

# EXHIBIT A



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August 28, 2018

**VIA HAND DELIVERY**  
**AND E-MAIL**

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

Re: Application For Variance Relief to Construct Multi-Family Residential Apartments  
Property: 53 Eliza Street, Beacon, New York (Tax ID: 130200-6054-29-031870)

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

On behalf of PIE Development Company, Inc., (the "Applicant"), the owner of the above-referenced Property, we respectfully submit this application for a use variance to permit the Applicant to replace the existing legal non-conforming commercial buildings and operations on the residentially zoned Property with multi-family apartments consisting of nine (9) total units in buildings that have been architecturally designed to more closely resemble the neighborhood.

The ZBA is familiar with the continuing Renaissance in the City of Beacon. The City is becoming increasingly desirable as a residential community. The Applicant's proposed use of this Property is more compatible with surrounding land uses than the uses permitted under existing zoning.

The Property is zoned in the R1-5 district and surrounded by residential uses. *See Exhibit A.*<sup>1</sup> The Property, however, was previously zoned in the OB commercial district, and has been occupied for decades by non-conforming commercial and office buildings and related uses, including an autobody shop and the presently permitted existing legal non-conforming office, storage and contractor's yard.

The Applicant is now seeking to adaptively reuse the Property and change its use to one of less nonconformity and in a manner consistent with the area's existing residential zoning and multi-family character of adjacent properties. Indeed, the existing character of the neighborhood, in addition to the Property's unique size and existing commercial use make it particularly appropriate to accommodate this nine (9) unit multi-family development.

<sup>1</sup> Note: The Property was formerly zoned commercial (OB). Once rezoned to residential, the northeast portion of the Property was also located in the adjacent RD-5 zoning district. *See Exhibit A.*



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As is more fully detailed herein and shown in the enclosed site plans and financial analysis, the purpose of this letter is to set forth the technical proof required for the requested use variance.

**THE VARIANCE RELIEF FOR NINE (9) RESIDENTIAL APARTMENT UNITS REPLACING THE EXISTING NON-CONFORMING COMMERCIAL BUILDINGS & USES ON THE PROPERTY**

This Application is somewhat unusual because it seeks to use the Property for a residential purpose that is less intense and onerous than existing and non-conforming uses. This is unlike situations where applicants seek variances to permit the use of their land in a more intense way than zoning permits (for example, seeking to operate a commercial office with storage for a contractor in a residential zone). The Applicant here is seeking to do the opposite. The proposal will replace the existing commercial use with a residential use, bringing the Property further into conformity with surrounding uses, development patterns and the intent of residential zoning.

The Applicant met with the Building Inspector and was advised that a use variance would be required from the ZBA to authorize this nine (9)-unit market-rate apartment proposal, which will be distributed in three (3) total buildings located generally in place of existing commercial development on the Property. It is worth noting that while multi-family apartments are not expressly permitted in the underlying R1-5 District, other residential uses, such as single-family residences are permitted. Multi-family uses also exist and are permitted on properties in multi-family districts that abut the Property.<sup>2</sup> Notwithstanding these facts, the Applicant investigated the use of the Property for single-family residences and found that single-family uses on this Property are not viable, or appropriate, particularly given its unique position in the neighborhood and for the following reasons:

1. The Property, which is comprised of approximately .69 acres (30,307 sq. ft. +/-) of land, is a very large lot in the R1-5 District, which imposes a minimum lot size of 5,000 square feet. The properties that surround the Property, which comprise Eliza Street, North Chestnut Street, Oak Street and Fishkill Avenue are primarily developed by uses that *are not* permitted in the R1-5 District, including townhouses developments, two-family developments, multi-family apartment uses (similar to the Applicant's proposal) and other commercial uses. See **Exhibit A** – Images of Property and Surrounding Properties.
2. A small portion of the Property was zoned RD-5 multi-family residential until recently (2018). The Property also abuts the northern property line of the very-high density three

<sup>2</sup> Note: Multiple dwellings are permitted by Special Permit in RD and RMF Zoning Districts in the City.



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- (3)-story 31 Hamilton Fish Plaza Beacon Housing Authority development (70+/- apartment units). And the northeast corner of the Property abuts the Beacon 195 Rental Apartment building with eight (8)+/- apartment units in three (3) stories. *See Exhibit A.* The proposed multi-family use consisting of only nine (9) units is a use that would provide more support for the revitalization along Eliza Street and surrounding the former Beacon High School. The increased revitalization of Eliza Street and the surrounding community continues to discourage commercial and single-family residential uses, as exemplified by the apartment buildings and townhouse developments in proximity to the Property.
3. A Use Variance was recently granted by this Board for a similarly situated existing nonconforming commercial property also located in the R1-5 Zoning District at 123 Rombout Avenue. The 123 Rombout property is similarly adjacent to an existing multi-family and townhome uses and was formerly occupied by a commercial lumber storage yard. The 123 Rombout Avenue development was granted a Use Variance for ten (10) residential multi-family apartment units on April 18, 2017.
  4. Existing commercial buildings on the Property have been there for many decades. Proposing single-family homes on three (3) subdivided lots – the maximum subdivision density – would be more visible to adjacent property owners, would arguably be more a more intense and impactful use and will not provide a reasonable return under the zoning. *See Exhibit B – Financial Analysis & Maximum 3-Lot Subdivision Layout.*
  5. The Property is presently used for storage of contractor equipment and vehicles with a commercial office building that fronts on Eliza Street. *See Exhibit C.* The location of the proposed residential buildings are designed to be more consistent with the adjacent residential development and will involve landscaping to screen and beautify the property.
  6. Modern planning principles encourage density to preserve open space, and the proposed use will generally provide less intense residential use of the Property by clustering the number of units and bedrooms that could be distributed in three (3) single-family residences located on subdivided lots, which single-family development is not economically viable on the Property. *See Exhibit B.*
  7. The City's 2017 Comprehensive Plan Update included the goal of "[e]ncourag[ing] housing development at relatively greater densities within and adjacent to the central business district... [and] to encourage residential development of... underutilized industrial sites..." (pg. 23) [emphasis added].<sup>3</sup> The Comprehensive Plan also notes that in preparing the plan "[m]any agreed that housing density on and near Main Street should be increased,

<sup>3</sup> CITY OF BEACON, 2017 COMPREHENSIVE PLAN UPDATE, at 23, *available at*: [http://cityofbeacon.org/pdf/Beacon\\_Comprehensive\\_Plan\\_Final-040417.pdf](http://cityofbeacon.org/pdf/Beacon_Comprehensive_Plan_Final-040417.pdf).



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particularly in the area between Elm and Teller; [and that] participants felt that more people living in the vicinity of Main Street would help ensure the economic vitality of Main Street” (page 51).<sup>4</sup>

For all these reasons and the details to be discussed herein, the existing commercial buildings have very limited viability for the permitted uses under zoning, particularly considering the existing development of the Property and its location and position within the neighborhood.

#### **THE PROJECT WARRANTS THE ISSUANCE OF THE NECESSARY VARIANCE RELIEF**

The Applicant is seeking to create a building that respects history while bringing the Property’s use further into conformity with surrounding properties and residential development. The following discussion supports this objective and the Board issuing the requested variance relief.<sup>5</sup>

**1. The Applicant cannot realize a reasonable return under the existing zoning. This proof is demonstrated by competent financial evidence.**

The existing zoning permits very few uses by right, including: residential uses, detached single-family dwellings not to include house trailer; buildings, structures and uses owned by the City of Beacon; Churches or other places of worship; public schools; parks and farms.

Enclosed as **Exhibit B**, is a copy of a Financial Analysis of the proposed development on the Property, prepared by Prepared by McAlpine Construction Co., Inc., and Gate House Realty, who is very familiar with the marketing of residential properties in the City of Beacon. The Financial Analysis explains why none of the permitted uses could result in a reasonable return on the Property. Indeed, the Financial Analysis confirms that subdividing the very large lot into two (2) and even three (3) lots, and improving each with single-family detached houses for rental and for sale development will result in significant losses in either scenario. Further, if the property was rented and operated as an existing nonconforming commercial use, it would also operate at a loss.

Considering the other uses in the District, uses by the City of Beacon are not-for-profit uses. Churches are similarly not-for-profit uses and any such use requiring intensive public assembly

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<sup>4</sup> CITY OF BEACON, 2017 COMPREHENSIVE PLAN UPDATE, at 51, *available at*: [http://cityofbeacon.org/pdf/Beacon Comprehensive Plan Final-040417.pdf](http://cityofbeacon.org/pdf/Beacon%20Comprehensive%20Plan%20Final-040417.pdf).

<sup>5</sup> The highest court in NYS upheld a ZBA action granting a use variance to allow general multi-family use in a light industrial zone, where the only residential use permitted by zoning was for artists’ live-work. Soho Alliance v. NYC Board of Standards and Appeals, 95 NY2d 437, affirming 264 AD2d 59 (1st Dept. 2000).



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confronts severe parking and access constraints that make the present building configuration impractical and would be inconsistent with the surrounding neighborhood. The Property is located only a few hundred feet from the former City of Beacon High School, and the Property is severely undersized for a public school. A park is a not-for-profit use, and the proposal clusters the development area. The Property is too small for a farm to be an economically viable use. Additionally, uses by special permit include public library and art galleries; horticultural nursery; private school; firehouse or headquarters of volunteer fire or ambulance organization; and club.<sup>6</sup>

Use of the Property for nine (9) apartment units is unique. The proposal involves the demolition and adaptive reuse of the existing commercial structures to make them into a residential use that is more consistent with the surrounding properties and those properties located in the District. The Applicant believes that the proposed use of the Property will benefit the community, considering the City's potential growth and the need for additional rental units. The 2017 Comprehensive Plan Update restated the City's goal of "[e]ncourag[ing] housing development at relatively greater densities within and adjacent to the central business district... [and] to encourage residential development of... underutilized industrial sites..." (pg. 23) [emphasis added].<sup>7</sup> The 2017 Plan also notes that in preparing the plan "[m]any agreed that housing density on and near Main Street should be increased, particularly in the area between Elm and Teller; [and that] participants felt that more people living in the vicinity of Main Street would help ensure the economic vitality of Main Street" (page 51).<sup>8</sup> The Property is indeed located a few hundred feet from Main Street, between Teller Avenue and Elm Street. If the Zoning Board grants the requested variance, the residential project will be more inclusive and comply with the City's goals for development in the vicinity of Main Street.

The Financial Analysis concludes that none of the permitted uses under zoning would provide a reasonable return. It also concludes that the use of the Property for residential use, as proposed, is the only viable use, and that the number of units requested, nine (9) units, is the minimum variance that would provide a reasonable return.

## **2. The alleged hardship relating to the Property is unique and does not apply to**

<sup>6</sup> Technically, analysis of allowable special permit uses is not required in proving that a reasonable return cannot be realized from any of the uses permitted in the zone. *Muller v. Williams*, 88 AD2d 725 (3d Dept. 1982). Notwithstanding, such uses are no more viable for this Property than the uses permitted by right.

<sup>7</sup> CITY OF BEACON, 2017 COMPREHENSIVE PLAN UPDATE, at 23, *available at*: [http://cityofbeacon.org/pdf/Beacon\\_Comprehensive\\_Plan\\_Final-040417.pdf](http://cityofbeacon.org/pdf/Beacon_Comprehensive_Plan_Final-040417.pdf).

<sup>8</sup> CITY OF BEACON, 2017 COMPREHENSIVE PLAN UPDATE, at 51, *available at*: [http://cityofbeacon.org/pdf/Beacon\\_Comprehensive\\_Plan\\_Final-040417.pdf](http://cityofbeacon.org/pdf/Beacon_Comprehensive_Plan_Final-040417.pdf).



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**a substantial portion of the district or neighborhood.**

This Property presents a unique situation because of its large lot size, existing buildings, and its pre-existing non-conforming commercial use. Its shape is also unique, which lends to the difficulty of developing the Property. This situation does not generally exist elsewhere in the district or neighborhood. It is fortunate that with this project the buildings can be demolished and the Property revitalized to serve a use that is compatible with surrounding residential area.

It should also be noted that the concept of “uniqueness” does not require property which is the subject of a use variance application to be the only property which suffers from the particular hardship. [See McKinney’s Practice Commentaries to Town Law 267-b)]. The uniqueness can depend on the degree to which a more generalized difficulty affects the subject Property. For example, in Rothenberg v. Board of Zoning Appeals, 232 AD2d 568 (2d Dept 1996), the Court upheld a use variance for a commercial use in a residential zone, even though other properties in the area shared some of the difficulties. The Court found that the subject site still possessed the required “uniqueness” of hardship, because it was the only undeveloped parcel located on a major intersection. In Supkis v. Town of Sand Lake Zoning Board of Appeals, 227 AD2d 779 (3d Dept. 1996), the Court found the required “uniqueness” in the “cumulative negative factors” of proximity to an undesirable land use, poor soil, and extensive costs of removal of storage tanks. Though some other properties possessed some of these factors, only the applicant’s property possessed the combination of factors in this degree.

Here, the high-density development surrounding the Property, accessed off of Eliza Street, together with the pre-existing non-conforming commercial use of the lot, render the hardship on this Property unique.

**3. The requested use variance, if granted, will not alter the essential character of the neighborhood.**

The granting of this use variance will not change the essential character of the neighborhood. The existing building is immediately adjacent to and abutting a seventy (70)-unit multi-story apartment building to the south, as well as an eight (8)-unit multi-story apartment use immediately adjacent to and abutting the Property to the north. The Property is only a few hundred feet from Main Street and the former Beacon High School, and adjacent to many other multi-family apartment developments and townhomes. See **Exhibit A**. The proposed buildings will make the Property appear part of the local landscape. The Applicant plans to locate the proposed buildings generally in the place of the former commercial buildings at the street



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frontage and to the rear of the Property, and featuring residential elements with similar architectural style and materials to properties in the neighborhood. The project will significantly improve the appearance of the entire Property. See enclosed Site Plans, dated August 28, 2018, including elevations and renderings.

Additionally, the use of the property for a nine (9) apartments will be more compatible with the surrounding zone than the existing commercial use is or would be. The residential use will be compatible with residential uses adjacent to the property and on Eliza Street and Fishkill Avenue.

If this variance is granted, the development of the Property will still also be subject to a thorough review and approval of the Planning Board during site plan review, and the Architectural Review Committee. This will be further assurance of compatibility with the existing neighborhood.

**4. The alleged hardship has not been self-created.**

The hardship has not been self-created. The hardship exists because the neighborhood has changed greatly since the original commercial zoning classification on the Property; because commercial uses are drawn to Main Street in the City of Beacon; because the existing buildings and the existing lot are very large; and because the zoning is simply no longer congruent with neighboring land uses and the City's own future plans for its development.

**5. This is the smallest possible variance that will overcome the economic difficulties, and preserves protects the character of the neighborhood.**

In addition to the four (4) criteria discussed above, NY General City Law Section 81-b(3)(c) requires that a Zoning Board should assure itself that it is granting the minimum variance necessary to address the hardship. Submitted with the application is a Financial Report from McAlpine Construction Co., Inc., and Gate House Realty, which establishes that the requested variance, to allow nine (9) apartments in place of the existing commercial structures, is the smallest number of units that would support the investment of demolishing the existing building fronting on Eliza Street, rehabilitating the building in the rear of the Property and improving the site. The Financial Analysis shows that the minimum required is a nine (9)-unit apartment building. In the context of the size and scale of the existing buildings, and the undisputed proof of economic costs of development inherent in restoring this commercial site with residential units meeting contemporary building codes, the Zoning Board is justified in determining that the variance seeking approval of the proposed nine (9)-units is the smallest possible variance that will overcome the economic difficulties.



