

ROUNDHOUSE AT BEACON FALLS

ENVIRONMENTAL ASSESSMENT FORM

APPLICATION FOR SPECIAL USE PERMIT

By 10 BOULEVARD LLC

For premises located at:

**2 EAST MAIN STREET
BEACON, NY 12508**

SUBMITTED TO:

CITY OF BEACON PLANNING BOARD

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CONTRIBUTORS

Applicant:

10 Boulevard LLC
179 Main Street
Beacon, NY 12508

10 Leonard Street LLC
179 Main Street
Beacon, NY 12508

Architect:

Aryeh Siegel, Architect
84 Mason Circle
Beacon, NY 12508

Landscape Designer:

Naomi Sachs Design
55 South Brett Street
Beacon, NY 12508

Civil Engineer:

Hudson Land Design
174 Main Street
Beacon, NY 12508

Traffic Engineer:

**John Collins Engineers,
P.C.**
11 Bradhurst Avenue
Hawthorne, NY 10532

Surveyor:

**Badey & Watson
Surveying and Engineering,
P.C.**
3063 Route 9
Cold Spring, NY 10516

Planning Consultant:

Saccardi & Schiff, Inc.
445 Hamilton Avenue
Suite 404
White Plains, NY 10601

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In addition, site development plans and drawings prepared by Aryeh Siegel, Architect, Hudson Land Design, Naomi Sachs Design, and Badey & Watson, and submitted to the Planning Board with the application materials, are made part of this document by reference.

INTRODUCTION

Summary

The Roundhouse at Beacon Falls project sits on approximately 9 acres of land near the intersection of Main Street and East Main Street and Fishkill Creek, and consists of the renovation and adaptive re-use of several existing buildings and the construction of new buildings, in addition to landscaping and other general improvements to the site to be conducted as follows (Note: All building label references refer to the Site Building Diagram attached hereto as Exhibit A):

1. Roundhouse

The existing brick Roundhouse building (Building 1) will be converted into a 14 room hotel and an 80-seat restaurant that will serve the hotel and the community. The restaurant will have a small outdoor dining patio overlooking the Fishkill Creek. The hotel rooms in this building are an adjunct to rooms contained in the Mill Building Hotel (Buildings 2 and 3).

2. Mill Building Hotel

The 2 existing brick mill buildings (Buildings 2 and 3) will be connected to create a hotel. There will be 37 rooms in the Mill Building Hotel, which, when combined with the 14 rooms planned for the Roundhouse, will result in a total of 51 rooms in the hotel buildings. ~~The spa will be located in this building~~, as well as 2 Artist Live Work Lofts.

3. Artist Live/Work Lofts

The non-historic structures attached to Building 4 will be demolished to expose the original historic brick structures. The portions to be demolished are additions that detract from the historic nature of the site. Building 4 will be converted into 5 Artist Live/Work Lofts.

4. Event Space

The lower level of Building 5 will become an Event Space, capable of holding approximately 226 people for catered events. A portion of the upper level of Building 5 will serve as the reception area for the Event Space on the lower level. The lower level is reached through the upper level. Access to a patio, deck, and large landscaped garden with views of the waterfall is through doors located on the lower level. An entry addition has been added.

~~5. Residential Building—NO LONGER PART OF THE ROUNDHOUSE PROJECT~~

~~A new multi-family residential building (shown as Buildings 6, 7, and 8) containing approximately 78 units will be constructed on the subdivided parcel at the northeastern portion of the site. The design of the new building will reference the 3-story brick mill buildings (Buildings 2 and 3) in keeping with the historic nature of the site.~~

6. Powerhouse

Restoration of the site's existing historic Powerhouse (Building 9) will be conducted by the Applicant's hydroelectric operator partner. The design of the building will reference Buildings 2 and 3 in keeping with the historic nature of the site. The restoration and operation of the Powerhouse will be subject to approval by the Federal Energy Regulatory Commission, which will be obtained by the Applicant's hydroelectric operator partner. The Powerhouse will be outfitted with large windows for public viewing of the hydroelectric generator and turbine inside.

