryeh Siegal, Architect and Hudson Land Design; 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, the Project is a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) of the State Environmental Quality Review Act (SEQRA) due to its proximity to the Lower Main Street Historic District which is on the National and State Register of Historic Places; and

WHEREAS, on or about May 18, 2018 the Planning Board circulated its Notice of Intent to Declare itself Lead Agency; and

WHEREAS, on June 7, 2018 the Planning Board forwarded the Application to the Architectural Review Subcommittee for review of the architecture of the proposed buildings; and

WHEREAS, the Applicant met with the Architectural Review Subcommittee on June 22, 2018 to review the architectural plans for the Project and the Planning Board reviewed the Architectural Review Subcommittee’s recommendations on July 10, 2018; and

WHEREAS, Section 223-41.18.D(12) requires lots in the CMS Zoning District to have a minimum of 10% of the lot landscaped with trees, shrubs or grass, however, the

Site Plan Approval
208 Main Street

requirement may be waived by the Planning Board for lots consisting of 5,000 square feet or less; and

WHEREAS, the Site consists of less than 5,000 square feet (4,753 square feet) and the Applicant has proposed to landscape 6% of the lot and requests a waiver from the Planning Board for the remaining 4%; and

WHEREAS, on June 12, 2018, the Planning Board opened a public hearing on the Site Plan application, and the public hearing was closed on July 10, 2018; and

WHEREAS, on July 10, 2018 after taking a “hard look” at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action the Planning Board adopted the a Negative Declaration for this Type I Action pursuant to the State Environmental Quality Review Act (SEQRA); 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 pursuant to Section 223-41.18.D(12) of the City Zoning Code, the Planning Board hereby grants a partial waiver from the requirement that 10% of the Site shall be landscaped and hereby determines that landscaping of 6% of the Site shall be deemed to fulfill such requirement.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Site Plan Approval for the Project, as shown on the application materials described above, subject to the conditions and modifications set forth herein.

BE IT FURTHER RESOLVED, that the Planning Board directs that the Planning Board Secretary submit notice of the Type 1 Negative Declaration to the NYSDEC’s Environmental Notice Bulletin for publication and distribute a copy of the Type I Negative Declaration as required by SEQRA.

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 and shall meet all conditions contained in such approvals, as required therein.

Site Plan Approval
208 Main Street

3. The comments contained in the City Engineer's letter to the Planning Board dated July 5, 2018, 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 July 5, 2018, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Planner.
5. The Applicant shall prepare a construction cost estimate for the proposed public improvements and submit the estimate for approval by the City Engineer.
6. Pursuant to Section 223-41.21.H(3), the Applicant shall submit a performance guarantee for the construction of all public improvements in an amount to be approved by the City Engineer and in a form acceptable to the City Attorney.
7. The Applicant shall submit an Irrevocable Offer of Dedication for review as to form by the City Attorney for the proposed 15" stormwater line and proposed catch basin.
8. The Applicant shall fund an escrow account with the City of Beacon for the construction observation and monthly stormwater inspections of the proposed utilities and site improvements in an amount as determined by the City Engineer.

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 to the satisfaction of the Building Inspector:

1. The Applicant shall submit a Construction Management Plan for review and approval of the Building Inspector, Highway Superintendent and City Engineer.

C. Prior to the issuance of the Certificate of Occupancy, the following conditions 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

Site Plan Approval
208 Main Street

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 as prescribed under Sections 223-25.H(4) and 223-61.A(7) of the Zoning Law.

The Planning Board hereby requires that, prior to the issuance of the Certificate of Occupancy, the Applicant shall pay a Recreation Fee for each of the three new apartments in the building (five apartments existed prior to this Site Plan Approval) in accordance with 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. 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.
2. This approval is conditioned upon compliance with all of the mitigation measures specified in the Applicant's Environmental Assessment Form and related application documents. The Applicant shall be responsible for the funding and/or implementation of all such identified mitigation measures. Where the terms of this resolution may be inconsistent with the EAF, the terms of this resolution shall be controlling.
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 206-208 Main Street LLC, and 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.

Site Plan Approval
208 Main Street

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: July 10, 2018
Beacon, New York

_____, 2018
John Gunn, Chairman Dated
City of Beacon Planning Board

Motion by _____, seconded by _____:

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