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**6. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.**

It is respectfully submitted that the requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. In addition, the requested relief will not adversely impact the environment. The relief requested constitutes an Unlisted Action, for Uncoordinated Review pursuant to the State Environmental Quality Review Act ("SEQRA"). A Full Environmental Assessment Form ("EAF") is enclosed as **Exhibit D**.

As noted above, the proposed residential multi-family units are consistent with the existing character of the residential development abutting the Property. The proposed residential use will be a less intense use than the existing commercial use, and will have no adverse effects of noise, vibrations, odor, traffic, or impact on public services. Accordingly, the proposed redevelopment of the Property for a residential use consisting of nine (9) units, will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

**SUMMARY:**

For all the foregoing reasons, the Applicant respectfully submits that, under the test provided by the law, the issuance of the use variance is justified. The Applicant respectfully submits that there is no harm to the community that weighs against the benefit to the Applicant, and that the proposed variance is the minimum variance that meets the Applicant's needs and at the same time fully protects the character of the neighborhood and the health, safety and welfare of the community. We look forward to appearing before this Board on September 18<sup>th</sup> for the Public Hearing regarding this Application for a Use Variance.

To facilitate review of this Application, we respectfully submit a check payable to the City of Beacon of \$500.00, representing the ZBA Variance Application filing fee, together with seven (7) sets of the instant letter and the following documentation:<sup>9</sup>

- Exhibit A:** Images of the Property and Surrounding Properties and Zoning Map Excerpts;
- Exhibit B:** Financial Analysis of the Proposed Development on the Property, Prepared by McAlpine Construction Co., Inc., and Gate House Realty, Including the 3-Lot Maximum Subdivision Alternative;
- Exhibit C:** Building Department Existing Use Determination, dated August 26, 1999;

<sup>9</sup> A CD-ROM containing the enclosures referenced herein is also enclosed.



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**Exhibit D:** Full Environmental Assessment Form; and

**Exhibit E:** Zoning Board of Appeals Application Form.

In further support of this Application, we respectfully submit site plans and renderings entitled "Site Plan Application – 53 Eliza Street", prepared by Aryeh Siegel, Architect, and Hudson Land Design Professional Engineering, P.C., dated August 28, 2018, numbered and titled as follows:

- Sheet 1 of 5 – Site Plan;
- Sheet 2 of 5 – Existing Conditions & Demolition Plan
- Sheet 3 of 5 – Elevations;
- Sheet 4 of 5 – Grading and Utility Plan; and
- Sheet 5 of 5 – Erosion and Sediment Control Plan.

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,



Taylor M. Palmer

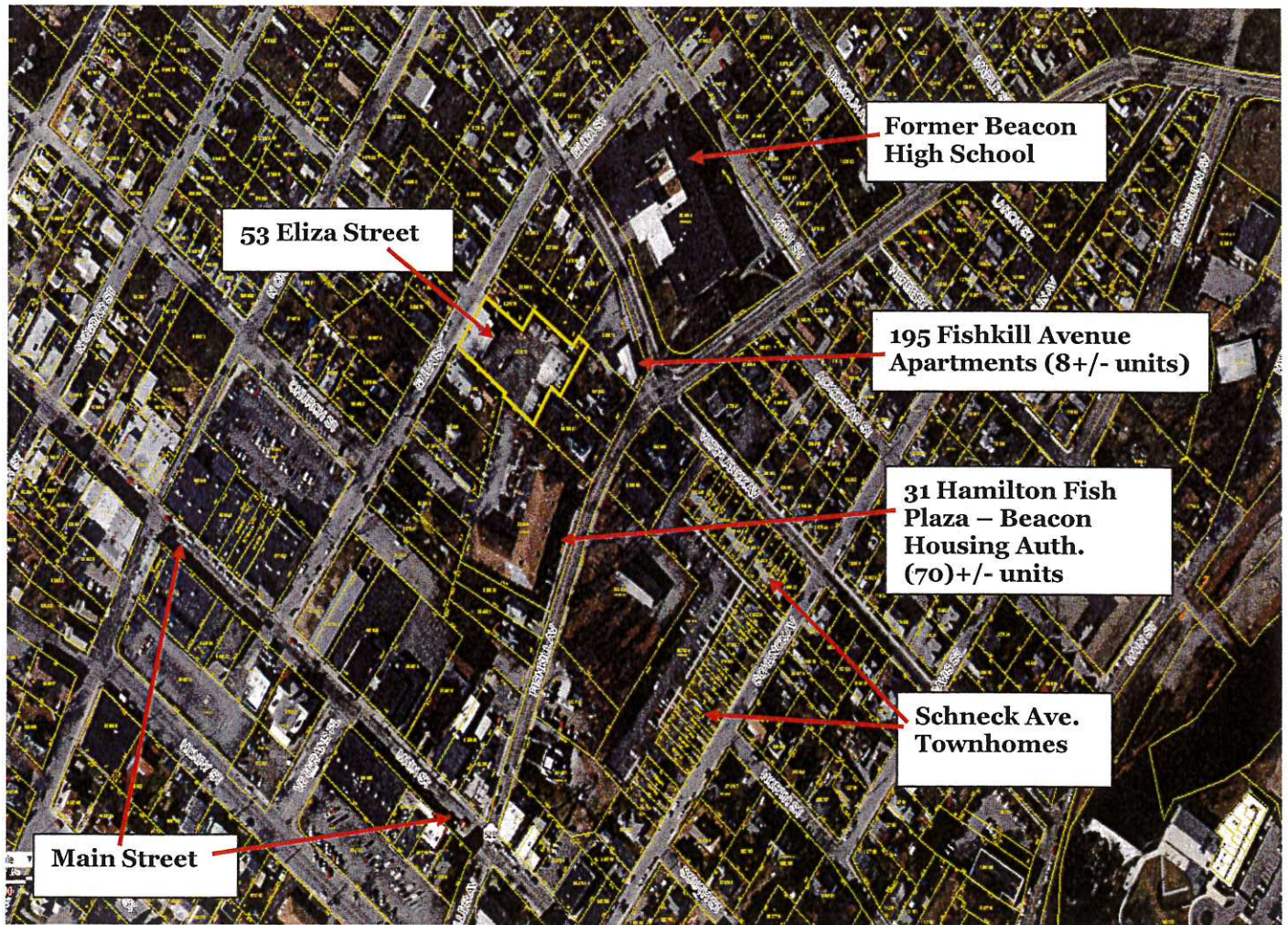
Enclosures;

Cc: Lt. Timothy P. Dexter, Building Inspector (1 full hard copy)  
Drew V. Gamils, Esq.  
Aryeh J. Seigel Architect  
Michael A. Bodendorf, P.E. – Hudson Land Design Professional Engineering, P.C.  
PIE Development Company, Inc.

# EXHIBIT A

**Exhibit A - Images of the Premises:**

**TAX PARCEL VIEWER:**



**Exhibit A - Images of the Premises (Cont.):**

**TAX PARCEL VIEWER:**



**Exhibit A (Cont.) - Images of the Premises:**

**GOOGLE MAPS AERIAL OF SURROUNDING AREA:**



**Exhibit A (Cont.) - Images of the Premises:**

**GOOGLE MAPS AERIAL OF SURROUNDING AREA:**



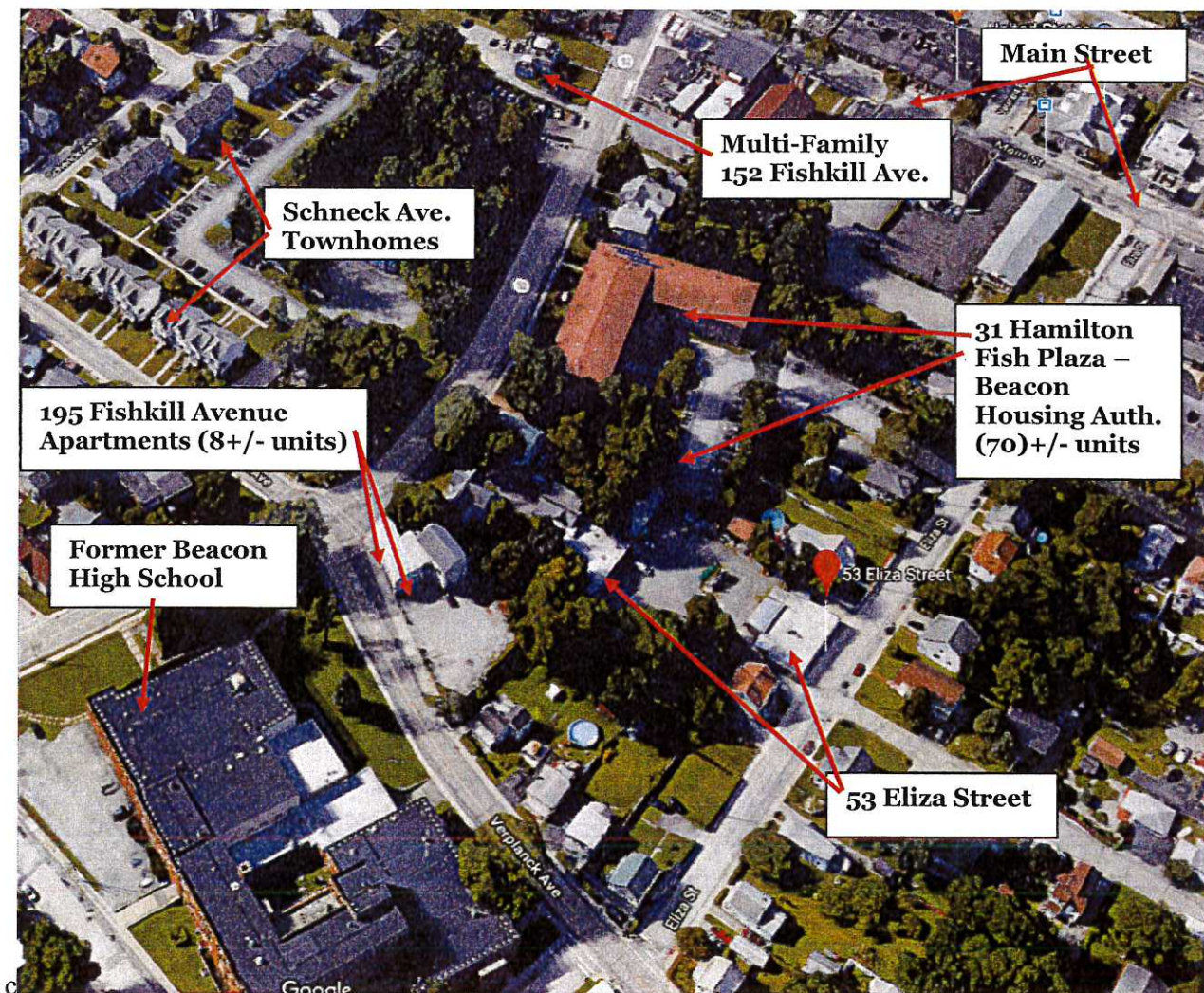
**Exhibit A (Cont.) - Images of the Premises:**

**GOOGLE MAP AERIAL IMAGE – EAST ORIENTATION:**



**Exhibit A (Cont.) - Images of the Premises:**

**GOOGLE MAP IMAGE – SOUTH ORIENTATION:**



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**Exhibit A (Cont.) - Images of the Premises:**

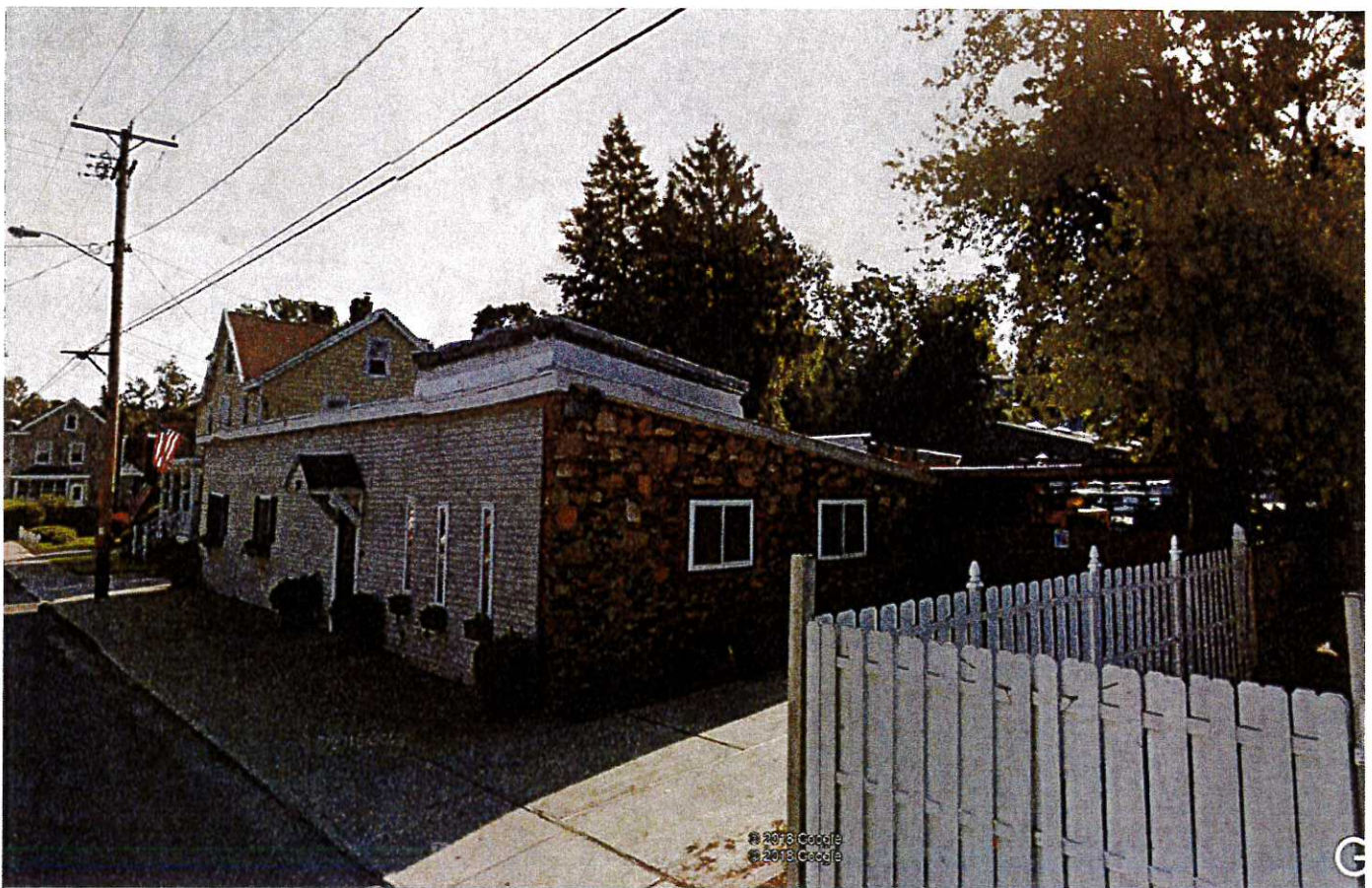
**GOOGLE MAP IMAGE – EAST ORIENTATION:**



