



CITY OF BEACON, NEW YORK  
ONE MUNICIPAL PLAZA  
BEACON, NY 12508

Mayor Randy Casale

Councilmember Lee Kyriacou, At Large

Councilmember George Mansfield, At Large

Councilmember Terry Nelson, Ward 1

Councilmember John E. Rembert, Ward 2

Councilmember Jodi M. McCredo, Ward 3

Councilmember Amber J. Grant, Ward 4

City Administrator Anthony Ruggiero

May 21, 2018  
7:00 PM  
City Council Agenda

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Public Comment:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. Please sign in at the podium. This segment will last no longer than thirty minutes, with speakers recognized in the order they appear on the sign-in sheet. A second public comment opportunity will be provided later in the meeting for those who do not get to speak during this first segment.

**Public Hearings:**

- Proposed Local Law to amend Chapter 223 of the Code of the City of Beacon concerning a) the Central Main Street District (CMS); b) Amendments to the City of Beacon Comprehensive Plan update involving changes to the Central Main Street (CMS), Central Business (CB), Off-Street Parking (PB), R1-5, RD-4, Local Business (LB), General Business (GB), Light Industrial (LI) and Waterfront Park (WP); and c) Proposed Local Law to amend the Zoning Map of the City of Beacon
- 2018 Capital Plan

**Reports:**

- Council Member Amber J. Grant
- Council Member John E. Rembert
- Council Member Lee Kyriacou
- Council Member George Mansfield
- Council Member Jodi M. McCredo
- Council Member Terry Nelson
- City Administrator, Anthony Ruggiero
- County Legislators
- Mayor Randy Casale

**Local Laws and Resolutions:**

1. Resolution to adopt a local law to amend Chapter 223, concerning calculation of the Lot Area per Dwelling Unit in the R1, RD and Fishkill Creek Development Districts

2. Resolution to set a public hearing on June 18, 2019 to receive public comment on a proposed local law to amend Chapter 195 of the Code of the City of Beacon, concerning Lot Line Adjustments
3. Resolution to adopt a local law to create Section 223-26.4 concerning Short-Term Rentals
4. Resolution to amend City fee schedule to create short-term rental permit fee
5. Resolution to request state action concerning state building code requirements for short-term rentals
6. Resolution authorizing execution of agreement with New York State Department of State for Mid-Hudson Downtown Initiative
7. Resolution authorizing an Agreement with Beacon Arts to Place a Beacon 3D Sculpture on City-Owned Property
8. Resolution establishing a Tree Advisory Committee
9. Resolution authorizing the Adoption of a Capital Plan for the City of Beacon for the Year 2018
10. Resolution approving the adoption of a policy relating to cell phone use
11. Resolution approving the adoption of a policy relating to nepotism

**Approval of Minutes:**

- Approval of Minutes from May 7, 2018

**2nd Opportunity for Public Comments:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. This segment will last no longer than thirty minutes. Those who spoke at the first public comment segment are not permitted to speak again.

**Adjournment:**

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Proposed Local Law to amend Chapter 223 of the Code of the City of Beacon concerning a) the Central Main Street District (CMS); b) Amendments to the City of Beacon Comprehensive Plan update involving changes to the Central Main Street (CMS), Central Business (CB), Off-Street Parking (PB), R1-5, RD-4, Local Business (LB), General Business (GB), Light Industrial (LI) and Waterfront Park (WP); and c) Proposed Local Law to amend the Zoning Map of the City of Beacon**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
CMS Draft Law_4.10.18	Local Law
Comp Plan Amendments 3.19.18	Local Law
Zoning Map Changes_4.12.18	Local Law

LOCAL LAW NO. \_\_\_\_ OF 2018

CITY COUNCIL  
CITY OF BEACON

LOCAL LAW AMENDING CHAPTER 223  
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 223 of  
the Code of the City of Beacon  
regarding the Central Main District.

**BE IT ENACTED** by the City Council of the City of Beacon as follows:

**Section 1.** Chapter 223 of the City Code, Article IVD entitled “Central Main Street (CMS) District,” is hereby amended as follows:

**Chapter 223. Zoning - Article IVD. Central Main Street (CMS) District**

**§ 223-41.16 Purpose.**

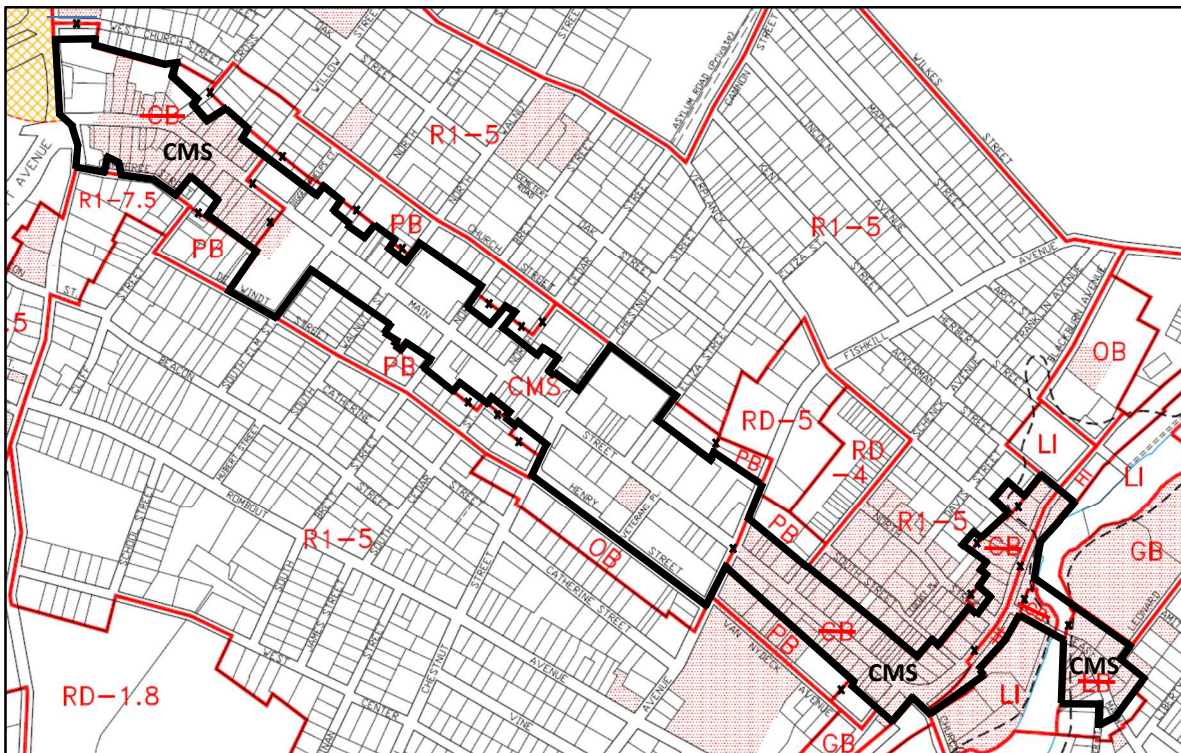
The purpose of this Article IVD is to preserve the traditional character of Main Street, particularly for buildings in the Historic District and Landmark Overlay (HDLO) zone, while also increasing the vitality, attractiveness, and marketability of Main Street, and the Central Business District by providing more flexibility of land use while maintaining and enhancing urban form as recommended in the City of Beacon Comprehensive Plan Update adopted on December 17, 2007 April 3, 2017. This article promotes a vibrant, economically successful, and environmentally sustainable Main Street with a pedestrian-oriented public realm and mixed uses. ~~This article is also intended to provide a simplified and streamlined review process that facilitates redevelopment in accordance with its provisions and the intent of the Comprehensive Plan. See Figure 18-15: Main Street Infill Strategies Illustrative Sketch Plan, [1] adapted from the Appendix to the Comprehensive Plan.~~

~~[1] Editor's Note: See § 223-41.18L.~~

**§ 223-41.17 Applicability and boundaries.**

The provisions of this article apply to the area shown as the Central Main Street District (CMS) on the City of Beacon Zoning Map, ~~a portion of which is annexed hereto to amend said Zoning Map.~~ [1] All new uses of land and structures and changed uses of land and structures shall comply with this article. Existing nonconforming uses may continue as provided in § 223-10, Nonconforming uses and structures, except as may be otherwise provided in this article. Any existing conforming building that is destroyed by fire or casualty to an extent of more than 50% may be rebuilt on the same footprint and with the same dimensions and may be extended at the same height along its frontage. Any existing building that does not satisfy the minimum building height requirements in the district may continue, but any future expansion must conform to this chapter and may be expanded at the same height, provided that it is in conformity with all other dimensional requirements in the district. In case of any conflict between this article and other provisions of this Zoning Chapter, this article shall control. In order to encourage mixed uses, more than one permitted use shall be allowed on any lot or parcel, subject to all approval criteria contained herein.





**Figure 17-1: Central Main Street Zone Map**

[1] Editor's Note: The Zoning Map is on file in the City offices.

## § 223-41.18 Regulations.

A. Uses by right. The uses listed below are permitted by right in the CMS district, in the manner and under the conditions specified below. Unless otherwise indicated in this § 223-41.18, all such uses require site plan review, ~~to be conducted in an expedited fashion pursuant to Subsection H below.~~ Site plan review shall not be required for a change of use in an existing building where the new use is allowed by right, the building will not be expanded, and the minimum number of off-street parking spaces required for the new use in § 223-41.18 G(2) is not more than 25% greater than the requirement for the existing use in § 223-26F herein.

- (1) Apartments, provided that for parcels fronting on Main Street or East Main Street they may ~~may~~ shall only be located on upper stories or at least ~~35~~ 50 feet behind the facade in the rear portion of a ground floor, ~~along Main Street.~~ The limitations on nonconforming residential uses on Main Street in § 223-10H shall not apply in the CMS District.
- (2) One-family, two-family, attached, and multifamily dwellings, provided that ~~they do not have ground floor frontage on Main Street~~ for parcels fronting on Main Street or East Main Street such uses are not permitted on the ground floor in the first 50 feet from the facade.
- (3) Hotel, subject to § 223-20, inn, or ~~inn, or~~ bed-and-breakfast establishment, subject to § 223-24.4.
- (4) Offices of any kind, including professional, medical, ~~or~~ business, and banks or other financial institutions.
- (5) Artist studio.
- (6) Art gallery.
- (7) Restaurant, coffee house, brew pub, and other establishments that serve food with or without alcoholic beverages, and are not a bar.