Zoning

The site is located in a number of adjacent zoning districts:

- Roundhouse (Building 1) is in the CB Zone
- Hotel (Buildings 2 and 3) are in the GB Zone
- Powerhouse (Building 9) is in the LB and GB Zone
- Artist Live/Work & Event Space (Buildings 4 and 5) are in the GB Zone
- Residential Buildings (Buildings 7, 8, and 9) are in the GB Zone
- Parking spaces occur in the GB, LB, HI, and RD-5 Zones

The proposed uses are consistent with the Zoning Code requirements for each zoning district, and are either permitted as of right, or with Special Use Permits.

Architecture

The renovation and adaptive re-use of the Roundhouse (Building 1) would reestablish the building as a significant part of the traditional structures along the Main Street corridor. This structure was originally built in the 1800's and its rehabilitation and re-use as a restaurant and hotel will ensure that the neighborhood fabric of the Main Street area remains anchored to its historic roots. The Powerhouse building (Building 9) will be re-built on its existing foundation, and the exterior appearance will reflect the architecture of the existing buildings on the site. The renovation of the 2 historic mill buildings (Buildings 2 and 3) would result in almost no change to the existing condition, apart from improvements to the under-utilized buildings. Partial demolition of the Artist Live/Work and Event Space buildings (Buildings 4 and 5) will reveal the original historic structures that have been partially concealed over time by subsequent additions that detract from the

historic nature of the original buildings. The configuration of the new residential buildings (Buildings 6, 7, and 8) at the northern end of the site has been designed to be similar to the height, style and massing of the existing historic mill buildings (Buildings 2 and 3); and the siting of the new structures maintains open areas around them. The new construction would not result in a significant loss of views to the mountains from the Main Street side of Fishkill Creek; and of Fishkill Creek from the neighboring properties to the east of the site. The structures that make up the new residential buildings have sections that are raised above the 1st floor and would allow views through the site to the Fishkill Creek and beyond. The new buildings will be solid, well-built structures that will look and feel as though they have always been a part of the site.

Green Building Practices

One of the goals of the project is to obtain the highest LEED certification possible, given development budgets and existing conditions of the buildings. This will be accomplished through landscaping, stormwater management, adaptive re-use of existing buildings and construction of new buildings using environmentally responsible materials and systems. Additionally, as mentioned above, the Applicant has partnered with an experienced local hydroelectric operator to restore the historic Powerhouse building on the Fishkill Creek (Building 9) and re-use the original turbine resident in the Powerhouse to generate hydroelectric power from the waters of the Fishkill Creek.

Ownership

The site, excluding the construction of Buildings 6, 7, and 8 on the subdivided parcel, will be developed as a mixed-use condominium development. The condominium development will consist of the 7 artist live-work spaces (Buildings 2 & 4) (each owned as individual units), the hotel property comprising Buildings 1, 2, 3, and 5 (owned as a single unit), and the Powerhouse (Building 9) (owned as a single unit), for a total of 7 units. The Applicant will own and operate the hotel unit. The Powerhouse unit will be sold to Applicant's hydroelectric operator. The 5 artist live-work spaces will be sold to the general public on an individual basis.

Specifics regarding the condominium bylaws and other legal arrangements are currently under consideration, and will be finalized after Planning Board approval has been granted. Applicant has retained the law firm of Certilman Balin Adler & Hyman, LLP, to handle the formation of the condominium. The firm has experience in Beacon via its work on behalf of the Tallix development adjacent to Fishkill Avenue.

The Applicant has not made a final decision regarding the ownership structure of Buildings 6, 7 and 8. Units in these buildings may be rented as apartments or sold as condominiums, depending on market conditions.