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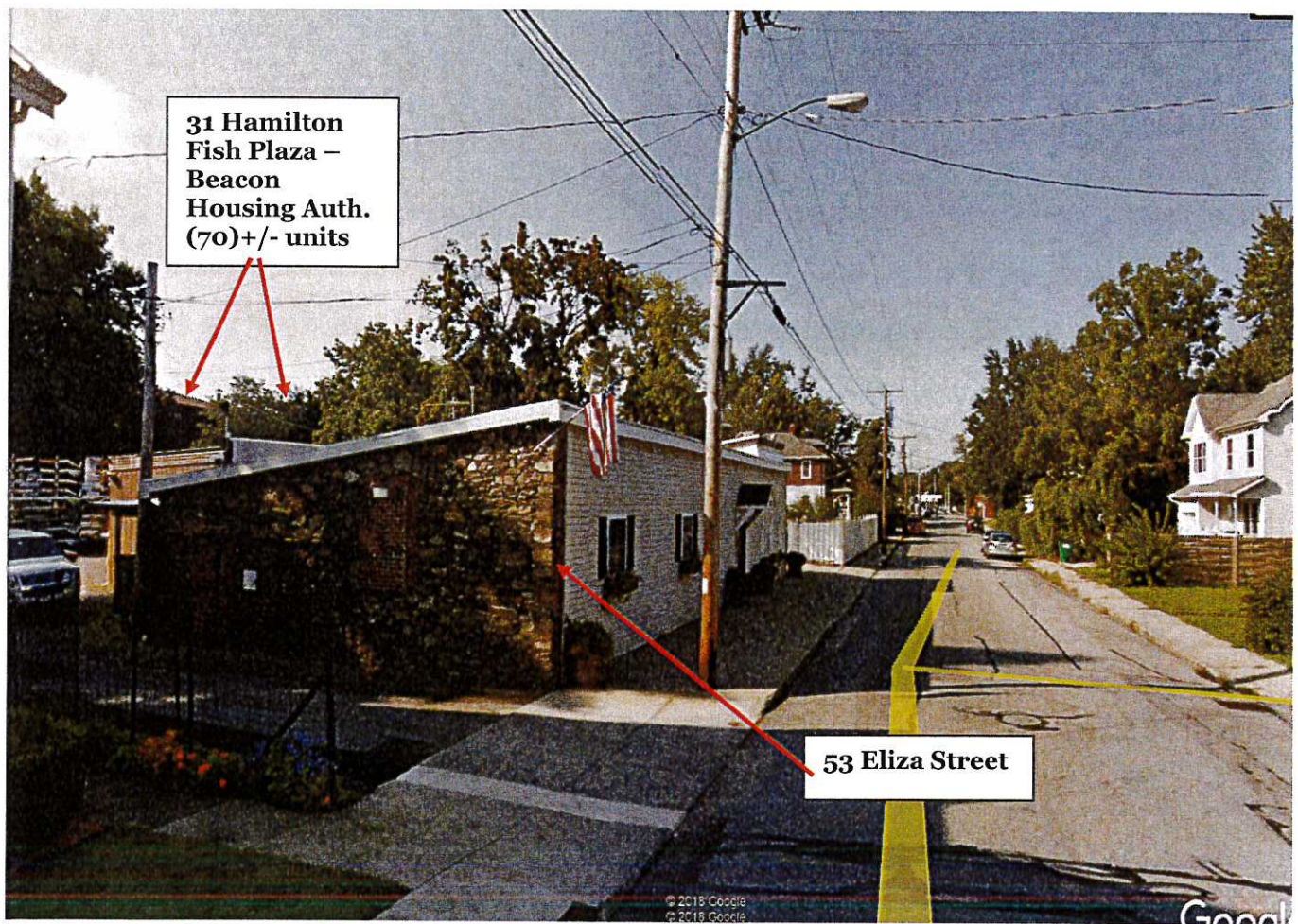
**Exhibit A (Cont.) - Images of the Premises:**

**GOOGLE MAP IMAGE – STREET VIEW – NORTHEAST ORIENTATION:**



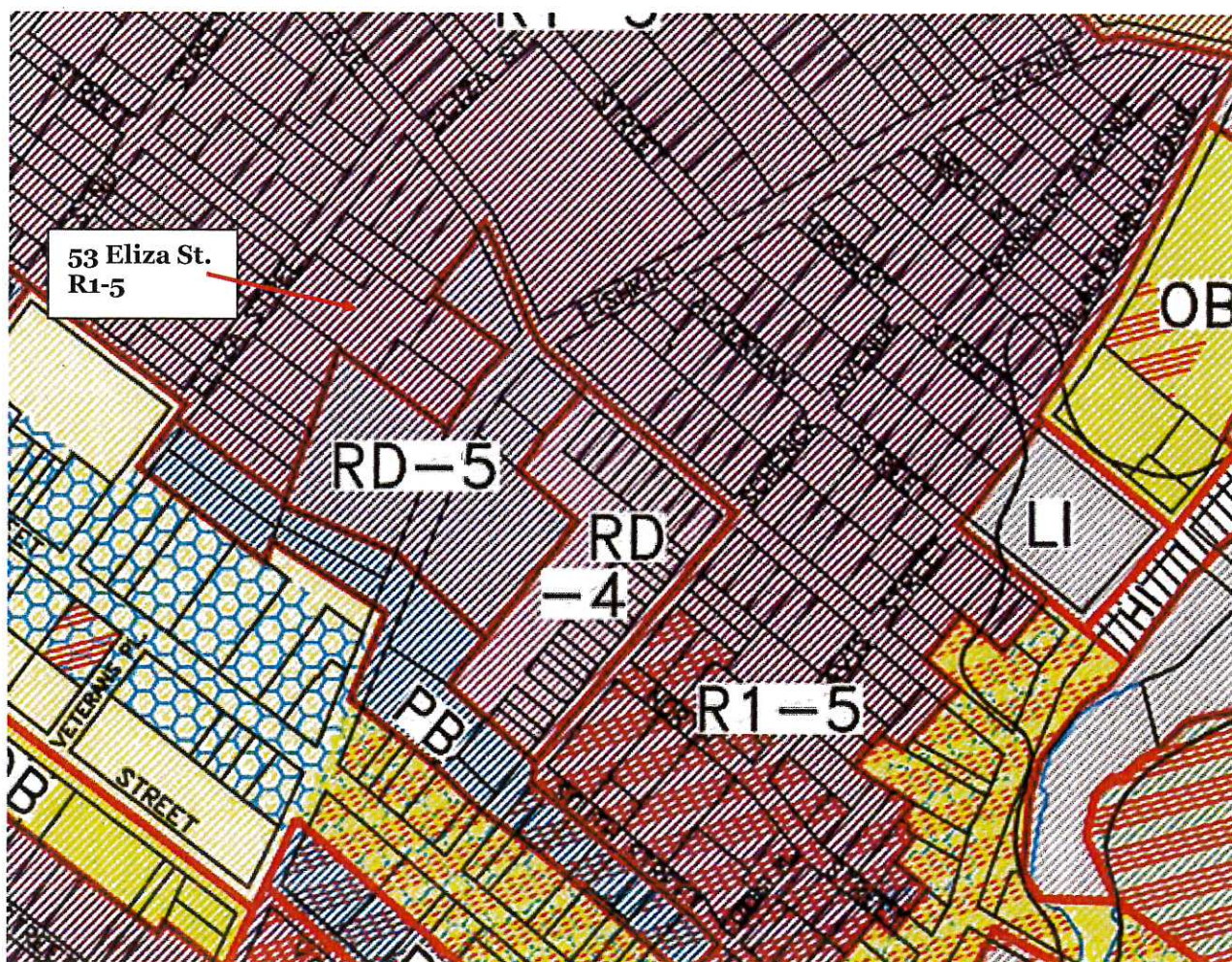
**Exhibit A (Cont.) - Images of the Premises:**

**GOOGLE MAP IMAGE – STREET VIEW – SOUTHEAST ORIENTATION:**



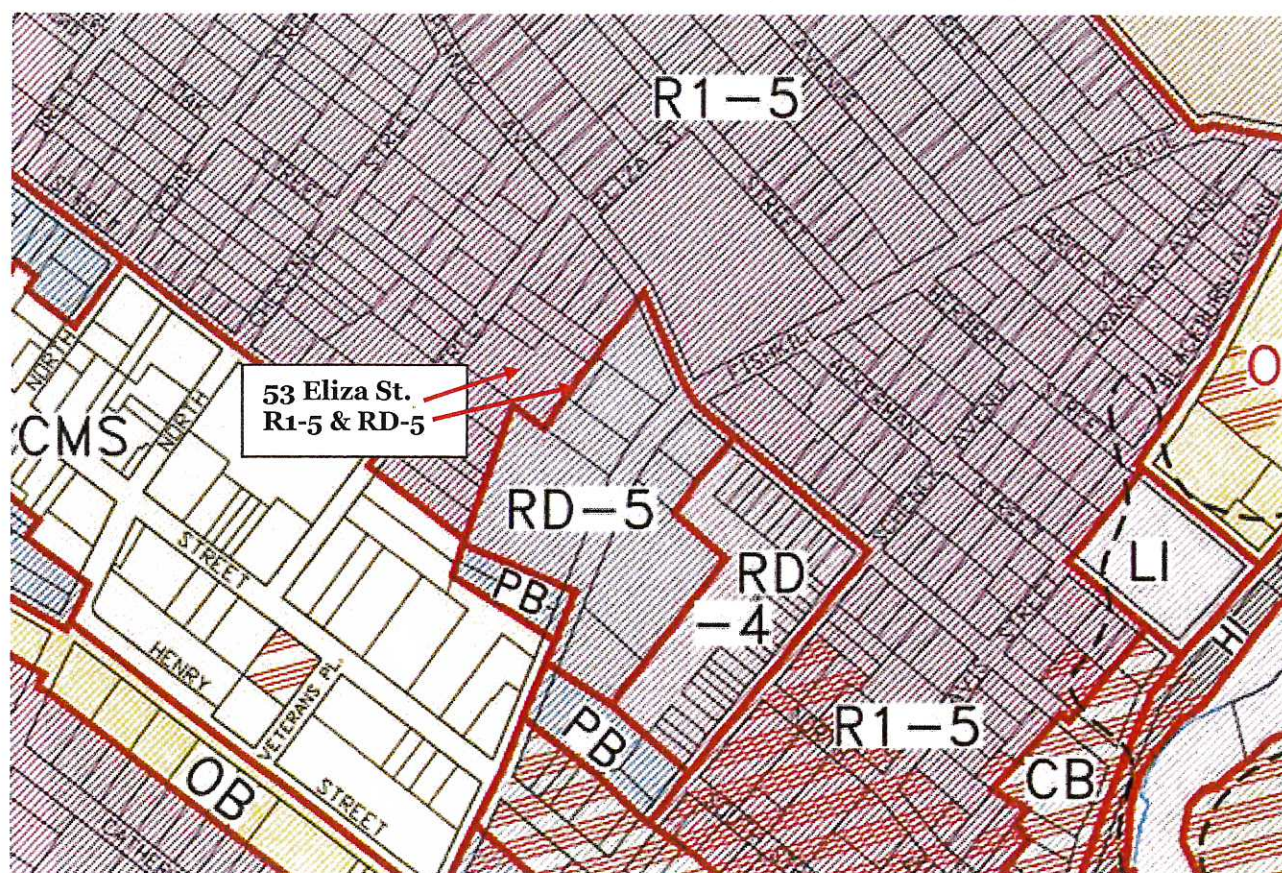
**Exhibit A (Cont.) - Images of the Premises:**

**EXCERPT OF BEACON ZONING MAP – JUNE 6, 2018 – ZONED R1-5, ABUTTING RD-5:**



**Exhibit A (Cont.) - Images of the Premises:**

**EXCERPT OF BEACON ZONING MAP – OCTOBER 4, 2017 – ZONED R1-5 & RD-5:**



**Exhibit A (Cont.) - Images of the Premises:**

**EXCERPT OF BEACON ZONING MAP – REVISED TO APRIL 21, 2014 – ZONED R1-5 & RD-5:**



# EXHIBIT B

August 28, 2018

McAlpine Construction Co., Inc.  
217 Main Street  
Beacon, NY 12508

Attention: Edward Pietrowski

**Project:**  
**53 Eliza Street**  
**Beacon, NY 12508**

Dear Sir:

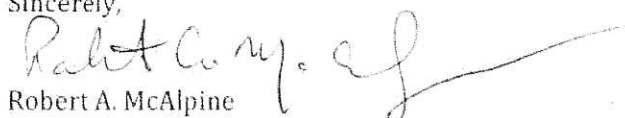
McAlpine Construction is pleased to present the attached cost analysis for the above referenced project. As you know, McAlpine Construction has been a family owned and operated business for over forty years, with projects including multi-family homes, healthcare facilities and hotels.

Most recently, in Beacon, we have completed the restoration of the Roundhouse property, 1 East Main, the Beacon theater conversion as well as the new construction of the 78 unit apartment complex know as the Lofts at Beacon Falls. Your proposed project is the combination of renovation of an existing building and new construction of attached housing.

In consultation with Gatehouse Realty (letter attached), and information provided by architect, Aryeh Siegel and engineers at Hudson Land Design, we have developed the attached cost analysis for three different scenarios for the property.

Please let me know if you have any questions or if I may be of further help.

Sincerely,

  
Robert A. McAlpine

Gate House Realty  
492 Main St.  
Beacon, NY 12508

City of Beacon ZBA  
1 Municipal Plaza  
Beacon, NY 12508

Date: 8/28/18

Reference: 53 Eliza St., Beacon, NY

Dear Board Members,

I am a real estate professional who has been renting and selling residential and commercial property in Beacon for over the last 20 consecutive years. I started my company, Gate House Realty, in 2001 and I am immersed in the trends and dealings of real estate in Beacon just about every day.

The current use at 53 Eliza St. is non-conforming and seemingly out of place for the surrounding neighborhood.

As a construction yard, office and warehouse, this site does not fit among the residential housing around it. The streets are narrow and are not conducive to large, noisy utility trucks traveling in and out of a residential area.

It is my professional opinion that this street and neighborhood would have more harmony if this site was converted to a more suitable residential development.

This central city residential area, has mainly moderate sized residences on small city lots located within blocks of Main St. It would seem out of place to build large single family homes here and the market would not support this type of product in this particular location.

Houses and attached residences on the surrounding streets sell in the range of mid \$200,000 to \$400,000s and are about 1500 to 1900 sqft. In my opinion, the best use for this site would be a complex of reasonably sized residences that celebrate the existing historic building along with complimenting new construction.

In order for this type of conversion to be viable, multiple family units would need to be developed to keep the prices and sizes marketable for the neighborhood. The increased density walking distance to Main St., would also presumably help the local businesses. This would not only be a huge improvement for the site but also for the City of Beacon.

Thank you for your time.

