

Area Variance Application
32 Alice Street Parcel
Beacon, NY 12508
Proposed Subdivision Application

Prepared for:
Brent and Alison Spodek
2 Green Street
Beacon, NY 12508

August 28, 2018



Prepared by:
Hudson Land Design Professional Engineering, P.C.
174 Main Street
Beacon, NY 12508
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F: (845) 440-6637

TABLE OF CONTENTS

1.0 INTRODUCTION 1

1.1 Project Narrative..... 1

1.2 Required Permits 1

2.0 PROJECT DESCRIPTION 1

2.1 Regulatory Compliance..... 1

2.1.1 Area Variance 1

2.1.1.1 City of Beacon Area Variance Application 2

2.1.1.2 New York State General City Law Balancing Test 2

3.0 ENVIRONMENTAL ASSESSMENT 4

APPENDICES

APPENDIX A:	AREA VARIANCE APPLICATION
APPENDIX B:	ENVIRONMENTAL ASSESSMENT FORM
APPENDIX C:	LETTERS FROM APPLICANT/PROPERTY OWNER & ADJACENT PROPERTY OWNERS
APPENDIX D:	NEIGHBORHOOD STUDY PLAN
APPENDIX E:	SUBDIVISION PLAN

1.0 INTRODUCTION

1.1 Project Narrative

The subject parcel is located on the north side of Alice Street in Beacon, New York and is currently owned by Brent and Alison Spodek. The ±20,341 square-foot parcel is located within the City's R1-7.5 Residential Zoning District and is further identified as tax parcel 6054-47-320616. There is an existing single-family house with a detached garage located on the eastern portion of the site, with the remainder of the parcel maintained as grass lawn area.

The owners and applicant, Brent and Alison Spodek, wish to subdivide the parcel to create a building lot on the western portion of the property for construction of a new single-family home, and the existing house would be on the remainder lot. The Spodeks currently live at 2 Green Street in Beacon, which is in the same neighborhood as this proposal. They are outgrowing their existing house and are looking to build a new house at the subject parcel that better suits the needs of their family, and allows them to remain in the neighborhood that they have lived in since 2009. Refer to Appendix C for a more detailed letter from the owner/applicant.

1.2 Required Permits

In order for the proposed subdivision project to commence to a point where a building permit application can be submitted to the City Building Department, the applicant will need to obtain the following permits:

1. Subdivision Approval (pending application before the Planning Board)
2. Area Variances (two) from the City of Beacon Zoning Board of Appeals (ZBA)
 - a. The lot width per §223-17(C) (Schedule of Regulations for Residential Districts).
 - i. The applicant is proposing to create a building lot with an average lot width of 68 feet, where 75 feet is required, thereby requesting a variance of 7 feet.
 - b. The lot width per §223-12(H).
 - i. The applicant is proposing to construct a building on the created lot at a point where the lot width is 63 feet, where 75 feet is required, thereby requesting a variance of 12 feet.

2.0 PROJECT DESCRIPTION

2.1 Regulatory Compliance

2.1.1 Area Variance

Per Section 223-17C of the Zoning Code is the Schedule of Regulations for Residential Districts, the lot width requirement per the Schedule is 75 feet. Per the City Planner, the lot width is calculated by taking the lot area divided by the lot depth. The resulting average lot width is 68 feet, where 75 feet is required, thereby requiring a variance of 7 feet.

Per Section 223-12H of the Zoning Code, *Lot width required, Within any residence district, no part of any dwelling or other structure housing a main use and, within any business district, no part of any residence structure shall be erected on that part of a lot where the lot width is less than the minimum requirements for the district in which it is located.* In order to maintain front yard conformity along Alice Street as required by Section 223-13K, the proposed house is sited to generally match the setbacks from the adjacent homes. As such, the house is located on a portion of the lot where the lot width is 63 feet, where 75 feet is required, thereby requiring a variance of 12 feet.

Hudson Land Design has delineated the neighborhood in order to make comparisons of the requested variance on the subject parcel to the existing conditions on adjacent parcels within the neighborhood. The neighborhood was limited to those parcels within the R1-7.5 zoning district that front on Alice Street. The resulting study area consists of 17 parcels (including the existing subject parcel), as can be seen in Appendix D, and is hereinafter referred to as the neighborhood study area. Available GIS information on the parcels was used to determine the lot width for each parcel within the limits of the neighborhood study area. The concept behind the study was to determine the number of parcels that are also deficient in lot width in terms of the zoning district regulations. The search results showed that there are ten (10) lots within the study area, corresponding to 59% (or nearly 3 in 5) of the parcels that are deficient in lot width. Of the 10 nonconforming parcels, all of them are developed with houses.