Traffic Access

Access to the restaurant, hotel, spa and event space portions of the site would be via full movement entrances/exits on East Main Street and Leonard Street. Access to the site via the access drive on East Main Street will connect at a “T”-intersection to East Main Street east of the existing bridge structure in the vicinity of the existing driveway. It is proposed that this intersection be controlled by a “stop” sign. The sight distance looking left is available up to Leonard Street, while the sight distance looking right is somewhat controlled by the bridge abutment at the Fishkill Creek crossing. The driveway as proposed on the site plan has been located to the maximum sight distance.

Access to the hotel, spa, event space and artist live/work portions of the site on Leonard Street would be via a reconstruction of the existing driveway opposite Amity Street. Clearing of excess vegetation will be completed to ensure proper sight lines. In addition, it is proposed that new pavement markings including centerline striping and “stop” signs be installed at this intersection.

Access within the hotel, spa, event space and artist live/work portions of the site would be conducted via the internal site driveway.

~~Access to the future residential portion of the site (Buildings 6, 7, and 8) would be via two full movement entrances/exits on Leonard Street. The location of these driveways as proposed on the site plan maximize sight distances and the final design will ensure that any clearing or grading be completed to accommodate entering and exiting vehicles.~~

Parking

The project will provide a total of 283 parking spaces located in a number of lots on the site, as well as one remote lot for valet parking off Main Street near Herbert Street. Parking will be screened by landscaping and decorative wood fencing to mitigate views from the street and neighboring properties. The total required number of parking spaces is 282. Therefore 1 extra parking space is provided in addition to the required parking. The provision of sufficient on-site parking for the residents and users of the hospitality portion of the site ensures that on-street parking would continue to be available for patrons of Main Street businesses and neighboring residents. **The following table summarizes the parking requirements:**

Use & Parking Requirements	Area / Count	Proposed Parking Requirement
Hotel <i>1 space for each hotel room, plus 1 space for each employee, plus 1 space for each 50 square feet of floor area of restaurants, bars, and other public rooms, other than lobbies, devoted to patron use</i>	41 Rooms (14 in Roundhouse & 27 in Mill) + 8 employees	49
Restaurant in Hotel <i>1 space for every 50 square feet of floor area for patron use</i> <i>Note that the net area excluding kitchen, bar, toilets, and storage is 2,182 sf. Based on area, 44 parking spaces are required.</i>	2,182 sf	44
Private Dining (Place of Assembly) <i>1 space for each 4 seats, or in places without seats, 1 space for each 100 square feet of floor space used for public assembly</i>	48 seats	12
Event Space (Place of Assembly) <i>1 space for each 4 seats, or in places without seats, 1 space for each 100 square feet of floor space used for public assembly</i>	226 seats (57 spaces) 4,067 sf area (41 spaces) <i>Note that area does not include reception space, which is non-simultaneous occupancy</i>	57
Artist Live Work Space <i>1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live work space containing retail area</i>	(7) artist live/work spaces without retail area - 11 bedrooms total	10
Spa <i>Non-simultaneous accessory to hotel use</i>	3,015 gsf	0 (See Note 4)
Apartments 1 space per apartment + 1/4 space per bedroom	(78) apartments (40) 1 bedroom (38) 2 bedroom	107
Laundry / Utility 1 space per 1,000 sf	2,000 sf	2
Power House		1
Total Required Parking Spaces		282
Total Proposed Parking Spaces		283

In an effort to reduce the project's environmental impact on the Fishkill Creek, the Applicant has proposed landbanking 28 parking spots in the valet parking lot off Main Street near Herbert Street. This is authorized by the City's zoning law, which permits

landbanking of up to 10% (28 spots in this case) of a proposed project's parking spots. Since the valet lot will most likely only be used by valets parking cars at larger events held at the event space, it is the Applicant's belief that landbanking these 28 parking spots will not adversely impact the availability of parking on the site for hotel and restaurant patrons.