- (8) Food preparation business.
- (9) Retail and personal services.
- (10) Funeral home.
- (11) Off-street parking lot facilities, provided that ~~it is~~ they are set back at least 40 feet from the Main Street or East Main Street property line and screened from the main street by buildings and/or landscaping.
- (12) Public garage, as defined in this Chapter, without motor vehicle repair, vehicle sales, or fuel sales, provided that it is set back at least 40 feet and screened from the main street by buildings and/or landscaping. ~~{See "Parking" in F(1).}~~
- (13) School, public or not-for-profit educational institution, trade or vocational school, job placement or training program, continuing education program or instructional school such as karate school, dance school or studio, language school or vehicular driving school.
- (14) Indoor commercial recreation.
- (15) Park, plaza, green, community garden, and other forms of outdoor plant cultivation.
- (16) Artist live/work space subject to § 223-24.3, provided that they may only be located on upper stories or at least ~~35~~ 50 feet behind the facade, in the rear portion of a ground floor, along Main Street or East Main Street, unless the space in the ~~35~~ 50 feet behind the façade is used for the retail sale of the artist's wares.
- (17) Theater, museum, library, concert hall and other music venues, and other similar kinds of cultural facilities.
- (18) ~~Schools and other public or nonprofit educational institutions~~ Auction gallery.
- (19) Wireless telecommunications services facilities, provided that they are mounted on a building and do not increase its height by more than 15 feet above applicable height limits and consistent with § 223-24.5.
- (20) Buildings, structures and uses owned or operated by the City of Beacon or any department or agency thereof.
- (21) Spa, health club, gym, yoga and pilates studio, and similar kinds of fitness centers.
- (22) Microbrewery or microdistillery which has a retail or tasting room component of at least 200 square feet of floor area.
- (23) Retail sales from a truck or trailer, subject to § 223-26.3.
- (24) Workshop for the making or repair of clocks, watches, jewelry, musical instruments or similar ~~items~~ artisan workshops, ~~having a total floor area of not more than 800 square feet and~~ having a retail component of at least 200 square feet.
- (25) Tattoo parlor, subject to 223-26.2.
- (26) Club, civic or fraternal, subject to § 223-24.2, provided that for parcels fronting on Main Street or East Main Street such uses are not permitted on the ground floor in the first 50 feet from the facade.

B. Uses by special permit.

- (1) The following uses are allowed by special permit from the ~~Planning Board~~ City Council, upon a finding that the proposed use is consistent with the City of Beacon Comprehensive Plan Update, will enhance the architectural character of the street and will benefit the urban, pedestrian-friendly qualities of Main Street and East Main Street, and that the conditions and standards in § 223-18 B(1)(a) through (d) have been met:
  - ~~(a) Any new project with over 10,000 square feet in building footprint area.~~

~~(b) A five-story building or tower of one additional story on a four-story building, provided that it complies with Subsection D(7) below and that the Planning Board finds that there are no substantial detrimental effects on parking, traffic, shadows, or specific views designated as important by the City Council. A five-story building with a setback of at least 15 feet behind the facade above the fourth story may be permitted on the north side of Main Street where it can call attention to a significant intersection. Corner locations are deemed most appropriate for such buildings, but they may be permitted elsewhere on the north side if they are compatible with the scale of the block on which they are located, and contribute architecturally to the block face. A five-story building will only be permitted if at least 15% of its residential units, and not less than five residential units, are designated as below market rate housing pursuant to Article IVB and/or at least 15% of the property's street level lot area adjacent to Main Street is available for public uses such as an outdoor dining area for a restaurant, pocket park or plaza.~~

(a) A public garage, as defined in this chapter, containing facilities used for repair of motor vehicles, but not for the sale of motor fuel. Such repair facilities shall ~~be located in the interior of a block and not front on or~~ be visible from ~~any public street Main Street or East Main Street except for a sign not larger than 24 square feet in area.~~

(b) A bar in which the primary product is alcoholic beverages and food service is incidental. Any establishment that serves alcoholic beverages and is open later than 1:00 a.m. on any night shall be presumed to be a bar for purposes of this section.

~~(c) Artist live/work space in accordance with § 223-24.3~~ Cigar and other lawful smoking establishments.

(2) In considering the appropriateness of the proposed use, the ~~Planning Board~~ City Council shall consider impacts on shadows, traffic, and parking and may impose traffic and parking mitigation measures. When making a decision on a special permit, the ~~Planning Board~~ City Council shall follow the ~~procedures~~ regulations in § 223-41.18 ~~(12)~~ of this chapter.