Of the 10 parcels with deficient lot width, the range of lot width is 50.3 feet for the least lot width, and 68.6 feet on the lot that is closest to conforming. The average lot width of the 10 parcels is 59.7 feet.

The applicant is requesting to create a lot with an average lot width 68 feet, or 8.3 feet above the average for those nonconforming lots in the neighborhood. The house would be located where the lot width is 63 feet, which is approximately 3.3 feet greater than the average.

We believe that the requested variance increase is negligible as it conforms with the majority of the parcels within the neighborhood study area.

2.1.1.1 City of Beacon Area Variance Application

The City of Beacon's variance application can be found in Appendix A.

2.1.1.2 New York State General City Law Balancing Test

The standards for an area variance are governed by New York State General City Law §81-b(4)(b). This law requires a balancing test inclusive of five (5) specific sets of criteria. The responses to each of the five criteria show that the project does not pose a detriment to the health, safety and welfare of the neighborhood or community. As such, the area variance should be granted. The balancing test criteria are as follows, and the responses are underlined:

1. The Board shall consider whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. The project will not create an

undesirable change to the neighborhood. As discussed Section 2.1.1 of this report, within the neighborhood study area, the majority of the parcels located along Alice Street have similar or lesser lot widths than are being proposed with this application. It should be noted that all other zoning bulk requirements are met.

2. The Board shall consider whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. The geometry of the subject parcel nearly allows for it to be subdivided while meeting all of the zoning requirements if there was not an existing house located on the lot. In that scenario, the average lot width for each lot would be 74 feet, or just 1-foot deficient. However, the lot width at the front building line would be approximately 78 feet, which conforms. Therefore, a smaller variance would still be needed; however, in this scenario, an existing house would need to be razed, and a replaced further east. While this is feasible, it is much more expensive than maintaining the existing house and working the geometry of the new lot around it. With regard to the applicants' wishes to remain within the neighborhood, while providing a house with adequate size to accommodate their growing needs, there are virtually no building lots within this neighborhood that will allow them to achieve their goal.
3. The Board shall consider whether the requested area variance is substantial. As noted in Section 2.1.1 of this report, the requested relief is along the upper range of existing nonconforming lots examined within the study area. The requested relief for each variance is 9.3% and 16%, respectively. Therefore, we opine that the requested relief is not substantial. If the ZBA were to grant the requested relief, there would then be 11 of 18 parcels that have lot width less than required per the zoning district bulk regulations, or 61% of the parcels. This represents a slight increase from the 59% that already have nonconforming lot widths.
4. The Board shall consider whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The site is served by municipal water and sewer, of which there is capacity. The applicant proposes to install a rain garden to treat stormwater runoff from the existing house (which currently runs off uncontrolled), and to install an underground infiltration system to treat both rooftop and driveway runoff from the proposed house (including some portion of Alice Street which currently runs off uncontrolled). The underground infiltration system is designed to accommodate large storm events without any surface runoff being generated. Other items identified in the short EAF show that there will be no adverse effects resulting from the proposal. The Planning Board, at its July 2018 meeting, granted a negative declaration of SEQRA, meaning that they have determined there will be no adverse environmental impacts. In addition, the applicants are committed to building an

environmentally responsible house with high efficiency and are considering passive design for the new house.

5. The Board shall consider whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance. NYS General City Law states that any self-created difficulty shall not necessarily preclude the granting of an area variance. This is important to this application as the requested relief is self-created. The applicants advanced a planning board proposal to subdivide the parcel with full knowledge that area variances would be required. The ZBA is in full power to grant the requested relief, and the applicant respectfully asks that the ZBA consider the request. We note that several adjacent parcel owners do not object to the proposal (refer to the letter from adjacent owners located in Appendix C).

3.0 ENVIRONMENTAL ASSESSMENT

A short Environmental Assessment Form (EAF) has been prepared and can be found in Appendix B. The proposed subdivision has been deemed as an unlisted action, and the Planning Board, as lead agency, granted a negative declaration at its July 2018 meeting.