The landbanked spaces can be converted to paved parking spaces if required after a determination of the actual usage requirements by the Applicant or the Planning Board. Suitable agreements between the Applicant and the City, satisfactory to the Planning Board, will be provided to assure construction of the landbanked spaces should the Planning Board determine these spaces are necessary.

Hotel, Restaurant and Event Space Operations

The entire hotel premises (Buildings 2 and 3, and the hotel portion of Building 1) will be accessible to hotel guests 24 hours a day, 7 days a week, 365 days a year. Guest access to the hotel portion of the Roundhouse (Building 1) will be separated from access to the restaurant and will be via keycard. The Mill Building Hotel (Buildings 2 and 3) lobby will be staffed at all times, and all other entrances to the Mill Building Hotel will be accessible to guests via keycards. The restaurant in the Roundhouse (Building 1) will be open during standard restaurant operating hours, depending on market conditions. The Event Space building (Building 5) will be open only for events, with such events typically taking place on weekends and nights.

The Applicant intends to provide valet parking service for restaurant and hotel patrons as necessary given business conditions. Valet parking for events at the event space will be provided during those events. Valets will park patrons' cars in the valet parking lot off of Main Street near Herbert Street. Given the distance of the valet parking lot from the hotel, restaurant and event space, the Applicant intends to provide the valets with a car so they can travel from the valet lot back to the restaurant, hotel or event space to pick up patrons' cars.

Phasing

The project is composed of four phases. Phase I consists of site work and landscaping, demolition of the non-historic structures surrounding Buildings 4 and 5, and the restoration and development of the Event Space (Building 5) and Artist Live-Work Units (Building 4). The existing buildings on the subdivided parcel (proposed Lot 2) will also be demolished as part of this Phase. The proposed water and sewer mains will be installed up to the proposed property line adjacent to the Artist Live-Work Units. The water and sewer mains will be stubbed into proposed Lot 2 for future Phase IV. Water and sewer service stubs will be provided for the future Phase III Mill Building Hotel, (Buildings 2 and 3), and Powerhouse Building 9. All existing water and sewer service connections to Buildings 4 and 5 and existing buildings on Lot 2 will be disconnected from the municipal system and capped in place or removed.

Phase II consists of the restoration and development of the Roundhouse building (Building 1). The existing water main beneath the bridge over the Fishkill Creek will be repaired as part of this Phase. The existing sewer service connection to the Roundhouse will be disconnected and replaced. New water and sewer service connections will be provided to the building. It has not been determined at this time, but it is the Applicant's expectation, based on the hydroelectric operator's estimates of the length of the federal approval process, the restoration of the Powerhouse building (Building 9) will **begin as soon as approvals are granted**. New water and sewer service connections will be provided to the Powerhouse building during such restoration.

Phase III consists of the restoration and development of the Mill Building Hotel (Buildings 2 and 3). Water and sewer service connections will be connected to the buildings from the stubs provided during Phase I. **The Event Space Addition will be construction during this phase.**

Finally, Phase IV consists of the new construction of the Residential Buildings on the subdivided parcel (Buildings 6, 7, and 8). The water and sewer mains will be extended from the stubs provided as part of Phase I work to serve the new buildings. The water main will connect to the existing City water main located beneath Leonard St.

Landscaping

Landscaping on this project will fulfill several goals. First, it will improve the aesthetic experience of the site through the removal of dead, diseased, and invasive vegetation, as well as non-vegetative debris, and replacement with gardens, planted parking islands, and shade trees. Additionally, a combination of fencing and plant material (trees, shrubs, perennials, vines, and ornamental grasses) will be employed to create a visual buffer between the street and parking areas. Plantings will also be designed to soften buildings while framing and enhancing views of Fishkill Creek and Mount Beacon.