Charlotte Guernsey  
Owner/Broker of Gate House Realty

53 Eliza Street  
3 Single Family Homes

August 28, 2018

<u>House</u>	<u>Sq. Ft.</u>	<u>Bldg. Cost @ \$125 sq. ft.</u>	<u>Land Cost @ \$300k</u>	<u>Sale Price</u>
1	2500	312,500	300,000	\$575,000
2	2500	312,500	300,000	\$575,000
3	2500	312,500	300,000	\$575,000
<b>Total Sq. Ft.</b>		<b>Bldg. Cost (\$125/sq. ft.)</b>	<b>Total Land Cost</b>	<b>Total Bldg. &amp; Land Cost</b>
7500		\$937,500	\$900,000	\$1,837,500
<b>Site Cost</b>				\$250,000
<b>Soft Cost</b>				\$417,500
Financing @ 5% of Cost				
A/E Fees @ 3% of cost				
CM Fee @ 6% of cost				
Broker Commission @ 6% of sale price				
<b>Total Cost</b>				<b>\$2,505,000</b>
<b>Sale Price</b>				<b>\$1,725,000</b>
<b>Total Loss</b>				<b>(\$780,000)</b>

53 Eliza Street  
6 Condominium Units

August 28, 2018

<u>Unit</u>	<u>Sq. Ft.</u>	<u>Bldg. Cost @ \$125 sq. ft.</u>	<u>Land Cost @ \$150k</u>	<u>Sale Price @ \$270 sq. ft.</u>
1	1650	\$206,250	\$150,000	\$440,500
2	1600	\$200,000	\$150,000	\$432,000
3	1872	\$234,000	\$150,000	\$505,440
4	1872	\$234,400	\$150,000	\$505,440
5	1872	\$234,400	\$150,000	\$505,440
6	1872	\$234,400	\$150,000	\$505,440

<b>Total Sq. Ft.</b>	<b>Bldg. Cost (\$125/sq.ft.)</b>	<b>Land Cost</b>	<b>Total Bldg. &amp; Land Cost</b>
10,738	\$1,342,250	\$900,000	\$2,242,250

**Site Cost** \$500,000

**Soft Cost** \$548,450

Financing @ 5% of Cost

A/E Fees @ 3% of cost

CM Fee @ 6% of cost

Broker Commission @ 6% of sale price

**Total Cost** \$3,290,700

**Sale Price** \$2,899,260

**Total Loss** (\$391,440)

53 Eliza Street, Beacon NY  
9 Condominium Units

August 28, 2018

<u>Unit</u>	<u>Sq. Ft.</u>	<u>Bldg. Cost @ \$125 sq. ft.</u>	<u>Land Cost @ \$100k</u>	<u>Sale Price @ \$270 sq. ft.</u>
1	1650	\$206,250	\$100,000	\$440,500
2	1600	\$200,000	\$100,000	\$432,000
3	1872	\$234,000	\$100,000	\$505,440
4	1872	\$234,000	\$100,000	\$505,440
5	1872	\$234,000	\$100,000	\$505,440
6	1872	\$234,000	\$100,000	\$505,440
7	1800	\$225,000	\$100,000	\$486,000
8	2300	\$287,500	\$100,000	\$621,000
9	1800	\$225,000	\$100,000	\$486,000
<b>Total Sq. Ft.</b> 16,638 sq. ft.		<b>Bldg. Cost (\$125/sq. ft)</b> \$2,079,750	<b>Land Cost</b> \$900,000	<b>Total Bldg. &amp; Land Cost</b> \$2,979,750 (\$125/sq. ft.)

**Site Cost** \$500,000

**Soft Cost** \$595,950

Financing @ 5% of Cost

A/E Fees @ 3% of cost

CM Fee @ 6% of cost

Broker Commission @ 6% of sale price

**Total Cost** \$4,075,700

**Sale Price** \$4,492,260

**Profit (@\$270 sq. ft.)** \$416,560

53 Eliza Street  
Beacon, NY  
Site Work

August 28, 2018

**Site Work @ 15,000 sq. ft.**

• Demolition of existing structures	\$20,000
• Grading/ Drainage / Utilities	\$150,000
• Pavers @ \$20	\$200,000
• Curbs / Walks	\$25,000
• Landscaping	\$50,000
• Lighting	\$15,000
• Fencing	\$10,000
• Trash Enclosure	\$10,000
• Paving	\$25,000

<b>Total:</b>	<b>\$500,000</b>
---------------	------------------

6 Front Street  
Newburgh, New York  
12550

Tel. 845-568-0600

Fax. 845-568-0699



July 5, 2018

Mr. Ed Pietrowski  
P&D Electric of Hudson Valley Inc  
53 Eliza Street  
Beacon, New York 12508

RE: RESTRICTED APPRAISAL OF PROPERTY - Our File E806059  
ED PIETROWSKI  
OFFICE/WAREHOUSE BUILDINGS  
53 ELIZA STREET DUTCHESS COUNTY  
BEACON, NEW YORK

Dear Mr. Pietrowski:

Pursuant to your request and in accordance with the instructions set forth in the engagement letter, we are pleased to submit the accompanying Restricted Appraisal Report on the above captioned property. A restricted appraisal is a brief summary of the appraiser's findings and may not be understood properly without additional information retained in the appraiser's workfile.

The subject is an owner-occupied, ±3,400 SF office building and a ±3,500 SF warehouse building on a single, ±0.70 acre lot.

The value opinion reported below is qualified by certain assumptions, limiting conditions, certifications, and definitions, which are set forth in the report. This report was prepared for Ed Pietrowski, the client, and it is intended only for their specified use. The property was inspected by and this report was prepared by Gregory R. Langer. This appraisal report was prepared in accordance with our interpretation of USPAP, FDIC, OCC and FIRREA Appraisal Policies and Guidelines. Ms. Regina Martinez assisted in this assignment.

After careful consideration we have concluded the Fee Simple Market Value of the subject property "as is," in accordance with its highest and best use including land and improvements as of June 27, 2018 to be:

NINE HUNDRED THOUSAND DOLLARS  
(\$900,000)

Thank you for asking us to serve you in this matter.

Respectfully submitted,


  
GREGORY R. LANGER

VALUATION CONSULTANTS, INC.

### CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved in this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics of the Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- Gregory R. Langer has made a personal inspection of the property that is the subject of this report.
- No one provided significant appraisal, appraisal review, or appraisal consulting assistance to the person signing this certification, other than Regina N. Martinez.
- We have not provided any appraisal or consulting services nor any other services with regard to the property, such as property management, leasing, brokerage, auction, or investment advisory services in the past three years.
- As of the date of this report, Gregory R. Langer is a Practicing Affiliate of the Appraisal Institute and is current in his continuing education cycle requirements.

  
GREGORY R. LANGER

Certified General Appraiser #46000043405

VALUATION CONSULTANTS, INC.

#### DESCRIPTION OF THE RESTRICTED APPRAISAL PROCESS

Scope of the Assignment: The subject property consists of an owner-occupied, 1-story office building & 1-story warehouse building known as P&D Electric, Inc., and located at 53 Eliza Street, Beacon, New York.

The subject property was inspected on June 27, 2018, with Ed Pietrowski, owner of the property. All areas were available to the appraiser and were inspected.

The intended use of the report is for internal management purposes with Ed Pietrowski, the intended user. The type and definition of value of the report is to determine the Fee Simple Market Value of the subject property.

The type of report requested was a Restricted Appraisal. **A restricted appraisal is limited to use by only the client, and the rationale for how the appraiser arrived at the opinions and conclusions set forth in the report may not be understood properly without additional information in the appraiser's workfile.** As per prior agreement with the client, only the Sales Comparison Approach was utilized as being most applicable. The Income Approach is less reliable as it is owner occupied. The Cost Approach was not considered applicable based on the age of the structure.

To complete this report, the appraiser:

- A. Investigated appropriate market data for utilization of the Sales Comparison Approach to value, including researching available public records, commercial data sources, computerized databases, brokers, multiple listing services, and municipal records. Efforts were made to verify data with persons directly involved in the transactions; at the appraiser's discretion some data may be used without personal verification. The appraiser may also consider appropriate listings or properties found through observation during the data collection process. Only data deemed to be pertinent to the valuation problem was reported;
- B. Investigated and analyzed pertinent easements or restrictions on the fee simple ownership of the subject property. No title report was available and the appraiser relied on a visual inspection to identify any readily apparent easements or restrictions;
- C. Analyzed the data and reached conclusions regarding the market value as defined in the report of the subject property as of the date of value using the appropriate valuation approach(es) identified above;
- D. Completed the appraisal report in compliance with the appraiser's interpretation of the *Uniform Standards of Professional Appraisal Practice* as promulgated by The Appraisal Foundation and the Code of Professional Ethics and Certification Standard of the Appraisal Institute;
- E. Prepared a restricted appraisal report including a brief summary of the appraiser's findings. Pertinent data and analyses not included in the report may be retained in appraiser's files.

**History of the Property:** According to property records, the subject property has been held under the current title since 1999 and has not sold in the past three years. The subject property is not known to be listed for sale at this time.

**Exposure Time:** The exposure time or the length of time the subject being appraised would have been offered on the market prior to the appraisal date is twelve months. The subject is situated in an accessible residential area with adequate visibility. Sales of similar properties have sold within a one to two year period. The exposure time is estimated at twelve months.

**Marketing Time:** The marketing time is also twelve months. The market slowed after 2007 but appears to have stabilized, and for the same reasons as the exposure time, this property would be expected to sell within twelve months after the appraisal date.

#### DEFINITIONS

The following definitions are from *The Dictionary of Real Estate Appraisal, Sixth Edition*, published by the Appraisal Institute in 2015, unless otherwise noted.

**Market Value:** Market Value as defined by the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA) and FDIC Rules and Regulations Part 323-Appraisal {(2-28-03 p.2239)}, Section 323.2(g).

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- i. buyer and seller are typically motivated;
- ii. both parties are well informed or well advised, and acting in what they consider their best interests;
- iii. a reasonable time is allowed for exposure in the open market;
- iv. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- v. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

**Fee Simple Estate:** Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

**Value As Is** The estimate of the market value of real property in its current physical condition, use and zoning as of the appraisal date. (*Proposed Interagency Appraisal & Evaluation Guidelines, OCC-4810-33-P 20*)

**Subject Property:** The property that is appraised in an assignment.

#### DESCRIPTION OF THE PROPERTY

VALUATION CONSULTANTS, INC.

The subject property is located on the east side of Eliza Street, at the easterly terminus of Oak Street across from the intersection of Oak and Eliza Streets in the City of Beacon, County of Dutchess, State of New York. It can further be identified as Tax Map Section 6054, Block 29, Lot 031870 in the records of the City of Beacon.

The title of ownership is held by Pie Development Co., Inc., Deed Liber 2027, Page 6, recorded April 13, 1999. The address of the property is 53 Eliza Street, Beacon, New York 12508. The Census Tract Number is 2102.00.

The final 2018 assessment data is as follows:

Land	\$ 25,000
Building	\$508,500
Total	\$533,500

The final 2018 equalization rate for the City of Beacon is 100%, which equates the assessment to a market value of \$533,500. This is less than our value of the property, and is somewhat typical of this municipality. If the property were to be reassessed, the assessment could be increased. Assessments are based upon a valuation date from the previous July for most municipalities.

Beacon School 2017/2018	\$11,377.73
City, Town, County 2018	\$ 8,764.20
Total	\$20,141.93

#### Neighborhood

The subject is situated in a residential neighborhood between busy Main Street and highly traveled Verplank Avenue, in the City of Beacon. The land around the subject is perhaps 100% improved, with the improvements consisting primarily of single family homes and parks.

North of the subject is Beacon High School, Rombout Middle School and Memorial Park; to the south along Main Street is the central business district and there is minimal street parking along Eliza Street.

Beacon has undergone a revival of sorts in the last several years, with existing property owners upgrading their spaces and newer tenants renovating mixed-use space along Main Street and bringing in coffee shops, eateries, bars, breweries, art galleries and office spaces. Some key influences are the Dia museum, The Town Crier music venue, the restaurant and hotel called Roundhouse, Dennings Point Distillery, and Ellas Bellas gluten free bakery. The Hudson Valley Brewery opened in the fall of 2017 at 7 East Main Street. On the corner of Eliza Street and Main Street is a recently completed four story mixed use building now available for rent. There is a boutique hotel on Main Street, in the Banks Square section of the city and The Beacon Hotel

is now open at the east end of Main Street near the Beacon Theater. The Beacon Theater Apartment complex is currently under construction and partially finished; with approximately half of its apartments rented. There are numerous housing projects planned and/or under construction in Beacon including The Beacon Lofts and Weber Projects III LLC. The Beacon Lofts is a ±100 unit artist live/work complex off of Fishkill Avenue in Beacon. Weber Projects III LLC has finalized construction of six loft units in an old Mill building; and a second apartment complex with Weber Projects III LLC is under construction with a 60 unit condominium complex on the corner of Churchill Street and Creek Drive in Beacon along the Fishkill Creek. A three building apartment complex along Leonard Street near the Roundhouse along Fishkill Creek has completed its construction as of late 2017 and is at full occupancy. There is a 60 unit apartment complex currently under construction near the train station on Beekman Street.

The subject is situated within the Beacon School District.

According to the 2017 Census Bureau estimates, the population of the City of Beacon was 14,289, which is a 2.2% decrease from the 2010 census. Although there has been a large arrival of new residents from Brooklyn predominately, a growing population of Beaconites have been forced to move due to a major increase in cost of living.

Home sales in the City of Beacon have been steady in volume and rising in value. According to the *Mid-Hudson MLS*, there were 26 sales of single family houses in the first quarter of this year with a median price of \$340,045. This is a 8% increase in volume from 24 sales to 26 sales and a 22% increase in value compared to the same point the previous year.

The biggest influence in this neighborhood will be the consistent influx of new Beaconites from the Burroughs of New York, thus contributing to the housing market and consumerism; vacant land for the construction of multi-family properties and parking is also in high demand and influential. The Beacon train station is also highly influential within the city considering many residents are commuters into the boroughs.

Eliza Street is a paved, two lane street that travels north past the subject and provides easy access to more major highways via Verplank Avenue west to Route 9D and State Route 52 to the east; Interstate 84 is northwest from Route 9D. Eliza Street provides adequate access to the subject property.

#### Market Overview

Market research reveals that the subject is located just north of Main Street in the City of Beacon in a good neighborhood for residential development due to the close relation to Main Street and its proximity to Beacon High School and Rombout Middle School; Verplank Avenue is also a central route for the school bus system. The neighborhood consists of older single family home and some community buildings such as social clubs, churches and a small strip retail center. There is good demand for renovated apartment units and single family homes in Beacon, according to some local Realtors and Marko Guzijan, a Beacon developer there are several rentals with waiting lists in Beacon at the moment.

According to CoStar a comprehensive real estate data base, in the City of Beacon approximately 95% of the rental units are occupied. The vacancy rate has remained between 1-4% for the past five years. As per the 2015 Dutchess County Rental Survey, the rental market remains stable, while the sales market has improved slightly.

#### Land

The subject parcel totals  $\pm 0.70$  acres, according to the deed, which lists the lot square footage as 30,304 square feet. The assessor's maps indicate a measurement of  $\pm 0.58$  acres; we will rely on the measurements from the deed. No survey or site plan was provided to us.

The site has  $\pm 108'$  of frontage along the east side of Eliza Street, providing for adequate ingress and egress via two curb cuts situated north and south of the main structure. The shape of the lot is irregular, but does not appear to adversely affect development. The lot is situated at street grade. The topography is generally level and there do not appear to be any easements or rights-of-way that adversely effect the property or the value.