APPENDIX A
AREA VARIANCE APPLICATION

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEAL

OWNER: Brent & Alison Spodek

ADDRESS:

2 Green St Beacon, NY 12508

TELEPHONE: 646-248-3472

E-MAIL:

brent@beaconhebrewalliance.org

APPLICANT (if not owner): Same as Owner

ADDRESS:

TELEPHONE:

E-MAIL:

REPRESENTED BY: Daniel G. Koehler, P.E.

ADDRESS: 174 Main St Beacon NY 12508

TELEPHONE: 845-440-6926

E-MAIL:

dkoehler@hudsonlanddesign.com

PROPERTY LOCATION: 32 Alice Street Beacon NY 12508

ZONING DISTRICT: R1 - 7.5

TAX MAP DESIGNATION: SECTION 6054 BLOCK 47 LOTS 320616

Section of Zoning Code appealed from or Interpretation desired:

1. Allow lot width of 68 feet at the proposed building where 75 feet is required (a relief of 7 feet). - code reference 223-17C.
2. Request for lot width of 63 feet at the building line, where 75 feet is required (a relief of 12 feet). - code reference 223-12H.

Reason supporting request:

The variance would allow a non-conforming lot to be developed in a way that is characteristic to the neighborhood.

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

Site Plan, Neighborhood Study

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: Brent and Alison Spodek

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

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

2 Green St., Beacon NY 12508
32 Alice St., Beacon NY 12508

Applicant Address: 2 Green Street, Beacon NY 12508

Project Address: 32 Alice Street, Beacon NY 12508

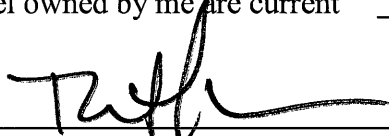
Project Tax Grid # 6054-47-320616

Type of Application Area Variance

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

I, Brent Spodek, 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

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: Brent and Alison Spodek

Address of Applicant: 2 Green Street Beacon NY 12508

Telephone Contact Information: 646-248-3472

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.
Brent Spodek	2 Green St., Beacon	646-248-3472	Purchase 6/22/18	Dutchess Co.
Alison Spodek	2 Green St., Beacon	646-248-3393	Purchase 6/22/18	Dutchess Co.

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.

N/A

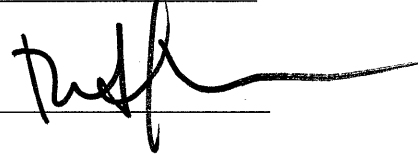
SECTION D. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ YES

☒ NO

I, Brent Spodek being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) Brent Spodek

(Signature) 

FOR OFFICE USE ONLY
Application #

APPENDIX B

ENVIRONMENTAL ASSESSMENT FORM

Short Environmental Assessment Form

Part 1 - Project Information

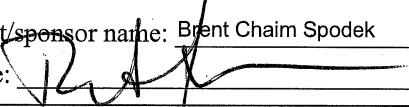
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 32 Alice St. Subdivision							
Project Location (describe, and attach a location map): 32 Alice St. Beacon, NY 12508							
Brief Description of Proposed Action: Applicant seeks to subdivide the 0.47 AC parcel into two separate lots, one to serve the existing dwelling and accessory structure, and the other to serve as a building lot.							
Name of Applicant or Sponsor: Brent Chaim Spodek		Telephone: E-Mail: brent@beaconhebrewalliance.org					
Address: 2 Green St.							
City/PO: Beacon		State: NY	Zip Code: 12508				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 0.47 acres b. Total acreage to be physically disturbed? +/-0.16 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.47 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Eventual discharge to the City of Beacon Storm Sewer system _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ See attachments - sites within 2,000 feet _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Brent Chaim Spodek		Date: June 18, 2018
Signature: 		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance between two points on the ground

Map Length:	1,976.61	Feet
Ground Length:	1,976.66	
Heading:	299.79	degrees

☒ Mouse Navigation

Save Clear



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Churchill Mills

Site Code: C314118

Program: Brownfield Cleanup Program

Classification: N *

EPA ID Number:

Location

DEC Region: 3

Address: 1 East Main Street

City:Beacon **Zip:** 12508

County:Dutchess

Latitude: 41.502233333

Longitude: -73.9628

Site Type:

Estimated Size: 3.36 Acres

Site Owner(s) and Operator(s)