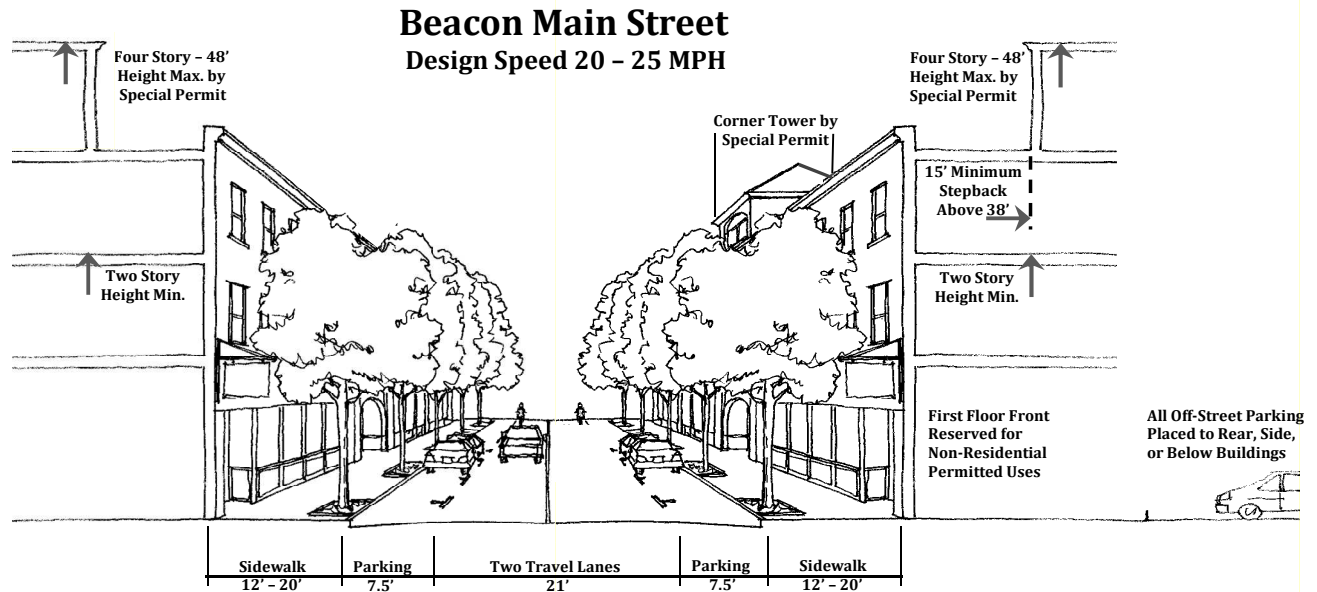
C. Accessory uses. The following are permitted accessory uses in the CMS District:

- (1) Any accessory building or use customarily incident to a permitted use, except outside storage.
- (2) Signs, in accordance with the provisions of § 223-15, as applicable.
- (3) Off-street parking areas, in accordance with § 223-41.18G.
- (4) Exterior lighting, in accordance with the provisions of § 223-41.18 L(13).
- (5) Home occupation, subject to 223-17.1.
- (6) Roof garden.
- (7) Greenhouse

D. Prohibited uses. Uses not listed in Subsection A or B above and the following specific uses are prohibited in the CMS District:

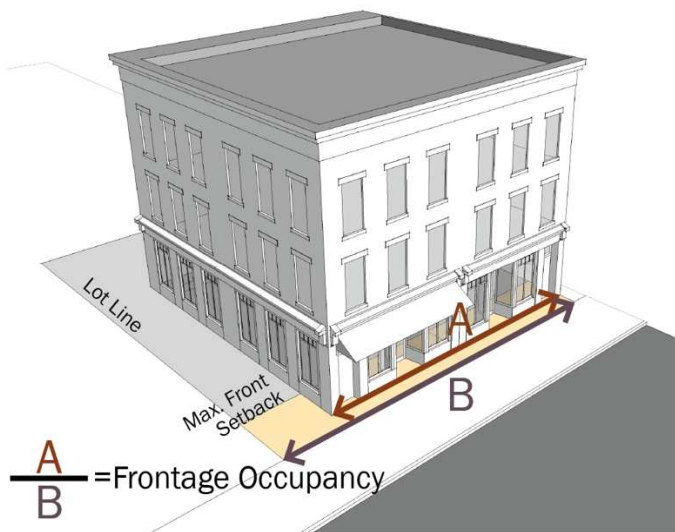
- (1) Gasoline filling stations.
- (2) Drive-through facilities, stand-alone or used in connection with any other use.

E. Dimensional regulations. All new construction or enlargement of existing structures in the CMS District shall be subject to the following minimum and maximum dimensional regulations. These may be modified as provided in Subsection J(15).