Second, the landscaping will help with the management of stormwater runoff through grading, hardscape and softscape (vegetation) elements that will serve to slow, detain, and filter surface runoff. Third, implementation of the proposed landscaping plan will result in restoration of a native riparian habitat through removal of non-native and invasive species and planting of native trees, shrubs, and herbaceous plants. Fourth, the landscaping will improve safety conditions along the banks of the Fishkill Creek through planting, where possible, of evergreen or dense deciduous shrubs, obviating the need for guardrail fencing along steep drop-off areas of the creek.

A certified arborist has identified all dead, diseased, hazardous, and non-native/invasive trees that can and should be removed. He has also identified trees that should, if possible, be retained and protected during construction. Due to the industrial history of the site, very few significant trees were identified. Trees to remain are shown on the site plan. It should be noted that while most trees along the banks of Fishkill Creek are proposed to remain, any trees to be removed will be cut close to the base, leaving the roots intact to maintain the integrity of the streambank.

Historic Preservation

As reflected in the site plan and architectural drawings submitted to the Planning Board, it is the Applicant's intention to restore the historic buildings to an appearance substantially similar to those buildings' actual historical appearance. As discussed above, the Applicant intends to construct the Powerhouse building and the new Residential Buildings in keeping with the historic appearance and character of the existing buildings on the site.

Storm Water

As site disturbance will exceed 1-acre, a full Storm Water Pollution Prevention Plan (SWPPP) will be prepared in order to obtain coverage under the New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit GP-0-08-001. The proposed disturbance area requires quality control of the storm water along with erosion and sediment control measures. Fishkill Creek bifurcates the two properties and runs in a south direction through the site. Fishkill Creek is classified as a fourth order stream; therefore, under the current permit, quantity control is not required and discharge directly to the creek without attenuation is permitted. Since the Creek has a substantial watershed, attenuating the site runoff and delaying the discharge to the Creek could actually exacerbate flooding problems within the watershed by discharging the site's runoff at a time closer to when the peak flow of the stream occurs. Since the site is very close to the bottom of the Fishkill Creek watershed, it would be beneficial to discharge the runoff as quickly as possible. This has been confirmed with a conversation with Pat Faracane of the NYSDEC. The permit does require qualitative treatment prior to discharge off site. Qualitative treatment will be established by providing a combination of storm water practices consisting of storm water infiltration basins, bioretention areas, and rain gardens. The use of these "best management practices" BMP's will ensure that the state standard goals are met.

Water Supply

At full build-out, the project is expected to require **25,952** gallons of water per day. Per conversations with the City of Beacon Water Superintendent, the anticipated increase in daily water demand is readily available. There is an existing 8" cast iron line connected to the City's 8" main in Leonard Street that feeds the existing buildings on the Leonard Street parcel. The 8" ductile iron line in Leonard St. was installed by the City in 2003. The Roundhouse building (Building 1) currently has no water service connection to the City's water main. There is a 12" cast iron water main that runs under the bridge over the Fishkill Creek, and dead ends at a hydrant on the opposite side of the street in front of the Roundhouse building. This line is currently shut off at a water valve on the east side of the bridge due to a leak that occurred under the bridge in the winter of 2005. Repairs or replacement to the water main beneath the bridge will be necessary to put this section of water main back into service.

A new 4" service line will be provided to the Roundhouse building and will connect to the repaired 12" main beneath East Main Street. New service lines will be provided to all of the buildings on the Leonard Street parcel via a new 8" ductile iron water main connected to the existing 8" ductile iron water main beneath Leonard St. All old service lines including the 8" cast iron service line will be capped at the street ROW and abandoned in place or removed. The new on-site 8" water main will also connect to the existing 8" main beneath East Main Street to form a looped connection to the municipal system. The 8" line beneath East Main Street was installed by the city in 1997.

The proposed water main is shown on the plans as a private main with meter pits at each connection to the city's municipal system. The main will be offered to the city once it is complete. If the city takes ownership of the water main, the meter pits will not be required; however, in either case, individual meters will be provided at all of the buildings. If the new main is to remain private, cross easements will be provided along the main throughout the site with legally binding maintenance agreements for the benefit of each parcel for repair work if necessary. If the main is to be taken over by the City, an easement will be provided along the main through the site for allowance of maintenance and repairs by the Beacon Water Department.