Current Owner Name: EAST MAIN MILLS, LLC

Current Owner(s) Address: 18 EAST 22ND STREET
NEW YORK,NY, 10010

Site Document Repository

Name: HOWLAND PUBLIC LIBRARY

Address: 313 MAIN STREET
BEACON,NY 12508

Site Description

The Church Hill Mills Site is +/- 3.36 acres, made up of 4 parcels and is located in the City of Beacon, Dutchess County. The site is bounded by Tioranda Avenue to the northeast, East Main Street to the north, the Fishkill Creek to the east and south, and Churchill Street to the southwest. The site is currently vacant and has previously been utilized in part for various industrial uses including hat manufacturing, aluminum anodizing, woodworking and auto parts salvaging. Contaminants which are known or suspected to affect the soil, groundwater, sediment and/or soil gases include petroleum, SVOCs, metals and PCBs. The BCP application was approved in 2007. The remedial investigation work plan was approved in December 2007. After two schedule extensions, the Volunteer has terminated the BCA without implementing the investigation work plan.

Site Environmental Assessment

Contaminants which are known or suspected to affect the soil, groundwater, sediment and/or soil gases are petroleum, SVOCs, metals and PCBs.

*** Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information: [E-mail Us](#)

Refine This Search





Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Braendly Dye Company

Site Code: 314025

Program: State Superfund Program

Classification: N *

EPA ID Number:

Location

DEC Region: 3

Address: Leonard & Grove Streets

City:Beacon **Zip:** 12508

County:Dutchess

Latitude: 41.502807072

Longitude: -73.961379899

Site Type:

Estimated Size: 2 Acres

Site Owner(s) and Operator(s)

Current Owner Name: RKDK Associates c/o Merritt Meridian

Current Owner(s) Address: PO Box 228 67 Fishkill Avenue
Beacon,NY, 12508

Current Owner Name: Fishkill Creek Development Corp.

Current Owner(s) Address: C/O ATTN:Y., PO BOX 422
FISHKILL,NY, 12524

Current Owner Name: BRAENDLY DYE COMPANY

Current Owner(s) Address: PO BOX 228 67 FISHKILL AVE.
BEACON,NY, 12508

Owner(s) during disposal: BRAENDLY DYE COMPANY

Current On-Site Operator: Braendly Dye Company

Stated Operator(s) Address: LEONARD STREET
BEACON,NY 12508

Site Description

Prior to 1985 a dyeing and finishing plant was operated at this site by several different operators including Braendly Dye Works, Inc., Braendly Fishkill, Inc. and Dutchess Dyeing and Printing, Inc. Furnace ash and soot were disposed of in a two acre open area until approximately 1959. Drums of other wastes, including dyes and fabrics, were suspected. It was suspected that barrels containing dyes and furnace soot leached into Fishkill Creek (1950's), but no evidence of leachate was observed. Phase I and II investigations have been completed. The Phase II indicated only minor contamination, mostly PAH compounds in soil and sediment most typically associated with coal tar. The waste materials at this site can be characterized as non-hazardous industrial wastes. Latitude 41 30'13"N Longitude 73 57'37"W

Site Environmental Assessment

There are no environmental problems associated with the disposal of hazardous waste at this site. The site does not qualify for addition to the Registry of Inactive Hazardous Waste Disposal Sites

*** Class N Sites:** "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information: [E-mail Us](#)

Refine This Search

APPENDIX C
LETTERS FROM:
APPLICANT/OWNER
&
ADJACENT PARCEL OWNERS

2 Green Street
Beacon, NY 12508

August 21, 2018

Dear Chairman Dunne, and Board Members Haug, Lanier, Smith and Jensen:

I apologize that I am not present to submit my application in person; the September ZBA meeting is on Yom Kippor, the holiest day on the Jewish calendar. As a practicing Jew, let alone the rabbi of this community, I hope you understand that it is impossible for me to be present. Please allow me to introduce myself via this letter.

My wife Alison and I have lived in Beacon since 2009. Our eldest child was about two years old when we moved here and our younger child was born here. I am the rabbi at Beacon Hebrew Alliance and Alison is an Associate Professor of Chemistry at Vassar College. Through the synagogue, Beacon Junior Baseball, the Community Blood Drive and many other civic activities, we are very engaged in the public life of our community.

We bought our house at 2 Green Street soon after we moved here and it has been a wonderful home for us. However, it does not have any guest space, and with both of our mothers aging, we want to have space where they can stay with us on a long term basis with comfort and dignity. We are committed to staying in Beacon, and in our mountainside community if at all possible.

As you are well aware, there is very little land available in Beacon for new single family home construction. When Ben Niles and Jean Burger, our neighbors at 32 Alice Street, told us that they would be moving to Boston, it seemed like an incredible opportunity for us to build a new house that is literally around the

corner from the only home our kids have ever known. So, we purchased the lot from Jean and Ben in hopes of subdividing it, so that we can build a house to the size and specifications needed to accommodate our family.