Electricity, natural gas and municipal water and sewer are available and connected to the site.

The subject is not situated within a flood plain, as verified by the FEMA Flood Insurance Rate Map for the City of Beacon, Community Number 360217, Panel 0464E, dated May 2, 2012.

#### Improvements

As the date of appraisal, structural improvements on the subject property consisted of an owner-occupied, 1-story,  $\pm 3,420$  square foot office building and a 1-story,  $\pm 3,500$  square foot warehouse building situated on a  $\pm 0.70$  acre, residentially zoned site.

The office building is situated at the front (west) portion of the lot

and contains four offices, a conference room, two restrooms, a kitchen and an open work area. All are of good quality with exposed stone walls. There is also storage areas at the rear of the building accessible via 3 roll-up doors.

The warehouse building is situated at the rear (east) portion of the site and sits 3½' above grade. It lies approximately 120' east/northeast of the office building. It is sectioned off into two areas, with the larger area situated to the north. To the left (north) of this building is a concrete ramp that provides access to the northern side of the building.

The subject property was constructed circa 1930 and is currently being utilized as the offices of an electrical contractor specializing in medium to large scale projects.

Construction details of the improvements are as follows:

<b>Foundation:</b>	Poured concrete, both buildings.
<b>Basement:</b>	Neither structure contains a basement.
<b>Framing:</b>	Stone walls with heavy wood frame columns and joists.
<b>Exterior Walls:</b>	Both buildings are finished with stone and masonry walls. The office building is also finished with new hardy siding.
<b>Roof/Roofing:</b>	<b>Office Building:</b> Pitched, with a layered, rubberized roof finished with a silver, water resistant sealant. <b>Commercial Building:</b> Gabled, with what appears to be weathered, gray asphalt shingle tiles.
<b>Windows:</b>	<b>Office Building:</b> Vinyl frame, replacement windows. <b>Commercial Building:</b> Metal frame, single pane windows.
<b>Ceilings:</b>	<b>Office Building:</b> Acoustic fiber tile ceilings throughout. Portions of the ceiling display sections of the original wood frame joists. <b>Commercial Building:</b> Open ceilings with exposed, wood frame joists, and approximately 8 skylights.
<b>Interior Walls:</b>	<b>Office Building:</b> Painted sheetrock throughout most of the interiors. Portions of the northern and southern offices contain the original stone walls. <b>Commercial Building:</b> Mostly stone with portions comprised of red brick.
<b>Floors:</b>	<b>Office Building:</b> Commercial grade carpet throughout most of the interior with bare concrete floors in the storage areas. <b>Commercial Building:</b> Bare concrete floors.
<b>Kitchen:</b>	<b>Main Building:</b> Vinyl tile floors, painted sheetrock walls and acoustic fiber tile ceilings. Formica cabinets and counter tops with one sink.

**Bathrooms:** **Office Building:** One men's and one ladies room is situated along the northern portion of the building. Finishes consist of vinyl tile flooring, painted sheetrock walls and acoustic fiber tile ceilings.  
**Commercial Building:** One restroom with two fixtures. Finishes consist of painted plaster walls and ceiling.

**Plumbing:** A mixture of copper, cast iron and PVC plumbing in both buildings, all of which appear in good condition.

**HVAC:** **Office Building:** One gas-fired boiler provides heat to baseboard components. One roof-mounted, central air conditioner provides chilled air via ceiling vents.  
**Commercial Building:** One gas-fired boiler provides warm air to the building via ceiling mounted vents and overhead radiant heat.

**Meters:** Each building is individually metered for gas. There is one electric meter.

**Electrical:** The buildings are serviced by a 150 amp electrical feed.

**Lighting:** Fluorescent lighting fixtures throughout, some higher end reflective units as well.

**Entrances:** **Office Building:** This building contains one main entrance situated along the Eliza Street frontage and one situated near the northeast corner of the structure in the yard area. Three 8' x 8' roll-up doors provide access to the equipment storage areas at the rear.  
**Warehouse Building:** There is one wood frame, employee entrance located along the western facade and atop a wood frame staircase. To the left of this entrance is an 8' wide, 10' high loading dock entrance and the right, an 8' x 8' loading dock entrance. Situated along the northern facade is a ground level, 8' x 8' roll-up door entrance.

#### Building Layout

**Office Building:** Offices, mechanicals, storage, restrooms.  
**Commercial Building:** Supplies, tools, mechanicals, storage.

#### Allocations of Units/Area (SF)

**Gross SF:** ±6,920 square feet.  
**Main Building:** ±3,420 square feet.  
**Commercial Building:** ±3,500 square feet.  
**Rentable Floor Area:** ±6,920 square feet.

#### Condition and Remaining Economic Life:

Based upon our inspection, it is our opinion that the improvements in

the main building are in very good condition with an effective age of 5 years and a remaining life of 40 years. The improvements in the warehouse building are in average condition with an effective age of 10 years and a remaining life of 30 years.

The subject property layout appears functional for its use as an office/warehouse complex, although typically they are attached. The configuration of the improvements on the site is otherwise typical for this use.

#### Site Improvements

The site includes macadam topped parking for ±2 cars along the south side of the office building. There is painted wood picket fencing in this area separating it from the rear yard.

Gravel topped driveways and parking areas make up the rest of the areas between the two buildings. There is chain link fencing along the north and east boundaries; wood picket fencing separates the subject from the properties to the south. There are two, 15' wide x 20' deep, open face sheds adjacent to the commercial building along it's southern facade. There is also a similar type shed situated along the northern boundary of the site. These sheds are constructed of metal pole columns with wood clappard walls and asphalt shingle roofs. The site is also improved with concrete municipal sidewalks and lighting.

#### Zoning and Highest & Best Use

The subject property is situated within an R1-5 zoning district. The subject property appears to be a non-conforming use that does not meet minimal allowable used but predates the current zoning and is therefore allowed to continue.

The current Highest & Best Use of the property is to continue the use as an office and warehouse building.

The typical user of such a property is an owner. The most likely buyer of the property would be a user.

However, the trend has been for properties of this type to be redeveloped into apartments or condominiums. If approvals from the City of Beacon can be obtained for a multi-unit redevelopment of the property that would be considered idea given the location of the subject.

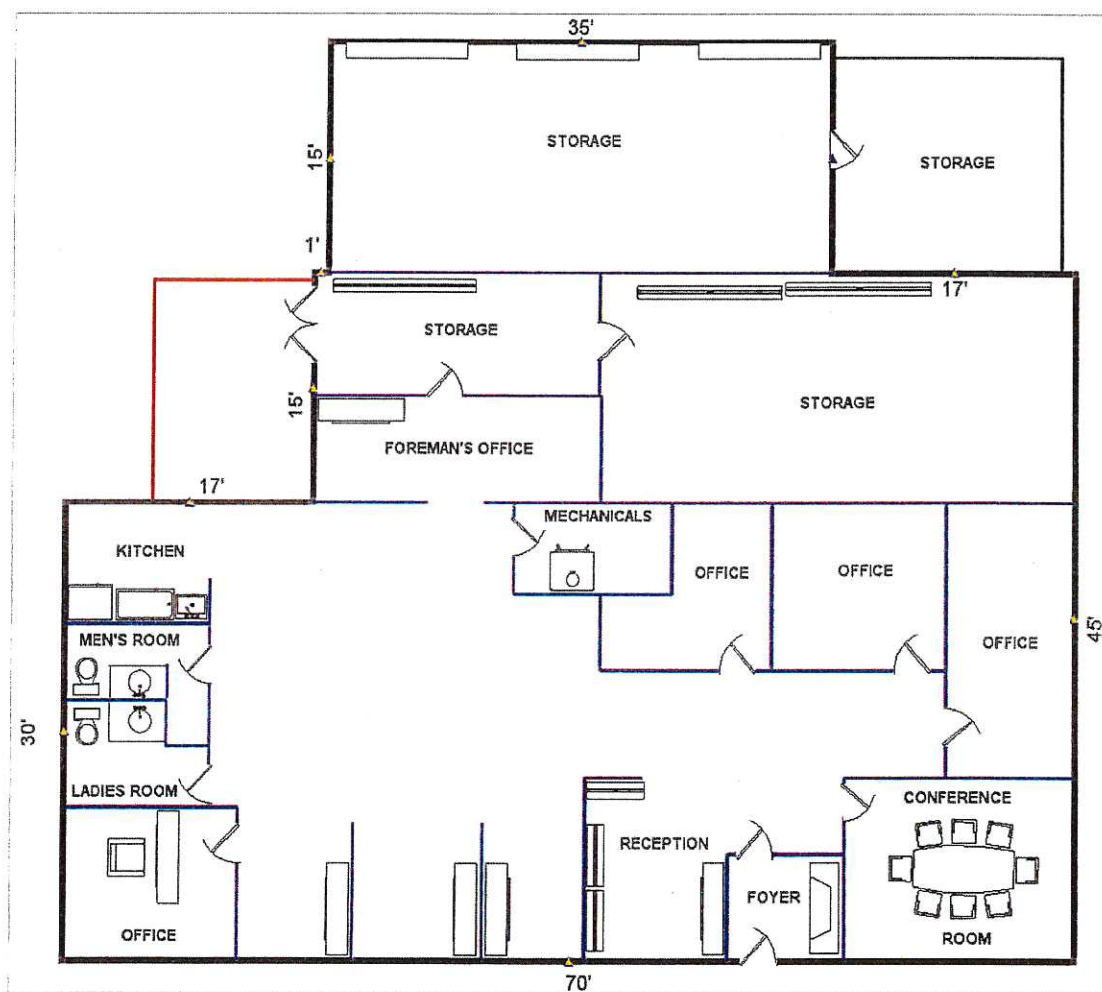
### ZONING

The subject property is located in the City of Beacon in Dutchess County, New York, and is situated in an R1-5 One Family Residence Zoning District. The following regulations shall apply:

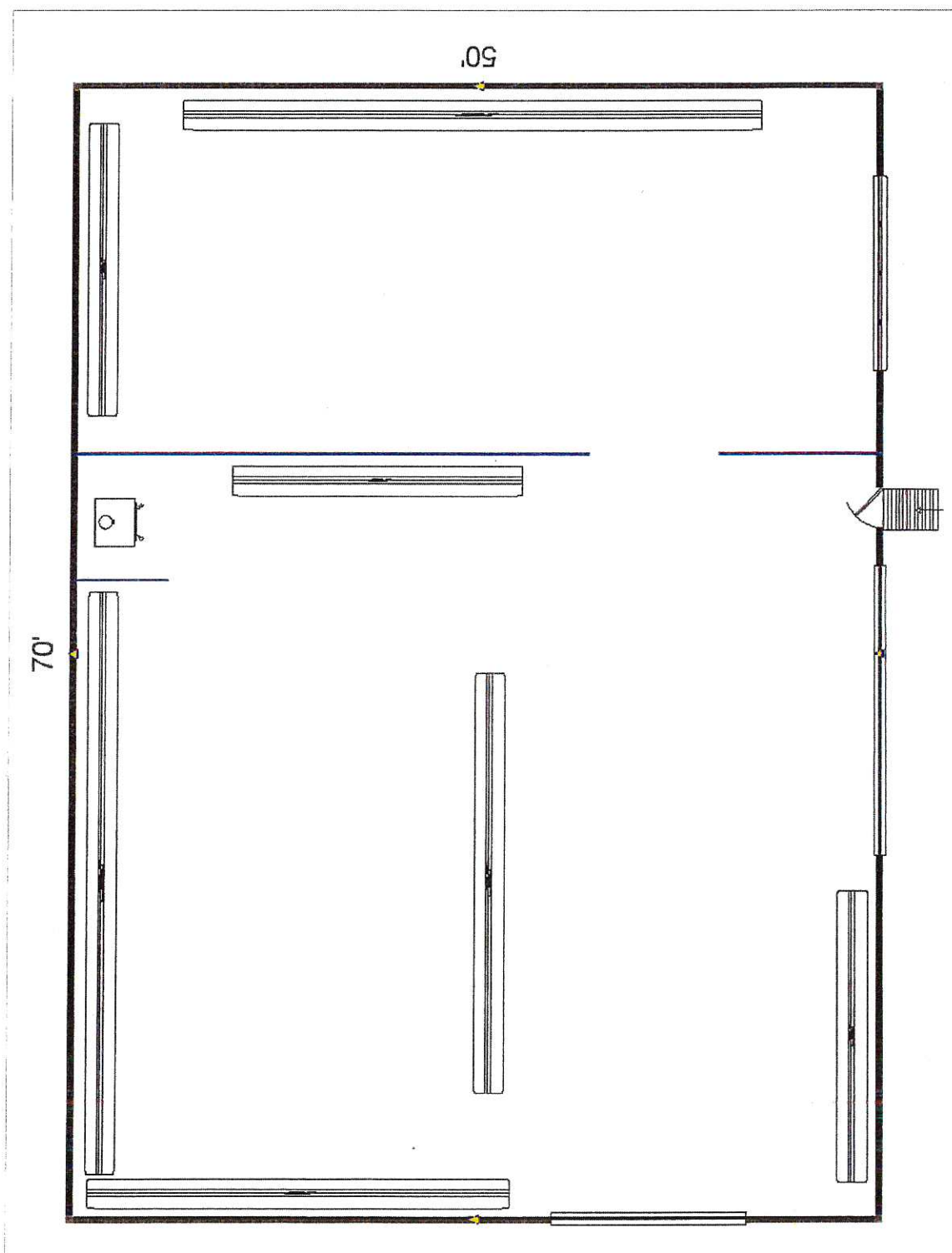
- A. Permitted Uses:
  - 1. Detached single family dwellings
  - 2. Buildings, structures, and uses owned or operated by the City of Beacon
  - 3. Church or other places of worship
  - 4. Public schools
  - 5. Public park, playground or other municipal recreational use.
  - 6. Public library, art gallery or museum
  - 7. Farm
  - 8. Horticulture nursery
  - 9. Private, parochial or nursery school
  - 10. Firehouse or headquarters of a non-profit volunteer fire or ambulance organization
  - 11. Club
  - 12. Radio tower and transmission station
  - 13. Hospital or sanitarium
  - 14. Off-street parking
  - 15. Nursing home
- B. Permitted Accessory Uses:
  - 1. Private garage and off street parking
  - 2. Private tennis court or swimming pool
  - 3. Office of a doctor, dentist, lawyer, engineer or other professional person, when conducted in a dwelling by the inhabitant thereof
  - 4. Customary home occupation
  - 5. Parish house, church school room
  - 6. Customary agricultural operation
  - 7. Other customary accessory uses
  - 8. Sign
  - 9. Accessory apartment on single-family property
- C. Maximum Building Height: 35 ft or 2 ½ stories
- D. Minimum Lot Area: 5,000 SF per unit
- E. Minimum Lot Width: 50 feet
- F. Minimum Lot Depth: 100 feet
- G. Minimum Front Yard: 30 feet
- H. Minimum Rear Yard: 30 feet
- I. Minimum Side Yard: 10 feet per side
- J. Maximum Building Coverage: None

If a non-conforming use is discontinued for a period of one year, the non-conforming use status is lost and the property must conform to current regulations.

Further information and clarification may be obtained by consulting the City of Beacon Zoning Ordinance. Most uses allowed are subject to the above minimum requirements.