Flow and pressure tests have been conducted on existing hydrants at both proposed water main connections. Two hydrants were tested for flow while monitoring pressure losses at two other hydrants per test hydrant. Each hydrant was flowed at a rate in excess of 1,400 gallons per minute with average pressure losses of 15 psi during maximum flow, and static pressures of 80 to 90 psi. Exhibit B "Engineer's Report Sewage Disposal and Water Supply" describes the flow tests and water demand in greater detail.

Sewage Disposal

At full build-out, the project is expected to generate **25,952** gallons of wastewater per day. Per conversations with the City of Beacon Sewer Superintendent, the City's existing sewer infrastructure and sewer treatment plant have sufficient capacity to handle the anticipated increase in daily sewage load. An 8" sewer main will be installed on site to convey the sewage to the City's municipal main. Most of the site's sewer connections are old and experience infiltration and inflow (I&I) problems. Several of the existing building's roof drains are tied into the sewer service connections. During rain storms, the flow into the City's sewer mains increases dramatically, which is a common problem in cities with old buildings. The increase in flow adds unnecessary strain to the existing sewer mains and sewer plant. Therefore, new sewer service connections will be provided at all of the buildings and all existing service connections on site will be disconnected from the City's mains and capped in place or removed. In addition, all roof drains will be disconnected from the building sewer and re-directed to a storm water management system. This will eliminate (I&I) problems that currently occur on site; thus reducing I&I flow surges to the City's municipal system during rain storms. The new sewer main will connect to a manhole located on East Main Street. Sewage will be conveyed to the City owned sewer treatment plant which has a reported excess capacity of 3 million

gallons per day. The sewer main will be offered to the City of Beacon. If the new main is to remain private, cross easements will be provided along the main throughout the site with legally binding maintenance agreements for the benefit of each parcel for repair work if necessary. If the main is to be taken over by the City, an easement will be provided along the main through the site for allowance of maintenance and repairs by the Beacon Sewer Department.

Braendly Fishkill Dam

The Braendly Fishkill Dam is a masonry dam located on the 2 East Main Street parcel. The Dam is registered with the New York State Department of Environmental Conservation (NYSDEC) as a Class B Dam (Intermediate Hazard), subject to regulation by the NYSDEC.

The Applicant's intention is to own and maintain the Dam per NYSDEC regulations, which require the following:

- Submit an Annual Certification to NYSDEC;
- Develop and submit to NYSDEC an Emergency Action Plan (EAP) by August 19, 2011 and submit annual updates to NYSDEC thereafter;
- Develop and implement an Inspection and Maintenance Plan by August 19, 2010;
- Have an Engineering Assessment (EA) conducted by a Professional Engineer and submit the Report to NYSDEC every 10 years with the first EA for a Class B dam due by August 19, 2015;
- Have a Safety Inspection conducted by a Professional Engineer on a regular schedule as defined in the Inspection and Maintenance Plan.

The Dam was last inspected by the NYSDEC on June 28, 2007. The inspector found no structural deficiencies, and no further action was required.

With regard to future inspections and maintenance, the Applicant's hydroelectric operator partner is required, prior to submission of an application as part of the hydroelectric licensing process with the Federal Energy Regulatory Commission (FERC), to have a complete Engineering Assessment performed. Additionally, as part of the hydroelectric licensing process, the NYSDEC will be notified of the Applicant's project plans at which point it can require, among other things, additional inspections. As the Applicant's hydroelectric operator partner intends to submit its application to FERC in September 2010, the Applicant anticipates a complete Engineering Assessment on the dam to be completed this summer. Once the hydroelectric power portion of the project receives approval, FERC will conduct inspections of the dam every two years.