**Figure 18-1: Central Main Street Zoning Requirements Illustrative View**

- (1) Front setback on Main Street: minimum zero, maximum 10 feet, except that a larger maximum may be allowed if the area in front of a building has no parking spaces and is landscaped and used in a manner that enhances the street life on Main Street by such means as pocket parks or plazas, fountains, outdoor dining, public art, and outdoor display of items for sale on the premises. Such outdoor space shall be landscaped with plant materials as appropriate to the use, in a configuration approved by the Planning Board.
- (2) Front setback on other streets: minimum zero, maximum 25 feet. If surrounding buildings have a larger setback, the setback line may be placed in a location that harmonizes with the prevailing setbacks, provided that there is no parking in the front yard other than on a driveway accessing a rear garage.
- (2) Corner buildings: Corner buildings shall be treated as having frontage on both streets and front yard setbacks shall apply to both, as appropriate to the street. Corner buildings with frontage on Main Street shall wrap around corners and maintain a consistent setback line along the side.
- (3) Side setbacks: minimum of zero on Main Street, minimum of 10 feet on side streets. The minimum side setback on Main Street may be increased by the Planning Board to allow light and air to continue to penetrate an existing building that has side windows or to allow future development of an abutting parcel to the permitted building height.
- (4) Rear setbacks: minimum 25 feet for parcels 100 feet deep or more and minimum 10 feet for parcels under 100 feet deep, except that if the rear yard is voluntarily dedicated to the City of Beacon as all or part of a public parking lot or parking structure, the minimum setback shall be 10 feet with landscaping to screen adjacent uses.
- (5) Minimum frontage occupancy on Main Street or East Main Street: 100% for buildings with a shared side wall and 80% for detached buildings. Frontage occupancy is the percentage of the lot width which must be occupied by either a front building facade or structures that screen parking, located within the area between the minimum and maximum front setback. The purpose of this requirement is to maintain a sense of enclosure of the street. This requirement may be reduced by the Planning Board a) to the extent necessary to allow light and air into an adjacent building that has side windows; b) allow future development of an abutting parcel to the permitted building height; or c) if the applicant provides a suitably surfaced and lighted pedestrian passageway between Main the street and parking areas, public open spaces, or other streets, located behind the building.



**Figure 18-2: Frontage Occupancy**

- (6) ~~Building height for a building fronting on Main Street:~~ minimum two stories, maximum ~~four~~ three stories and 38 feet, as determined from the average street front level. Stories built below the grade of the street shall not be counted toward building height. The second story of a two-story building shall be built in a manner that allows actual occupancy for one or more permitted uses and does not create the mere appearance of a second story. Chimneys, vent pipes, mechanical systems, elevator shafts, antennas, wireless communications facilities, roof gardens, ~~and~~ fences, greenhouses, solar collectors, wind energy systems, and other rooftop accessory structures may project up to 15 feet above the maximum permitted height. With the exception of roof gardens and solar collectors, such projections may occupy no more than 20% of the roof area and must be set back at least 15 feet from the ~~front~~ edge of the roof along any street frontage.
- (7) ~~Except for parcels facing East Main Street, a special permit may be granted pursuant to Subsection B above by the Planning Board for a five fourth story building on the north side of Main Street. with a setback of at least 15 feet behind the facade along any street frontage. A 15-foot building setback above 38 feet shall also be required for any side of a four-story building within 40 feet of a lot line abutting another zoning district. Except for parcels facing East Main Street, a special permit may also be granted for a four-story tower without a setback at a corner on the south side of Main Street facing an intersection and occupying no more than 25 % feet of the roof area corner frontage of the building. For any building over three stories on the south side of Main Street or four stories on the north side, a setback of at least 15 feet behind the facade shall be required for the top story, except for corner towers allowed by special permit.~~

For proposed buildings on CMS parcels in or abutting the Historic District and Landmark Overlay Zone, any fourth story shall require a special permit by the City Council. The City Council may reduce a permitted building height to be no more than six feet higher than an existing building on an adjoining HDLO parcel for a distance of 30 feet along the frontage from the historic structure. All special permits in the CMS district shall require a finding that there are no substantial detrimental effects on shadows, parking, traffic, or specific views adopted as important by the City Council or in the Comprehensive Plan Update, that the new building will be compatible with the historic character of adjacent buildings, and that the conditions and standards in § 223-18 B(1)(a) through (d) have been met.

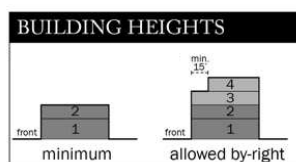
Building height for a building not fronting on Main Street or East Main Street: maximum three stories and 35 feet. Chimneys, vent pipes, roof gardens and fences, greenhouses, solar collectors, wind energy systems, and other rooftop accessory structures may project up to eight feet above the maximum height, provided that, with the exception of roof gardens and solar collectors, they occupy no more than 15% of the roof area and are set back at least 15 feet from the front edge of the roof.

- (8) Building depth: corner buildings shall not extend along a side street more than 150 feet from the Main Street or East Main Street frontage, unless the rear building height is reduced to two stories.
- (9) Lot area and lot width: There are no minimum lot area or lot width requirements.