BUILDING SKETCH - MAIN OFFICE BUILDING



53 ELIZA STREET, CITY OF BEACON, NY  
BUILDING SKETCH - REAR COMMERCIAL BUILDING



Front view



Rear view



Side view and garage



Warehouse front view



Bathroom



Conference



Office



Warehouse



Warehouse I



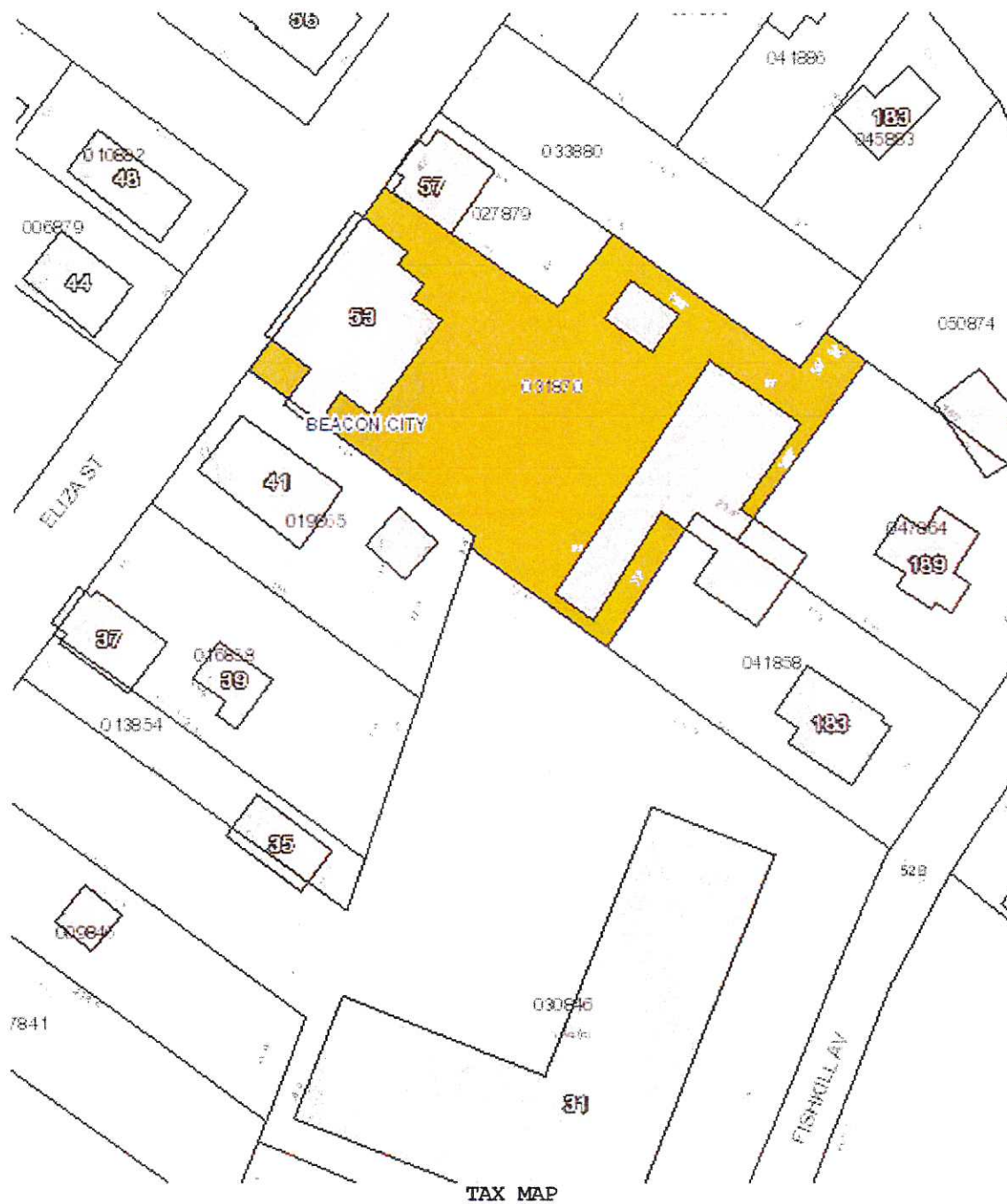
Oak Street facing west



Eliza Street facing south



Eliza Street facing north





AERIAL VIEW MAP

### The Sales Comparison Approach to Value

The market area was examined for sales of similar properties. There have been some limited sales of this type in the subject area during the last few years, and so the search area was expanded. Four of the most similar sales were selected for comparison.

The properties were compared on a per square foot basis, as that is typically the unit of measure when comparing commercial properties. The sales were reviewed for conditions of sale, including financing and property rights transferred. No abnormal conditions of sale were found in any of these transactions that would significantly impact upon value. The sales date back to 2016; values of commercial properties have been generally level since that time, and so no adjustments were made for changing market conditions.

Adjustments were made for differences between the comparables and the subject property as to location, land-to-building ratio, utility, zoning, building size and building condition. Where the comparable is considered inferior to the subject a positive adjustment was made; a negative adjustment was made where the comparable is considered superior.

After adjustments for differences, the Indicated Value of the subject property, via the Sales Comparison Approach, is \$130 per square foot, or \$900,000 (rounded).

## SALES COMPARISON ANALYSIS

SALE	SUBJECT	1	2	3	4
SALE PRICE		\$400,000	\$299,900	\$432,000	\$785,000
BUILDING SIZE (SF)	6,920	3,176	2,460	2,500	6,000
PER SF		\$125.94	\$121.91	\$172.80	\$130.83
PROP RIGHTS CONVEYED		0%	0%	0%	0%
ADJUSTED PRICE		\$125.94	\$121.91	\$172.80	\$130.83
FINANCING TERMS		0%	0%	0%	0%
ADJUSTED PRICE		\$125.94	\$121.91	\$172.80	\$130.83
CONDITIONS OF SALE		10%	0%	0%	0%
ADJUSTED PRICE		\$138.54	\$121.91	\$172.80	\$130.83
DATE	June 2018	Aug 2017	April 2016	Feb 2016	Nov 2017
MARKET CONDITIONS		0%	0%	0%	0%
ADJUSTED PRICE		\$138.54	\$121.91	\$172.80	\$130.83
LOCATION	Eliza St Beacon Average	Fishkill Ave Beacon Superior -5%	Dewindt St Beacon Similar 0%	Fishkill Ave Beacon Superior -5%	Hanna Ln Beacon Similar 0%
LAND SIZE (Acres)	0.70	0.177	0.13	0.32	0.317
LAND/BLDG RATIO	4.41	0.48 5%	2.30 0%	5.58 0%	2.30 0%
UTILITY	Office Warehouse	Office 2 Story Inferior 5%	Warehouse 1 Story Similar 0%	Office 1 Story Similar 0%	Condominium 1 Story Similar 0%
ZONING	R1-5	H1 -5%	RD-3 0%	R1-7.5 0%	LI -5%
BUILDING SIZE (SF)	6,920	3,176 -10%	2,460 -10%	2,500 -10%	6,000 0%
BUILDING CONDITION	Average	Inferior 5%	Inferior 5%	Inferior 5%	Inferior 5%
TOTAL ADJUSTMENTS		-5%	-5%	-10%	0%
ADJUSTED PRICE		\$131.61	\$115.82	\$155.52	\$130.83
INDICATED VALUE	\$130.00	per SF x	6,920	SF = Rounded	\$899,600 \$900,000

#### RECONCILIATION

The Sales Comparison Approach is the most applicable approach for a Restricted Appraisal Report of this type of property. Therefore, our opinion of the Fee Simple Market Value of the subject property "as is," as of June 27, 2018, is \$900,000.

This is a Restricted Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report, for the client use. As such, it presents only summary discussions of the data, reasoning, and analysis that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analysis is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated above. The appraiser is not responsible for unauthorized use of this report.

**ATTACHMENT TO DEED  
CAPOLINO TO PIE DEVELOPMENT COMPANY INC.**

The described parcel has been recently surveyed on behalf of the purchaser and which survey has resulted in the metes and bounds description following:

ALL that certain lot, piece or parcel of land situate in the City of Beacon, County of Dutchess and State of New York being more particularly bounded and described as follows:

BEGINNING at a point on the easterly line of Eliza Street where the division line between lands now or formerly Shouldis on the north and the parcel herein described on the south intersects said road line; thence in a generally easterly and northerly direction along lands now or formerly Shouldis as follows:

S 41° 30' 00" East 59.00 feet

N 48° 30' 00" East 41.97 feet

S 41° 30' 00" East 103.00 feet

and N 46° 07' 00" East 24.06 feet to a point,

thence easterly along lands now or formerly Prospect Realty Syndicate, Inc. S 43° 55' 00" East 30.00 feet to a point; thence southerly along lands now or formerly of DeCoudre S 46° 07' 00" West 100.00 feet to a point; thence in a generally westerly and southerly direction along lands now or formerly Cullinan N 43° 53' 00" West 30.00 feet and S 46° 07' 00" W 75.56 feet to a point; thence in a generally westerly direction along lands now or formerly City of Beacon Housing Authority and lands now or formerly Tarquini as follows:

N 44° 01' 00" W 78.50 feet

N 27° 13' 00" W 5.17 feet

and N 41° 30' 00" W 131.00 feet to a point

on the easterly line of Eliza Street, thence northerly along the easterly line of Eliza Street N 48° 30' 00" E 103.00 feet to the point of place of beginning

Containing 30,304 square feet more or less.

Subject to any easements and/or rights of ways of record

## ASSUMPTIONS AND LIMITING CONDITIONS

1. This is a Restricted Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report. As such, it might not include full discussions of the data, reasoning, and analysis that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analysis is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.
13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous water and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental

assessment. The presence of substance such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.

14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.
15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.
16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and appraisal of the appraiser.

## GREGORY R. LANGER - APPRAISER'S QUALIFICATIONS

## EDUCATION:

BA - Hartwick College, Oneonta, New York Undergraduate	1976
Newburgh Free Academy - Adult Education Principles of Real Estate Real Estate Law	1976 1977
New York State Association of Realtors Graduate Realtors Institute - Course I	1977
Marist College Society of Real Estate Appraisers Course 101 - An Introduction to Appraising Real Property	1980
Pennsylvania State University Society of Real Estate Appraisers Course 201 - Principles of Income Property Appraising	1981
Dartmouth College American Institute of Real Estate Appraisers Capitalization Theory and Techniques Parts II and III	1982
American Institute of Real Estate Appraisers Case Studies in Real Estate Valuation and Valuation Analysis and Report Writing	1983
Tampa, Florida American Institute of Real Estate Appraisers Standards of Professional Practice	1984
University of Florida American Institute of Real Estate Appraisers Real Estate Investment Analysis	1985

## MEMBERSHIPS AND AFFILIATIONS:

American Institute - Practicing Affiliate

State of New York -  
Certified Real Estate General Appraiser - #46-43405

## COURSES/SEMINARS:

Argus Seminar	1993
Appraisal Institute Consideration of Environmental Hazards in Real Estate Valuation	1994
Appraisal Institute Understanding Limited Appraisals	1994
Orange County Community College Environmental Law and The Planning Board	1995
Appraisal Institute New Industrial Valuation	1997
Appraisal Institute Appraisal of Local Retail Properties	1998
Appraisal Institute Attacking & Defending an Appraisal In Litigation	1998

Appraisal Institute Emerging Technologies Forum	1998
Appraisal Institute Internet Search Strategies	1998
Appraisal Institute - Course 1064-07 Case Studies in Commercial Highest & Best Use	06/2000
Appraisal Institute - Mid Hudson Chapter Standards of Professional Appraisal Practice - Part C - Course 11430	09/2002
Appraisal Institute Scope of Work: Expanding Your Range of Services	10/2003
Appraisal Institute Course 1400N - USPAP National Update Standards and Ethics for Professionals	10/2003
Manfred Real Estate Learning Center, Inc. Code #0022 - (AQL) Fair Housing, Fair Lending & Environmental Issue	01/2004
Appraisal Institute Code #2352-07 - Appraisal Consulting: A Solution Approach for Professionals	5/2005
Appraisal Institute Subdivision Valuation	6/2005
Appraisal Institute NY State Code #2814-07 Appraising Convenience Stores	12/2005
Appraisal Institute - NY State Code #2837-02 2006 Changes to USPAP; The Demise of Departure	3/2006
Appraisal Institute - NY State Code #2839-07 Analyzing Commercial Lease Clauses	6/2006
Appraisal Institute USPAP Update Course	9/2006
Appraisal Institute - NY State Code #3023-02 Online Valuation Resources to the NY Appraiser	4/2007
Appraisal Institute - NY State Code #2994-07 Appraisal of Local Retail Properties	5/2007
Appraisal Institute - NY State Code - 3053-04 Professional Guide to Conservation Easements	8/2007
Appraisal Institute - NYS Code #2379-07 USPAP Update Course	3/2008
Argus Lease Analysis	4/2008
Appraisal Institute - An Introduction to Valuing Green Buildings	10/2008
Land Trust Alliance - Northeast Land Trust Conference Mapping Tools for Your Land Trust: Selecting and Evaluating Conservation Lands Using Online Mapping and GIS Resources	4/2009

Appraisal Institute - NYS Course #3452-07 Long Island Chapter of the Appraisal Institute Hotel Appraising- New Techniques for Today's Uncertain Times	9/2009
Appraisal Institute - NYS Code 3249-5.25 Business Practices and Ethics	11/2009
Appraisal Institute - Webinar Self Storage Buildings	01/2010
Appraisal Institute - Webinar Uniform Appraisal Standards for Federal Land Acquisitions	8/2010
Appraisal Institute - Webinar Strategies for Successfully Appealing a Real Estate Tax Assessment	9/2010
Appraisal Institute - Webinar A Debate on the Allocation of Hotel Total Assets	10/2010
Appraisal Institute - Webinar Understanding the New Interagency Appraisal and Evaluation Guidelines	2/2011
Appraisal Institute - Webinar Profiting from the New Estate Tax Law	5/2011
Appraisal Institute - Webinar Perspectives from Commercial Review Appraisers	7/2011
Appraisal Institute - Webinar The New Demand Reports	8/2011
Appraisal Institute - Webinar Understanding the Impact of the Interagency Appraisal and Evaluation Guidelines for Appraisers and Lenders	10/2011
Appraisal Institute Fundamentals of Separating Real Property, Personal Property and Intangible Business Assets	2/2012
Appraisal Institute USPAP Equivalent Course	3/2012
Appraisal Institute - State Code: 2623-07 Online Small Hotel/Motel Valuation	3/2012
Appraisal Institute - Webinar Guides Notes 11 and 12 - What They Mean to You	6/2012
Appraisal Institute - Webinar IRS Valuation	7/2012
Appraisal Institute - Webinar Regression Analysis is Becoming Mainstream Are You Prepared?	9/2012
Appraisal Institute - Business Practices and Ethics	2/2013
Appraisal Institute - Webinar	

Property Taxation: Valuation & Consultation Services	7/2013
Appraisal Institute - State Code: 4102-07 The Discounted Cash Flow Model: Concepts, Issues and Applications	9/2013
Appraisal Institute - NYS Code 4101-07 Appraising the Appraisal: Appraisal Review-General	10/2013
Appraisal Institute - NYS Code: 4020-14 Residential & Commercial Valuation of Solar	11/2013
Appraisal Institute - Webinar Appraising Cell Towers	12/2013
Appraisal Institute 7 Hour USPAP Update Course	12/2013
Appraisal Institute - Webinar Trial Components Recipe for Success or Disaster	5/2014
Appraisal Institute - USPAP Update, 7 Hour National Uniform Standards of Professional Appraisal Practice	11/2014
Appraisal Institute - Business Practices and Ethics	5/2015
Appraisal Institute - Webinar High Volatility Commercial Real Estate Valuation Consideration and Complexities	8/2015
Appraisal Institute - Webinar Contamination and the Valuation Process	9/2015
Appraisal Institute - Raising the Bar: Complex Properties A Risk Based Approach to Allocations and Investments	9/2015
Appraisal Institute - NYS Code 4395-07 Mid Hudson Chapter - 1 <sup>st</sup> Annual Appraisal Case Studies Seminar	10/2015
Appraisal Institute - NYS Code 3625-28 Advanced Concepts & Case Studies - Course 503GD	12/2015
Manfred Real Estate Learning Center, Inc. - Course Q-0332 Supervisory/Appraiser/Trainee Appraiser Course	10/2016
Appraisal Institute - NY State Code #4530-07 Mid Hudson Chapter: 2 <sup>nd</sup> Annual Appraisal Case Studies Seminar	10/2016
Appraisal Institute - NY State Entity Code: NY Practical Highest and Best Use	6/2017
Appraisal Institute - NY State Code #4670-07 Drone Technology and Its Impact on the Appraisal Industry	6/2017
Appraisal Institute - NYS Code 4752-07 Mid Hudson Chapter: 3 <sup>rd</sup> Annual Appraisal Case Studies	10/2017
Appraisal Institute - NYS Code A4767-07 7 Hour National USPAP Update Course	12/2017

**EXPERIENCE:**

Valuation Consultants, Inc. 3/93 to Present  
Owner and Senior Commercial Appraiser

As an owner of the company, I will review and appraise all types of commercial appraisal reports.