In the event the hydroelectric power portion of this project does not move forward, the Applicant will have a Safety Inspection performed before the end of the year and will conduct future inspections and maintenance of the dam as required by NYSDEC regulations.

Summary

Once completed, the project will add approximately 85 housing units, 41 hotel rooms, an 80-seat restaurant and a 226-seat event catering space to the Main Street corridor, and serve as an anchor for the east end of downtown Beacon. Given the paucity of hotel lodging within the City limits, and based on a feasibility study developed for the Applicant by HVS, a well-respected hospitality consultant, the Applicant expects operation of the hotel, spa, restaurant and event space to be a successful business enterprise that will help revitalize the east end of the downtown area by encouraging new visitors to Beacon, and allowing those who already visit to stay overnight. While the proposed project would generate some additional level of demand for community services, the City of Beacon Police Department and Fire Department have determined that the project will not create a significant increased demand for their services. Further, it is estimated that the additional tax and other revenues generated by the proposed project will more than offset the cost to the City. A Fiscal Impact Study prepared by Saccardi & Schiff, Inc., and attached as Exhibit C, determined that this project will have a significant net positive fiscal impact on the City of Beacon and on other local service and taxing jurisdictions. In addition to generating an annual surplus of revenue over cost to the City of between \$63,918 and \$150,018 and between \$190,489 and \$331,764 to the Beacon CSD when completed, the project will generate one-time, non-property tax revenues of \$653,717 for the City over the next 4 years.

Further, the project is net revenue positive to the City across all four phases, generating between \$10,809 and \$14,733 in net revenue for the City and \$29,422 for the Beacon CSD in Phase I, between \$17,798 and \$19,490 in net revenue for the City and \$43,696 for the Beacon CSD in Phase II, between \$17,829 and \$20,085 in net revenue for the City and \$46,398 for the Beacon CSD in Phase III, between \$16,738 and \$94,590 in net revenue for the City and between \$67,717 and \$208,992 for the Beacon CSD in Phase IV, and between \$744 and \$1,120 in net revenue for the City and \$3,256 for the Beacon CSD once the Powerhouse (Building 9) is completed. Further, once the Powerhouse has been reactivated, it will be assessed by the State and generate additional tax revenues at little or no additional cost to the City.

Besides the foregoing direct fiscal impacts, the study determined that the project will create approximately 139 jobs during construction, resulting in 135 person years of employment, almost \$10,000,000 in total employee compensation in New York State (125 person years and \$9,000,000, respectively, in Dutchess County alone) and nearly \$1,000,000 in non-property tax revenue. When completed, the project will contribute 35 permanent jobs to the local economy.

Additionally, development of the site is entirely consistent with multiple objectives of the City's Comprehensive Plan, as follows:

- Recommendation to encourage green building and develop sources of renewable energy in Beacon (specifically hydroelectric power from the Fishkill Creek).
- Recommendation to preserve and restore historic property.
- Recommendation to encourage development with a mix of uses in the former industrial sites along the Fishkill Creek and recommendation for green building.
- Recommendation to cultivate the growing artistic community.
- The Plan sets a goal of having 100,000 Sq. Ft. of improved floor area along Fishkill Creek by 2012. This project would ultimately contribute approximately 110,000 square feet of improved floor area.

Finally, the project will serve to restore an important and historic site that has been neglected for decades, before the buildings are beyond repair and are lost forever.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

The project is an Unlisted Action under SEQRA regulations. At the Planning Board meeting on February 9, 2010, the Planning Board declared its intent to assume lead agency status and directed the circulation of the Part 1 Environmental Assessment Form (EAF) and supporting documentation to the appropriate agencies in order to obtain their consent to the Planning Board's designation as lead agency. Circulation of the EAF materials for designation of lead agency status occurred on March 10, 2010.