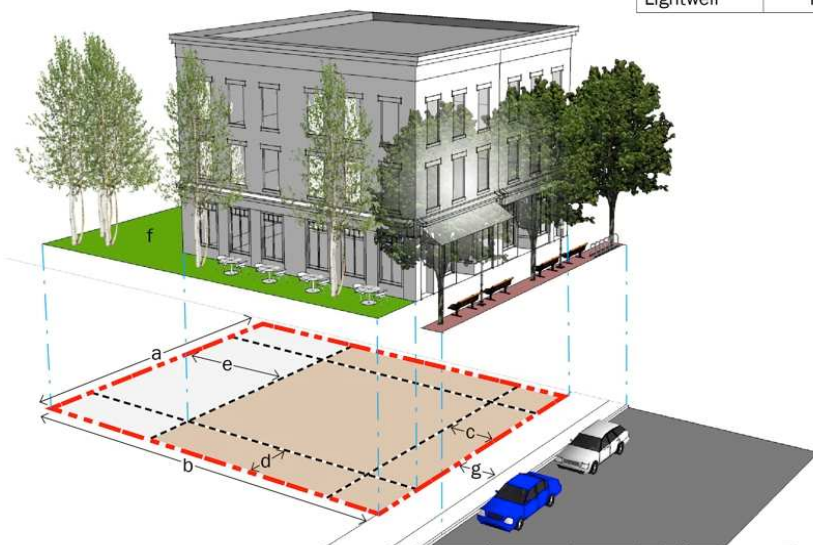


- (10) Lot depth: Minimum lot depth is 75 feet, except that on any lot in which the area behind a building is voluntarily dedicated to the City and accepted by the City Council for ~~as~~ public parking, there shall be no minimum depth requirement.
- (11) Floor area ratio: There is no maximum floor area ratio.
- (12) Landscaped area: ~~For lots fronting on Main Street, a~~ A minimum of 10% of the lot shall be landscaped with trees, shrubs, or grass in locations approved by the Planning Board that enhance the streetscape, ~~or provide a landscaped interior rear yard or courtyard, and are found to be consistent with the intent of the CMS District. This requirement shall be reduced to 5% if the landscaped area is accessible to the public. For lots not fronting on Main Street, a minimum of 15% of the lot shall be landscaped with trees and shrubs.~~ These requirements may be waived for lots of 5,000 square feet or less.
- (13) ~~Lots that front on Main Street~~ Dimensional standards.

LOT STANDARDS			
		Min.	Max.
	Lot Area	--	--
(a)	Lot Width	--	--
(b)	Lot Depth	75'	--
	F.A.R.	--	--
(c)	Front Setback	0'	10'
(d)	Side Setback	0'	--
(e)	Rear Setback	25'	--
(f)	Landscaped Area	10%	--
	Frontage Occupancy, detached building	80%	--
	Frontage Occupancy, buildings w/shared side wall	100%	--
(g)	Pedestrian Clearway	8'	--



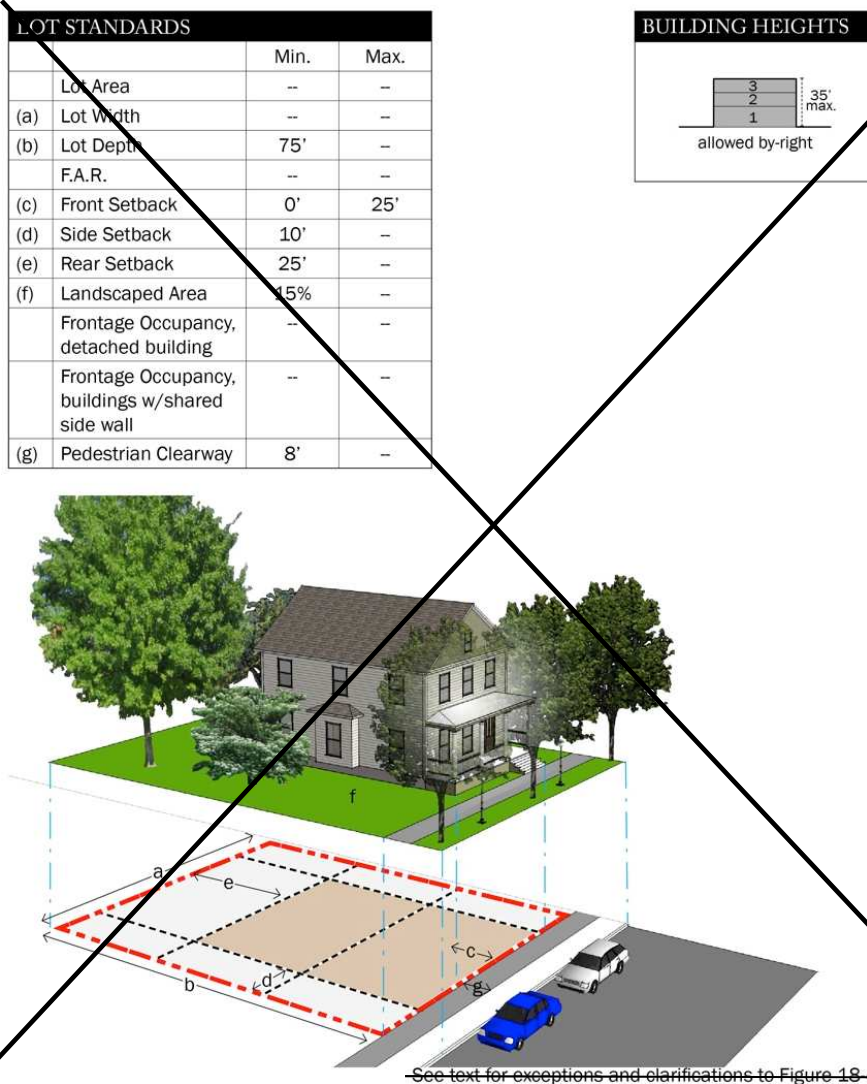
FRONTAGE TYPES	
	Allowed
Storefront	yes
Forecourt	yes
Stoop	no
Porch	no
Lightwell	no



See text for exceptions and clarifications to Figure 18.3. Rear setback 10 feet for lots less than 100 feet deep.