This application, which Daniel Koehler is submitting on our behalf, is to split the ~.47 parcel at 32 Alice into two. On the newly created lot, we would build our new house; the existing lot and house would either be sold or rented out.

Thank you for considering this application in our absence; again, I apologize that we cannot be there in person. I anticipate being present for any future meetings if needed and I can be reached, at 646.248.3393 or at brent.spodek@gmail.com.

With blessings,

A handwritten signature in black ink, appearing to read "Rabbi Brent Spodek". The signature is fluid and cursive, with the first name "Rabbi" written in a smaller, more compact script than the last name "Spodek".

Rabbi Brent Spodek

To Whom It May Concern:

We have met with our neighbors, Rabbi Brent and Alison Spodek, and are aware of their plans to divide the property at 32 Alice Street and build a new house for their family there.

We have no objections to welcoming them to our street.

Name	Address	Phone	Signature
Larry Edora	1 Judson St.	838-0809	L. Edora
Mary Gertel	44 Alice St	559-4419	M. Gertel
Jeffrey Gertel	44 Alice St.	559-4419	J. Gertel
Vincent Komec	25 Alice St	831-9017	V. Komec
Steve Munoz	24 ALICE ST	505-3418	A. Munoz
JEFF ZORN	19 ALICE ST	518-522-4732	J. Zorn
Rosa Cordero	15 Alice ST Bergen	845-440-3990	

APPENDIX D
NEIGHBORHOOD STUDY PLAN



LEGEND:

SUBJECT PARCEL BOUNDARY

PARCEL BOUNDARY

STUDY AREA LIMITS

NON CONFORMING LOTS (LOT WIDTH)

NEIGHBORHOOD STUDY PLAN
SCALE: 1"=100'

NEIGHBORHOOD CONFORMITY PLAN
32 ALICE STREET

32 ALICE STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6054-47-320616
SCALE: 1" = 100'
AUGUST 28, 2018



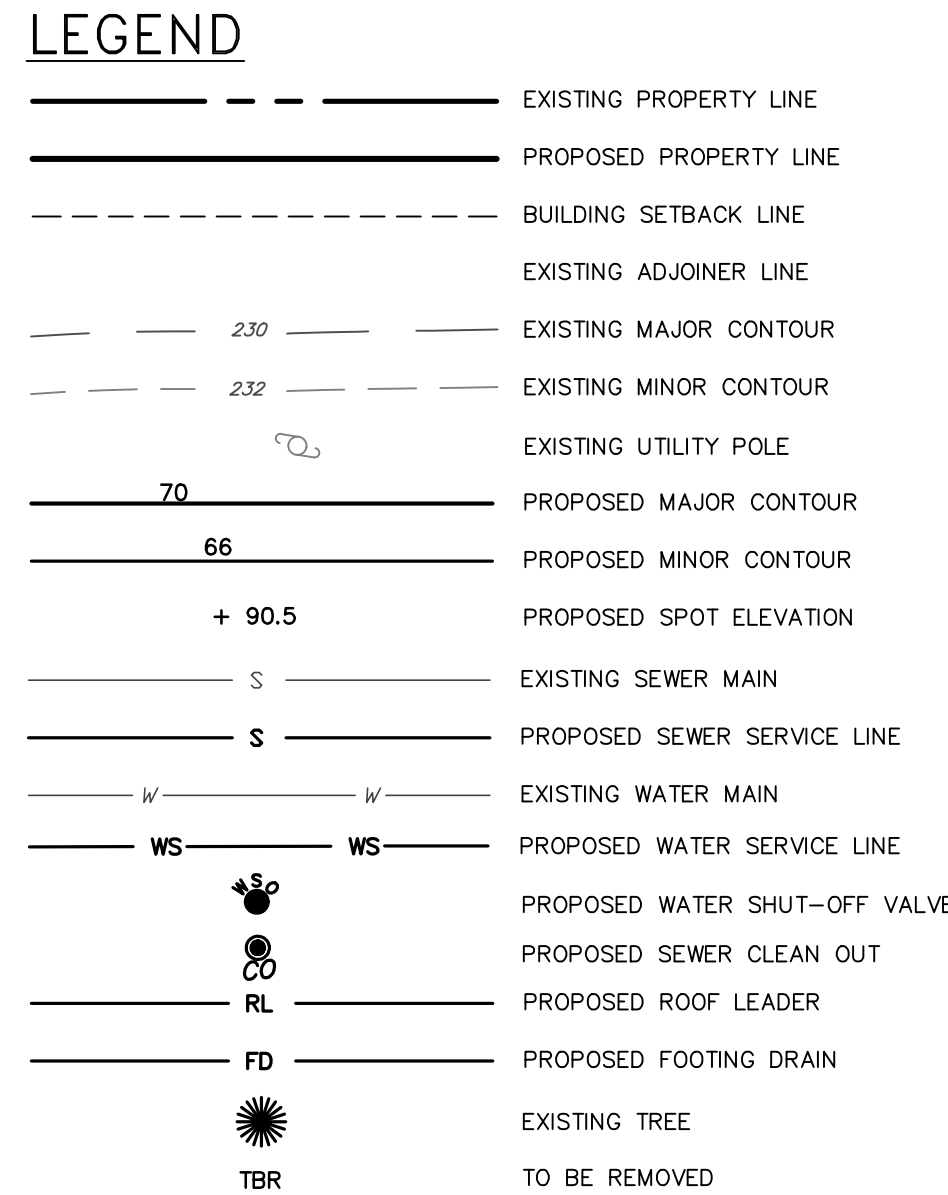
HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637