Assuming that no objection to the Planning Board being designated as lead agency is raised, and the Planning Board is designated lead agency, the following approvals are required for the project:

- City Planning Board:
 - Special Use Permit Recommendation
 - Site Plan Approval, including Architectural Review Board Certificate of Appropriateness
 - Subdivision Approval
- City Zoning Board of Appeals:
 - Variance Approval
- City Council
 - Special Use Permits
- City Building Department:
 - Building Permit
- County Health Department:
 - Sewage Disposal and Water Supply
- New York State Department of Environmental Conservation:
 - SPDES Storm Water Permit
- U.S. Army Core of Engineers
 - Storm Water Outfalls Permit
 - Dewatering and Cofferdam Permit
- Federal Energy Regulatory Commission
 - Order Granting Exemption from Licensing of a Small Hydroelectric Project of 5 Megawatts or Less

Pursuant to SEQRA, the EAF is required to assess the relative significance of potential environmental effects attributable to a project. Part 1 of the EAF provides numerical and other basic data to establish the potential environmental impacts of the project. Part 2 of the EAF is a checklist used by the Lead Agency to review the information submitted by

the Applicant in Part 1. Part 3 of the EAF contains a detailed evaluation of the importance and severity of the impacts identified in Parts 1 and 2, and includes information on how such impacts can be mitigated.

PLANNING BOARD REPORT UNDER BEACON CODE SECTION 223-18(C)

In conjunction with its Site Plan review, Section 223-18(C) requires the Applicant to submit a plan for the proposed development showing the location of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, topography, type and location of exterior lighting, drainage improvements, special features and any other pertinent information, including information about neighboring properties.

As shown on the submitted site plans and discussed in the attached EAF Parts 1, 2, 3, as well as this document, adequate provisions for all of the requirements of Section 223-18(C) have been provided. The Applicant will continue to clarify these items in conjunction with its discussions with the Planning Board during the course of the approval process.

SPECIAL USE PERMIT REVIEW

With regard to its Special Use Permit review, Section 223-18(B) of the City Code requires the Planning Board to submit a report to the City Council authorizing site plan approval and the issuance of a special use permit if it finds that the following conditions and standards have been met:

- The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located;
- The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the appropriate development use of adjacent land and buildings;
- Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristic than would be the operations of any permitted use, not requiring a special permit; and
- Parking areas will be of adequate size for the particular use and properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.

The Applicant submits that the project as currently designed meets the criteria of Section 223-18(B) for the following reasons:

1. The arrangement of site improvements, landscaping, site lighting, site ingress and egress, adaptive re-use of existing buildings, and the architecture of proposed new construction ensure that the project will *“be in harmony with the appropriate and orderly development of the district in which it is located”*. The proposed uses are consistent with a number of goals outlined in the Beacon Master Plan, and the essential character of the neighborhood would not be impacted by the project, and will indeed be enhanced by the proposed improvements.
2. The proposed improvements to the buildings and landscaping are consistent with the surrounding neighborhood and *“are such that the use will not hinder or discourage the appropriate development use of adjacent land and buildings”*. The development of this project will strengthen the character of the existing neighborhoods and provide additional customers for Main Street businesses.
3. The operations of the Hotel, Event Space, Artist Live/Work Spaces, and the residential development, which require special use permits, *“will not be more objectionable to nearby properties than would be the operations of any permitted use, not requiring a special permit”*. The Hotel is a quiet use, similar to residential. The Event Space is similar to a restaurant use, and its operations will be conducted primarily indoors. The Event Space is contained in a solid brick building, and measures will be taken in the renovation of the building to ensure that acoustic privacy is maintained. The Artist Live/Work Spaces are residential in nature, and according to the Beacon Zoning Code, the tenants must be artists whose endeavors are quiet. The residential development is in harmony with the multi-family residential uses on Main Street and in the surrounding neighborhood.
4. Parking is of adequate size for each of the proposed uses, and will be suitably screened from adjoining residential uses by landscaping and fencing.