**Figure 18.3: ~~Lots that Front on Main Street~~ Dimensional Standards**

(15) Lots that do not front on Main Street.



**Figure 18-4: Lots That Do Not Front on Main Street or East Main Street**

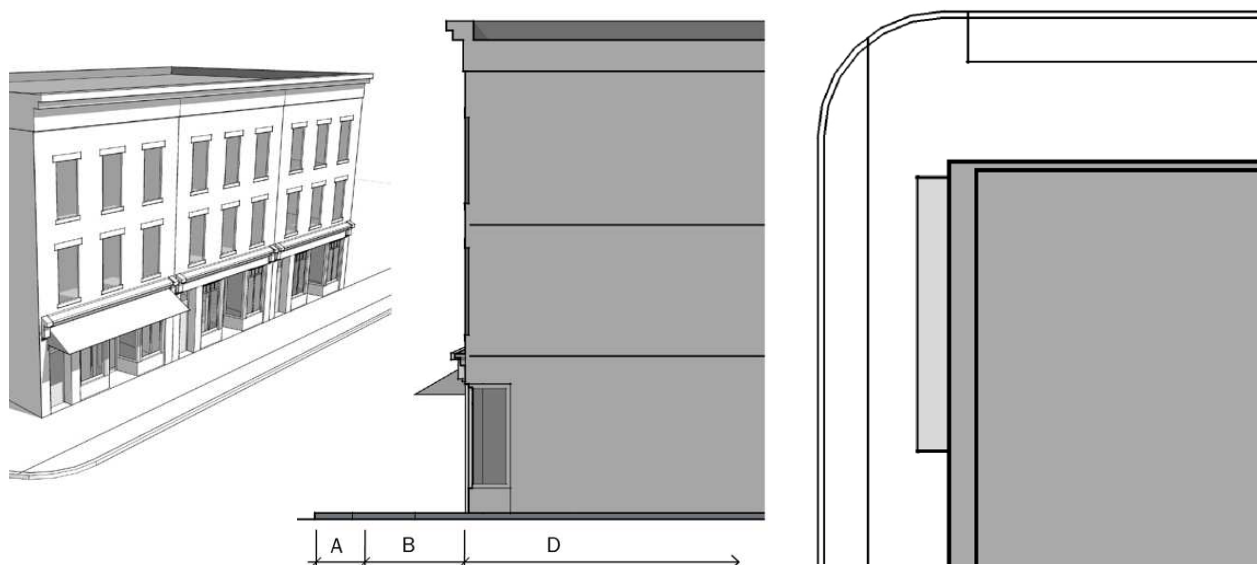
#### F. Frontage types.

(1) For new buildings, ~~along Main Street~~, only the following building frontage types are permitted:

- (a) Storefront.
- (b) Forecourt.

(2) ~~On other streets, there is no prescribed building or frontage type, except that no private garage may be located less than 20 feet behind the front facade of a building.~~

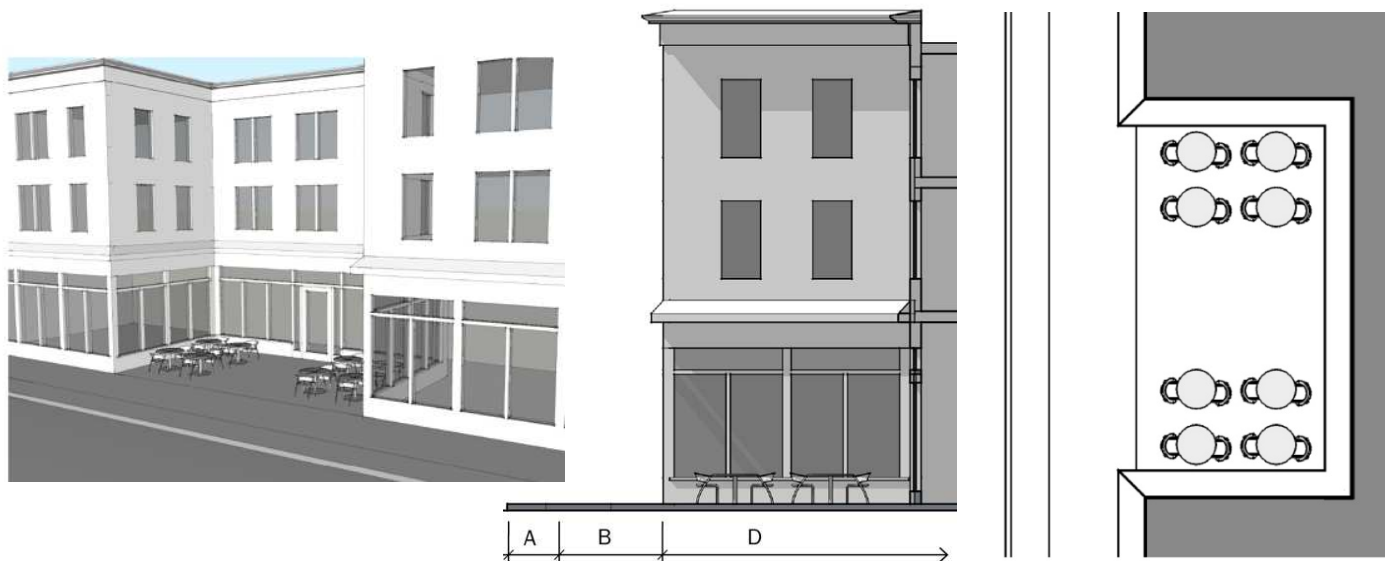
(2) Storefront frontage type: a frontage type where the building facade is placed at or close to the right-of-way line, with the entrance at sidewalk grade. This building frontage type is conventional for retail use. It is characterized by a high percentage of glazing on the first floor, a prominent entrance, and often an awning. Recessed doors ~~on storefronts~~ are ~~acceptable~~ typically used to avoid doors opening into the sidewalk.