SEAL
JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
DANIEL G. KOEHLER, P.E.
NYS LICENSE NO. 082716

NOTES:
1. BASE MAPPING PER DUTCHESS COUNTY GIS.

DRAWN BY: DGK		CHECKED BY: JDB	JOB NO.: 2018-014
REVISIONS:			
NO.	DATE	DESCRIPTION	BY

APPENDIX E
SUBDIVISION PLAN



THE UNDERSIGNED OWNER OF THE PROPERTY HEREON STATES THAT HE IS FAMILIAR WITH THIS MAP, ITS CONTENTS AND ITS LEGENDS AND HEREBY CONSENTS TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

BRENT OR ALISON SPODEK

DATE _____

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON
IS BASED ON ACTUAL FIELD MEASUREMENTS COMPLETED
ON JUNE 18, 2018.

THOMAS CERCHIARA P.L.S.

SEAL

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE

_____ DAY OF _____, 20_____, SUBJECT TO ALL REQUIREMENTS AND
CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT,
AS APPROVED, SHALL VOID THIS APPROVAL.

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

----- CHAIRMAN

SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY
RESPECTIVELY MAY SIGN IN THIS PLACE.

SCHEDULE OF REGULATIONS (R1-7.5 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	LOT #1	LOT #2
LOT AREA:	7,500 SQUARE FEET MIN	11,067 S.F.	9,274 S.F.
LOT WIDTH:	75 FEET MINIMUM	75.1 FEET**	68 FEET**
LOT DEPTH:	100 FEET MINIMUM	139.1 FEET	136.5 FEET
YARD SETBACKS (RESIDENTIAL USE):			
FRONT YARD:	30 FEET MINIMUM	9.5 FEET*	9.8 FEET***
SIDE YARD:	10 FEET MINIMUM	10.1 FEET	10.0 FEET
SIDE YARD (TOTAL OF TWO):	20 FEET MINIMUM TOTAL	53.5 FEET	33.2 FEET
REAR YARD:	30 FEET MINIMUM	93.1 FEET	81.8 FEET
MAIN BUILDING HEIGHT:	MAX 35 FEET, 2.5 STORIES	+25 FEET	<35 FEET
BUILDING COVERAGE:	MAX 30%	14.5%	14.2%
DWELLING UNITS PER LOT:	MAX 1	1	1

* PRE-EXISTING NON-CONFORMANCE
 ** AVERAGE LOT WIDTH SHOWN. THE HOUSE AND SHEDS ON LOT 1 ARE ALL LOCATED ON PORTION OF THE LOT WHERE THE MINIMUM LOT WIDTH IS MET. THE PROPOSED HOUSE ON LOT 2 IS SHOWN ON A PORTION OF THE LOT WHERE THE LOT WIDTH IS NOT MET (63.2'). THEREFORE, THE APPLICANT REQUESTS RELIEF FROM THE ZONING BOARD APPEALS FOR THE LOT WIDTH ON LOT 2.
 *** THE APPLICANT REQUESTS RELIEF FROM THE PLANNING BOARD FOR THE FRONT YARD REQUIREMENT ON LOT #2 (TO PROVIDE A CONSISTENT FRONT YARD SETBACK TO HOUSES ALONG ALICE STREET).