H.F. Ahmanson and Company 11/86 to 2/93

Served in various positions including Senior Real Estate Financial Analyst, Chief Appraiser of the Bowery and Vice President-Loan Officer. Responsibilities and duties included valuation of the commercial real estate portfolio on the Eastern Seaboard, overseeing a full staff of commercial appraisers in the Manhattan office, portfolio valuation in the acquisition of Bowery Savings Bank and Home Savings Bank, and northeast lending operations.

Eastern Savings Bank 10/85 to 11/86

Served as an Assistant Vice President in lending, as well as an Appraiser

Appraisal Services Company 10/79 to 10/85

Worked as the Senior Commercial Appraiser after previously performing residential appraisals and overseeing the residential staff.

Sold Residential Real Estate 1976 to 1979

I have appraised all types of residential property, commercial and industrial buildings, farms and vacant land.

I have had experience in court testimonials for various cases.

I have made appraisals for financial institutions, attorneys, major corporations, home guarantee programs, insurance companies and others. I have worked on assignments for the following companies:

**A. GENERAL EXPERIENCE**

- Abacus Bank
- Advent Valuation
- American Business Lenders
- Appraisal Management
- Astoria
- Bank of America
- Bank of New York
- Bank of the West
- Bank of Greene County
- Bank United
- Berkshire Bank
- Bloom and Bloom
- Business Lending
- Catskill Hudson Bank
- Charles Brodie, Esquire
- Chase Manhattan Bank
- Citizens Bank
- City National Bank
- City of Middletown
- City of Newburgh
- City of Poughkeepsie
- Community Bank
- Community Preservation Corporation
- Concorde Lending
- Country Bank
- County of Orange

County of Dutchess  
 Cumberland Farms  
 Cumberland Gulf  
 David Brodsky, Esquire  
 Dormitory Authority of State of New York  
 Dwight Joyce, Esquire  
 Eastern Savings Bank  
 First Niagara Bank  
 Freedom Bank  
 Greater Hudson Bank  
 Hometown Bank of the Hudson Valley (formerly Walden Federal)  
 HSBC Bank USA  
 Hudson Heritage Federal Credit Union  
 Hudson United Bank  
 Hudson Valley Bank  
 Hudson Valley Federal Credit Union  
 Jacobowitz and Gubits, LLP  
 Jeff Bank  
 JP Morgan Chase  
 Key Bank of New York  
 Kingston City School District  
 Lakeland Bank  
 Lend Lease  
 M&T Bank  
 Metbank  
 Mahopac National Bank  
 Mid Hudson Valley Federal Credit Union  
 National Valuation Services  
 NBT  
 Newburgh Central School District  
 NYS Office of Mental Retardation & Developmental Disabilities  
 Orange County Trust  
 Orange County Land Trust  
 Orange & Rockland Utilities  
 Peoples United  
 Putnam County National Bank  
 Putnam County Savings Bank  
 Richard Drake, Esq.  
 Rhinebeck Savings Bank  
 Riverside Bank  
 Rondout Savings  
 Salisbury Bank  
 Sawyer Savings Bank  
 SBU  
 SI Bank and Trust  
 Stanley Marks and Company, CPA  
 Sterling National Bank (formerly Provident Bank)  
 Stevan Nosonowitz, Esquire  
 Stewart International Airport  
 Summit Bank  
 TD Banknorth, N.A.  
 Town of Chester  
 Town of Newburgh  
 Town of Wallkill  
 Trust Company of New Jersey  
 Ulster Savings Bank  
 Union Savings Bank  
 Union State Bank  
 Vanacore, DeBenedictus, DiGiovanni & Weddell, CPA  
 Valley National Bank  
 Village of Walden  
 Walden Savings  
 Wallkill valley Federal Credit Union  
 Warwick Valley School District

Webster Bank  
Wells Fargo  
Wilber National Bank

B. AREAS OF APPRAISAL EXPERIENCE -

New York State -

COUNTIES: Orange, Dutchess, Putnam, Rockland, Sullivan, and Ulster

FACTUAL STATISTICAL AND REFERENCE INFORMATION

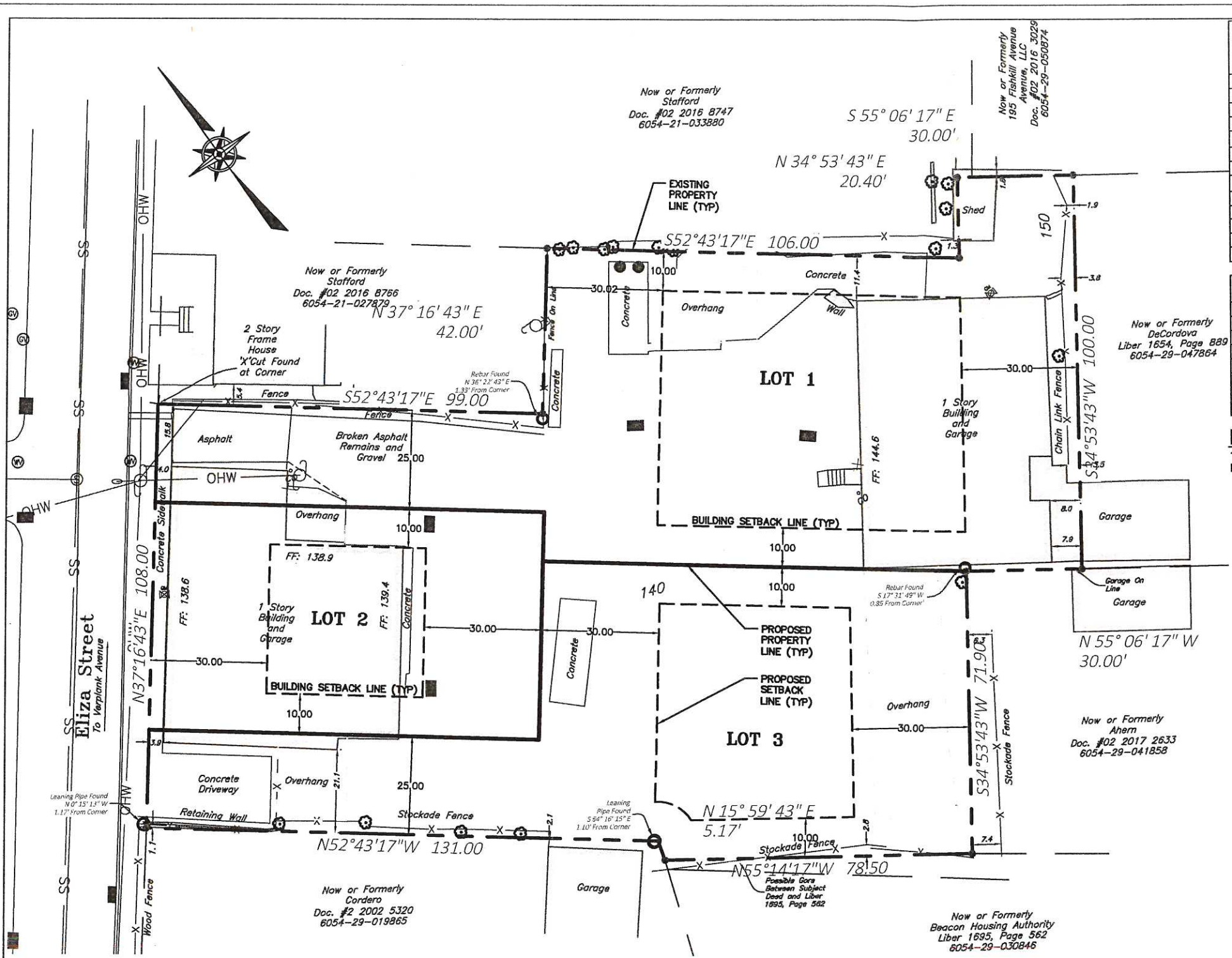
An up-to-date set of area Zoning Maps and Ordinances

City maps showing existence of underground utilities

Maintenance of sales transactions by subdivisions and street name, effective dates of sale and current listing

Current community statistics referring to retail sales, bank clearance, employment, transportation routes, construction activity, and mortgage recordings

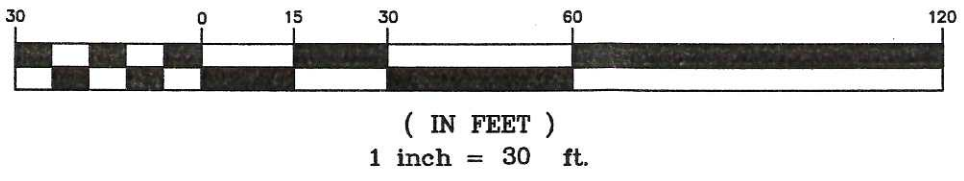
Census Tract Maps, Flood Plain Maps, Wetland Maps



LEGEND

- EXISTING PROPERTY LINE
- EXISTING ADJOINER LINE
- EXISTING SEWER MAIN
- EXISTING WATER MAIN
- PROPOSED PROPERTY LINE
- PROPERTY SET BACK LINE

AS-OF-RIGHT PLAN  
SCALE: 1" = 30'  
GRAPHIC SCALE



SCHEDULE OF REGULATIONS (R1-5 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:				
PARAMETER	REQUIREMENT	LOT #1	LOT #2	LOT #3
LOT AREA:	5,000 SQUARE FEET MIN	10,482.8 S.F.	5,799.9 S.F.	14,024.5 S.F.
LOT WIDTH:	50 FEET MINIMUM	70.5 FEET	58.0 FEET	79.5 FEET
LOT DEPTH:	100 FEET MINIMUM	110.1 FEET	100.0 FEET	137.4 FEET
YARD SETBACKS (RESIDENTIAL USE):				
FRONT YARD:	30 FEET MINIMUM	30 FEET	30 FEET	30 FEET
SIDE YARD:	10 FEET MINIMUM	10 FEET	10 FEET	10 FEET
REAR YARD:	30 FEET MINIMUM	30 FEET	30 FEET	30 FEET
MAIN BUILDING HEIGHT:	MAX 35 FEET, 2.5 STORIES	---	---	---
MAIN BUILDING HEIGHT:	MIN 12 FEET, 1 STORY	---	---	---
BUILDING COVERAGE:	MAX 25%	---	---	---
DWELLING UNITS PER LOT:	MAX 1	---	---	---

PROJECT INFORMATION:	
PARCEL OWNER:	PIE DEVELOPMENT COMPANY, INC.
PROJECT ENGINEER:	HUDSON LAND DESIGN P.C., 174 MAIN STREET, BEACON NY 12508
PARCEL LOCATION:	53 ELIZA STREET BEACON, NY 12508
TAX PARCEL ID:	6054-29-031870
PARCEL AREA:	±0.696-ACRE
WATER SUPPLY:	MUNICIPAL
SEWAGE DISPOSAL:	MUNICIPAL
ZONING DISTRICT:	R1-5 (1-FAMILY RESIDENCE DISTRICT)

MAP REFERENCES:  
1. EXISTING FEATURES AS SHOWN ON THIS SKETCH PLAN PROVIDED BY A SURVEY BY TEC LAND SURVEYING.

AS OF RIGHT - MAXIMUM  
SUBDIVISION ALTERNATIVE  
3 LOT SUBDIVISION  
53 ELIZA STREET

53 ELIZA STREET  
CITY OF BEACON  
DUTCHESS COUNTY, NEW YORK  
TAX ID:  
SCALE: 1" = 30'  
AUGUST 28, 2018

**HUDSON**  
LAND DESIGN

HUDSON LAND DESIGN  
PROFESSIONAL ENGINEERING P.C.  
174 MAIN STREET  
BEACON, NEW YORK 12508  
PH: 845-440-8928 F: 845-440-8637

STATE OF NEW YORK  
JON D. BODENDORF  
EXCISE  
076245  
PROFESSIONAL ENGINEER

JON D. BODENDORF, P.E.  
NYS LICENSE NO. 076245  
DANIEL G. KOEHLER, P.E.  
NYS LICENSE NO. 082718

SHEET: 1 OF 1

# EXHIBIT C

City of Beacon  
One Municipal Plaza - Suite 1  
Beacon, New York 12508

*Building Department*

August 26, 1998

RECEIVED  
AUG 28 1998

P & D Electric of Hudson Valley, Inc.  
Attention: Ed Pietrowski, President  
53 Eliza Street  
Beacon, New York 12508

RE: 53 Eliza Street  
Grid #30-6054-29-031870-00

Dear Ed:

I am in receipt of your letter dated August 14, 1998 questioning the legal use of the referenced property. The existing use of office and storage for a contractor is considered to be a pre-existing, legal, non-conforming use which may continue provided it is not discontinued for any reason for a continuous period of one year. Non-conforming uses can only be changed to a use less non-conforming as determined by the Zoning Board of Appeals. Therefore, any proposed change in the nature of the use of the building would require an appearance before the Zoning Board of Appeals. Since your intentions are to move your offices and storage for your electrical contracting business in the building, approval from the Zoning Board of Appeals will not be necessary since there is no change in the use of the building.

As previously discussed, the property maintenance in the past has been less than desirable. We will closely monitor the property for compliance with the various sections of the City of Beacon Code of Ordinances. I do understand that it is your intention to clean up the property, remove the debris and maintain it in a neat and orderly fashion. If you have any further questions regarding this issue, I can be reached at 838-5020.