TREE TABLE	
NUMBER	DESCRIPTION
1 (TBR)	12" CEDAR
2	16" SPRUCE
3	8" DOGWOOD
4	8" DOGWOOD
5	12" SPRUCE
6	10" SPRUCE
7	22" SPRUCE
8	24" MAPLE
9	18" MAPLE
10	16" MAPLE
11	22" MAPLE
12	30" MAPLE
13	10" SPRUCE
14	4" CEDAR
15	22" SPRUCE

<p align="center"><u>INFILTRATION TEST TABLE:</u></p> <p align="center">INFILTRATION TESTS RESULTS ESTABLISHED ON 7/24/2018</p>	
IT-2A: 48" DEEP:	10.5 INCHES/HOUR; 10.5 INCHES/HOUR; 10.25 INCHES/HOUR

<u>DEEP TEST HOLE TABLE:</u>	
TP1-1 & TP2-1 TEST HOLE RESULTS ESTABLISHED ON 7/24/18	
TP1-1: 0"-14" TOPSOIL, 14"- 60" BROWN SANDY LOAM WITH COBBLES, 60+" POSSIBLE BEDROCK, NO GROUNDWATER, NO MOTTLING	
TP2-1: 0"-11" TOPSOIL, 11"- 84" MEDIUM GRADE SAND WITH SOME COBBLES, NO BEDROCK, NO GROUNDWATER, NO MOTTLING	

PROJECT INFORMATION:

PARCEL OWNERS:	BRENT & ALISON SPODEX, 2 GREEN STREET, BEACON NY 12508
PROJECT ENGINEER:	HUDSON LAND DESIGN P.C., 174 MAIN STREET, BEACON NY 12508
PROJECT SURVEYOR:	TEC LAND SURVEYING, 150 TIORONDA AVENUE, BEACON NY 12508
PARCEL LOCATION:	32 ALICE STREET, BEACON NY, 12508
TAX PARCEL IDS:	6054-47-320616
PARCEL AREA:	± 0.467 ACRES
WATER SUPPLY:	MUNICIPAL
SEWAGE DISPOSAL:	MUNICIPAL

SITE SPECIFIC NOTES:

1. THE CONTRACTOR SHALL PERFORM A UTILITIES CALL-OUT PRIOR TO CONSTRUCTION TO VERIFY ALL UNDERGROUND UTILITY LOCATIONS BY CONTACTING UPFO @ 1-800-962-7662. SPECIFIC ATTENTION SHALL BE PAID TO THE LOCATIONS OF THE GAS (IF APPLICABLE), WATER AND SEWER MAINS WITH RESPECT TO THE CITY OF BEACON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES.
2. THE CONTRACTOR SHALL CONTACT THE CITY OF BEACON WATER AND SEWER DEPARTMENTS TO SCHEDULE A PRE-CONSTRUCTION MEETING TO ENSURE THAT THE ARRANGEMENTS FOR WATER SUPPLY AND SEWAGE DISPOSAL ARE COMMENCED IN ACCORDANCE WITH THE APPROVED PLANS AND AMENDMENTS THERETO AND GENERALLY ACCEPTED STANDARDS.
3. THE PROPOSED LOT SHALL BE SERVED BY THE CITY OF BEACON MUNICIPAL WATER AND SEWER SERVICES.
4. THE WATER SERVICE LINE AND METER SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF BEACON WATER DEPARTMENT REQUIREMENTS.
5. THE WATER SERVICE LINE SHALL BE 3/4" x K-COPPER.
6. THE SEWER SERVICE LINE SHALL BE 4" PL-40H-40 PVC PIPE WITH PITCH AS SHOWN ON THE PLAN. (MINIMUM OF 1/8" PER FOOT) SHALL BE MAINTAINED.
7. A ROAD OPENING PERMIT SHALL BE REQUIRED FOR THE INSTALLATION OF THE PROPOSED WATER AND SEWER SERVICES FOR THE NEW LOT. STREET CLOSURE FOR WATER AND SEWER SERVICE CONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF BEACON REQUIREMENTS.
8. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION. THE PROPOSED DRAINAGE SHALL BE STABILIZED WITH EROSION CONTROL MATS.
9. ROOF LEADER CONNECTIONS TO BE MINIMUM 4" PVC OR HDPE @ 2.0% MIN.
10. SUMP PUMP TO BE PROVIDED FOR FOOTING DRAIN, IF NECESSARY. THE TYPE OF PUMP AND METHODS USED TO ENSURE PROPER DRAINAGE SHALL BE ACCEPTABLE TO THE CITY OF BEACON'S WATER DEPARTMENT.
11. THE DRIVEWAY/PAVEMENT DISTANCE MEETS OR EXCEEDS COMPLIANCE WITH THE CITY OF BEACON'S 1975 (B) CODE AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REQUIREMENTS. THE STATE UTILIZES THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) GUIDELINES FOR INTERSECTION SIGHT DISTANCES. FOR ROADS WITH A SPEED LIMIT OF 30 MPH, AASHTO DESIGN TABLES CALL FOR A SIGHT DISTANCE OF 290 FEET TO THE LEFT AND 335 FEET TO THE RIGHT. THE MEASURED SIGHT DISTANCE IS AS FOLLOWS:
LOT 2: SLSLSD = 424 FEET (TO INTERSECTION OF ALICE STREET AND PROSPECT STREET)
LOT 1: SLSLSD = 424 FEET (TO INTERSECTION OF ALICE STREET AND PROSPECT STREET)
12. SLSLSD LEFT AND RIGHT FOR LOT 2 ARE SLIGHTLY DEFICIENT HOWEVER THESE WERE THE MAXIMUM ACHIEVABLE LENGTHS AS THE SLSLSD LEFT WAS MEASURED TO THE ALICE STREET TERMINATION AND THE SLSLSD RIGHT WAS MEASURED TO THE T-Y INTERSECTION WITH JUDSON STREET.
13. STOPPING SIGHT DISTANCE (SSD) WAS OBSERVED TO BE IN EXCESS OF THE REQUIRED 200 FEET WHEN APPROACHING CROSSLING DRIVE FROM THE LEFT AND RIGHT.
14. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND INVERTS OF ALL CATCH BASINS, STORM SEWER LINES, SANITARY MANHOLES, SEWER LINES, WATERLINES, AND UNDERGROUND UTILITY LINES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOT ASSUME THAT ALL LOCATIONS AS SHOWN ON THE PLAN ARE CORRECT. INVESTIGATIVE TEST PITS MAY BE REQUIRED TO VERIFY LOCATIONS AND DEPTHS.
15. THE CITY OF BEACON BUILDING DEPARTMENT SHALL BE PROVIDED ACCESS TO VERIFY THE LOCATION OF THE EXISTING ROOF LEADERS AND SUMP PUMPS AND THE AREA THEY DRAIN TO.

INDIANA BAT PROTECTION NOTES:

1. TREE CLEARING SHALL BE RESTRICTED TO THE PERIOD BETWEEN OCTOBER 1 AND MARCH 31.
2. THE LIMITS OF DISTURBANCE SHALL BE DEMARCATED BY INSTALLING ORANGE CONSTRUCTION FENCE FOR THE GENERAL IMPROVEMENT AND INFRASTRUCTURE CONSTRUCTION ACTIVITIES AND FOR THE INDIVIDUAL LOT CONSTRUCTION. THESE LIMITS SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
3. DUST CONTROL DURING CONSTRUCTION SHALL BE IMPLEMENTED. THIS INCLUDES USE OF CONSTRUCTION ENTRANCES, APPLYING LIGHT WATER, AND ESTABLISHING VEGETATION.
4. STREET LIGHTS ARE NOT PERMITTED. RESIDENTIAL LIGHTING SHALL BE DIRECTED DOWNWARD TO REDUCE IMPACTS TO BATS FORAGING FOR FOOD.

MAP REFERENCES:

1. EXISTING FEATURES AS SHOWN ON THIS SUBDIVISION PLAN PROVIDED BY MAPPING OBTAINED FROM TEC LAND SURVEYORS, PS, LLC.

SURVEY NOTES:

1. SEE SHEET 1 FOR METES AND BOUNDS FOR EXISTING AND PROPOSED PROPERTY LINES

PRELIMINARY SUBDIVISION PLAN
32 ALICE ST. SUBDIVISION

32 ALICE STREET
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 6054-47-320616
SCALE: 1" = 20'
JUNE 26, 2018



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.

174 MAIN STREET
BEACON, NEW YORK 12508
PH: 845-440-6926 F: 845-440-6637



JON D. BODENDORF, P.E.
NYS LICENSE NO. 076245
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SHEET: 2 OF 4