Sincerely,  
*Timothy P. Dexter*  
Timothy P. Dexter, CPCA  
Building Inspector

TPD:eg

# EXHIBIT D

**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: 53 Eliza Street		
Project Location (describe, and attach a general location map): 53 Eliza Street Beacon, NY 12508		
Brief Description of Proposed Action (include purpose or need): Proposed multi-family development to replace the existing non-conforming commercial buildings and commercial uses with nine (9) apartments in 3 separate buildings with parking areas, internal travel-ways and landscaped areas on the residentially zoned property.		
Name of Applicant/Sponsor: PIE Development Company, Inc.		Telephone: (845) 838-1775
		E-Mail: EPPDHV@optonline.net
Address: 53 Eliza Street		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Aryeh Siegel Architect		Telephone: 845-838-2490
		E-Mail: ajs@ajsarch.com
Address: 84 Mason Circle		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>Planning Board</u> or Commission	SITE PLAN AND ARCHITECTURAL REVIEW BOARD APPROVAL	8/28/18
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village <u>Zoning Board of Appeals</u>	VARIANCE RELIEF	8/28/18
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DCDOH GML 239 Advisory Referral Review	12/1/18
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
ii. 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
iii. 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

<b>C.1. Planning and zoning actions.</b>	
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"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
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 checked="" type="checkbox"/> Yes <input 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. ☒ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
The project is located in the R1-5 Single Family Residential district adjacent to properties zoned RD-5 Designed Residence.

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

- i. What is the proposed new zoning for the site? \_\_\_\_\_

### 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 Police

- c. Which fire protection and emergency medical services serve the project site?

City of Beacon Fire Department

- d. What parks serve the project site?

Memorial Park, South Ave Park, Scenic Hudson's Long Dock 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)? Residential

- b. a. Total acreage of the site of the proposed action? 0.696 acres  
b. Total acreage to be physically disturbed? 0.590 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.696 acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No  
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: \_\_\_\_\_

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No  
If Yes,

- i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

- iii. Number of lots proposed? \_\_\_\_\_

- iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

- e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

- i. If No, anticipated period of construction: 12 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> 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	_____	_____	_____	9 units
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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: \_\_\_\_\_ 1,980 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: \_\_\_\_\_ 1,980 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: Beacon Sewage Treatment Plant
- Name of district: City of Beacon
- 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

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<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>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 _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p>			
<p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7am-5pm</li> <li>• Saturday: _____ 8am-5pm</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A Residential</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7am-5pm</li> <li>• Saturday: _____ 8am-5pm</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ N/A Residential</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:  <u>Construction Vehicles at work between the hours of 7am and 5pm</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  <u>Building mounted lights and pole mounted lights for parking lot all shielded and pointed downward. Proposed building mounted lights and parking lot light poles are within 50 feet to nearest occupied structures.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <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"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

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): Mixed Uses & Former Beacon High School

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.640	*0.468	-0.172
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• 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: <u>Grass/Landscaped Areas</u>	.056	0.228	+0.172

\*0.222 acres of the total 0.468 ac. will be Permeable Pavers.

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No  
i. If Yes: explain: \_\_\_\_\_

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? ☒ Yes ☐ No  
If Yes,  
i. Identify Facilities:  
City of Beacon High School athletic fields

e. Does the project site contain an existing dam? ☐ Yes ☒ No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

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? ☐ Yes ☒ No  
If Yes:  
i. Has the facility been formally closed? ☐ Yes ☐ No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

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? ☐ Yes ☒ No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

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? ☐ Yes ☒ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No  
☐ Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☒ Yes ☐ No  
If yes, provide DEC ID number(s): B00130 , C314118  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
B00130 remedial actions completed in August 2004. C314118 remedial actions completed on 4/10/2017

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>													
<b>E.2. Natural Resources On or Near Project Site</b>													
a. What is the average depth to bedrock on the project site? _____ > 6.7 feet													
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Knickerbocker-Urban land complex</td> <td style="width: 40%; text-align: right;">66.4 %</td> </tr> <tr> <td>Dutchess-Cardigan-Urban land com-</td> <td style="text-align: right;">33.6 %</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____ %</td> </tr> </table>		Knickerbocker-Urban land complex	66.4 %	Dutchess-Cardigan-Urban land com-	33.6 %	_____	_____ %						
Knickerbocker-Urban land complex	66.4 %												
Dutchess-Cardigan-Urban land com-	33.6 %												
_____	_____ %												
d. What is the average depth to the water table on the project site? Average: _____ > 6.7 feet													
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 40%; text-align: right;">66.4 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">33.6 % of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	66.4 % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	33.6 % of site	<input type="checkbox"/> Poorly Drained	_____ % of site						
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<input checked="" type="checkbox"/> Moderately Well Drained:	33.6 % of site												
<input type="checkbox"/> Poorly Drained	_____ % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 40%; text-align: right;">97 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">03 % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	97 % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input checked="" type="checkbox"/> 15% or greater:	03 % of site						
<input checked="" type="checkbox"/> 0-10%:	97 % of site												
<input type="checkbox"/> 10-15%:	_____ % of site												
<input checked="" type="checkbox"/> 15% or greater:	03 % of site												
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
If Yes to either <i>i</i> or <i>ii</i> , 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
j. Is the project site in the 100 year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
k. Is the project site in the 500 year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li>i. Name of aquifer: _____</li> </ul>													

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <u>Raccoon</u>  </div> <div style="width: 30%;"> <u>Grey Squirrel</u>  </div> <div style="width: 30%;"> <u>White Tail Deer</u>  </div> </div>		
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>		
<p>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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Indiana Bat</p>		
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>		
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>		
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>		
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>		
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site: _____</p> <p>ii. Source(s) of soil rating(s): _____</p>		
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>		
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site    <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <small>*The CRIS system confirms the property is not adjacent to a sensitive archaeological site(s).</small>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: <u>Scenic Hudson's Long Dock Park; Mount Beacon</u></li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State or Local Park</u></li> <li>iii. Distance between project and resource: _____ <u>1.5</u> miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

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.

**G. Verification**

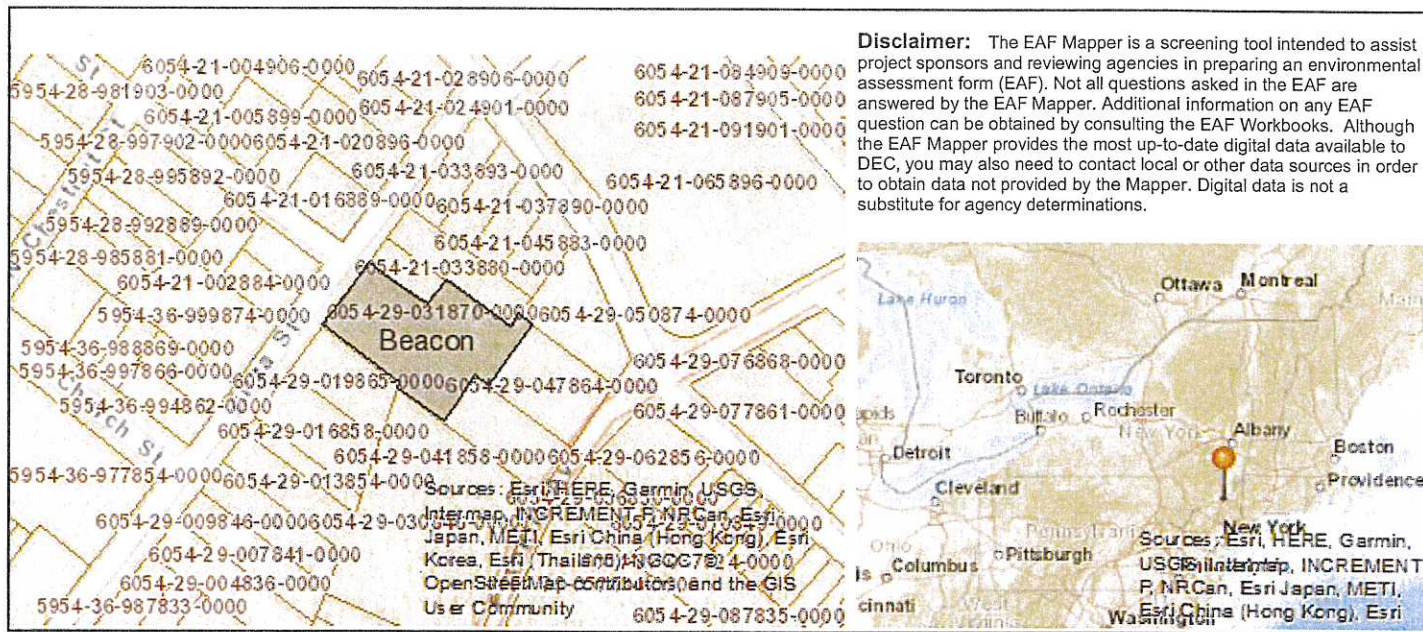
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name PIE Development Company, Inc. Date 8/28/2018

Signature  Title president

# EAF Mapper Summary Report

Thursday, August 23, 2018 10:22 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]	B00130 , C314118
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
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]	Yes

E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat
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]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

# EXHIBIT E

**ZONING BOARD OF APPEALS**  
City of Beacon, New York

**APPLICATION FOR APPEAL**

OWNER: PIE Development Company, Inc.

ADDRESS:  
53 Eliza Street

TELEPHONE: (845) 838-1775

E-MAIL:

APPLICANT (if not owner): Same as Owner

ADDRESS:

TELEPHONE:

E-MAIL:

REPRESENTED BY: Aryeh Siegel Architect

ADDRESS: 84 Mason Circle, Beacon, NY

TELEPHONE: 845-838-2490

E-MAIL: als@alsarch.com

PROPERTY LOCATION: 53 Eliza Street

ZONING DISTRICT: R1-5

TAX MAP DESIGNATION: SECTION 6054 BLOCK 29 LOTS 031870

Section of Zoning Code appealed from or Interpretation desired:

Please See Attached Variance Project Narrative

Reason supporting request:

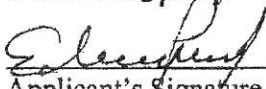
Please See Attached Variance Project Narrative

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

Site Plan, Renderings, *please See Attached Variance Project Narrative*

Date: August 28, 2018

  
Owner's Signature

  
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: Pie Development Company Inc

If owned by a corporation, partnership or organization, please list names of persons holding over 5% interest.

Eduard J Pietruski Jr

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

53 ELIZA ST Beacon NY 12508 — 85 OAK ST Beacon NY 12508

Applicant Address: 53 ELIZA ST Beacon NY 12508

Project Address: 53 ELIZA ST Beacon NY 12508

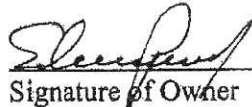
Project Tax Grid # SBL: 6054-29-031870

Type of Application Application for Variance Relief

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.

I, Eduard J Pietruski Jr, 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 ☒
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon ☐
3. ALL tax payments due to the City of Beacon are current ☒
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon ☐
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon ☐
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current ☒

  
Signature of Owner

President  
Title if owner is corporation

Office Use Only:

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)

NO YES Initial

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOR OFFICE USE ONLY

Application #

**CITY OF BEACON**  
1 Municipal Plaza, Beacon, NY  
Telephone (845) 838-5000 • <http://cityofbeacon.org/>

**INDIVIDUAL DISCLOSURE FORM**

(This form must accompany every land use application and every application for a building permit or certificate of occupancy submitted by any person(s))

Disclosure of the names and addresses of all persons) filing a land-use application with the City is required pursuant to Section 223-62 of the City Code of the City of Beacon. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

**SECTION A**

Name of Applicant: PIE Development Company, Inc.  
Address of Applicant: 53 ELIZA ST Beacon NY 12508  
Telephone Contact Information: 845 838-1775

**SECTION B.**

List all owners of record of the subject property or any part thereof.

Name	Residence or Business Address	Telephone Number	Date and Manner Title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Edward J. Pietruski	53 ELIZA ST Beacon NY	845 838-1775	1999 By Deed	Deed Recorded 4/12/1999

**SECTION B.** Is any owner of record an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☐ YES ☒ NO

If yes, list every Board, Department, Office, agency or other position with the City of Beacon with which a party has a position, unpaid or paid, or relationship and identify the agency, title, and date of hire.

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship

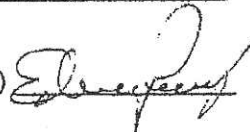
**SECTION C.** If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application.

**SECTION D.** Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ YES ☒ NO

I, Edward J Pietruski Jr being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) Edward J Pietruski Jr

(Signature) 

FOR OFFICE USE ONLY  
Application #

**CITY OF BEACON**  
**1 Municipal Plaza, Beacon, NY**  
Telephone (845) 838-5000 • <http://cityofbeacon.org/>

**ENTITY DISCLOSURE FORM**

(This form must accompany every land use application and every application for a building permit or certificate of occupancy submitted by any entity)

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-62 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

**SECTION A. IF AFFILIANT IS A PARTNERSHIP, JOIN VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:**

Name of Entity	Address of Entity
Place where such business entity was created	Official Registrar's or Clerk's office where the document and papers creating entity were filed
Date such business entity or partnership was created	Telephone Contact Information

**IF AFFILIANT IS A CORPORATION:**

Name of Entity	Telephone Contact Information
<i>PIE Development Company, Inc.</i>	<i>845 838-1775</i>

Principal Place of Business of Entity <i>53 ELIZA ST Baiton NY 12502</i>	Place and date of incorporation <i>Hankin, Hany, still</i> <i>1/16/98</i> <i>Caplicki, RedL</i> <i>319 Main st Poughkeepsie NY</i> *
Method of Incorporation <i>Domestic Business Corporation</i>	Official Place where the documents and papers of incorporation were filed <i>same</i>

**SECTION B.** List all persons, officers, limited or general partners, directors, members, shareholders, managers, and any others with any interest in or with the above referenced Entity. List all persons to whom corporate stock has been pledged, mortgaged or encumbered and with whom any agreement has been made to pledge, mortgage or encumber said stock. Use a supplemental sheet to list additional persons.

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
<i>Edward J Pietruski Jr</i>	<i>5 Madison Ln Baiton NY</i>	<i>845-831-0169</i>	<i>president</i>

**SECTION C.** List all owners of record of the subject property or any part thereof.

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Edward J. Pietruski	53 ELIZA J. BENSON YV	845 838-1775	3/31/89 Deed	Dutchess County Deed Recorded 4/13/89

**SECTION D.** Is any owner, of record or otherwise, an officer, director, stockholder, agent or employee of any person listed in Section B-C?

☐ YES

☐ NO

Name	Employer	Position

**SECTION E.** Is any party identified in Sections A- C an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☐ YES

☐ NO

If yes, list every Board, Department, Office, agency or other position with the City of Beacon with which a party has a position, unpaid or paid, or relationship and identify the agency, title, and date of hire.

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position and Nature of Relationship

**SECTION F.** Was any person referred to in Sections A-D known by any other name within five (5) years preceding the date of the application?

☐

YES

☒

NO

Current Name	Other Names

**SECTION G.** List the names and addresses of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five (5) years next preceding the date of the application.

Name	Address


**SECTION H.** If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application.

**SECTION I.** Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ YES

☒ NO

I, Edward J. Pietruski Jr. being first duly sworn, according to law, deposes and says that I am (Title) president, an active and qualified member of the PIE Development Company, Inc. business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) Edward J. Pietruski Jr.

(Signature) 