See Figure 18-7 for key to letters

**Figure 18-4: Illustrative View, Section View, and Plan View of Storefront Frontage Type**

- (3) Forecourt frontage type. A forecourt is a semi-public exterior space whose back and sides are surrounded by a building and whose front opens to a thoroughfare — forming a court. The court is suitable for gardens, gathering space, and outdoor dining.



See Figure 18-7 for key to letters

**Figure 18-5: Illustrative View, Section View, and Plan View of Forecourt Frontage Type**

#### G. Parking location and quantity.

- (1) All off-street parking for buildings that have Main Street frontage shall be located behind, ~~underneath~~ under the ground floor, or to the side of a building. If on the side, the parking area shall be located at least 40 feet from the Main Street or East Main Street property line and be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street wall in compliance with frontage occupancy requirements, and that screens parked cars from view from the street. A public garage ~~on a lot with Main Street frontage~~ shall have a storefront "liner building" at least 40 feet deep and one story high between the parking structure and the main street, but may have a zero-foot setback on the upper floors of the parking structure (over the storefront) and along any street that intersects the main street. Parking areas fronting on side streets shall have a minimum setback of five feet in which ornamental and/or buffer landscaping is planted.

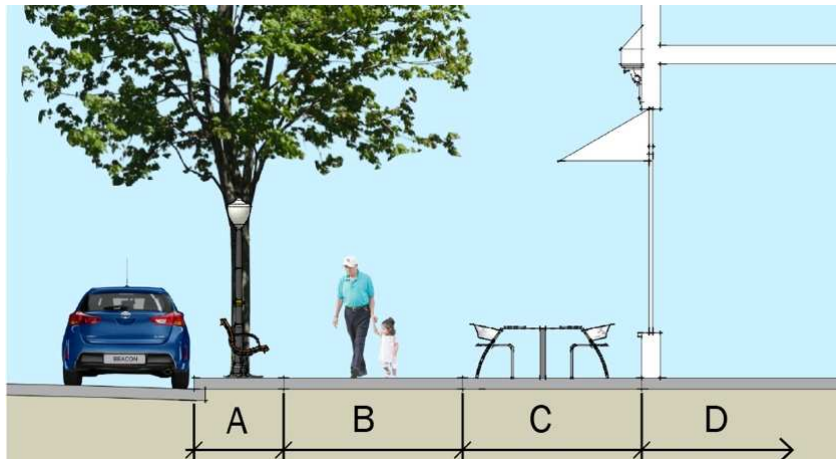


- (2) The minimum quantity of required on-site parking spaces shall be as follows:
- (a) Residential: one space per unit.
  - (b) Office and nonretail commercial: ~~2.5~~ two spaces per 1,000 square feet of floor area.
  - (c) Retail commercial and personal services: ~~three~~ two spaces per 1,000 square feet of floor area.
  - (d) Other uses: as determined to be appropriate by the Planning Board in the course of site plan review, or in the case of a new use where site plan review is not required under § 223-41.18 A, as determined by the Building Inspector in consultation with the City Planner.
- (3) The requirements in Subsection G(2) above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available in the public record, demonstrating one or more of the following:
- (a) That the projected operational characteristics of the proposed use require a different amount of parking.
  - (b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or PB Districts.
  - (c) That the applicant has provided sufficient bicycle parking to reduce anticipated vehicular travel demand.
  - (d) That there is sufficient public parking available within 800 feet of the site and within the CMS or PB Districts to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.
  - (e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and within the CMS or PB Districts and voluntarily dedicate such land to the City for public parking.
  - (f) That a professional parking study of the proposed use and the surrounding area demonstrates that a different amount of parking would be appropriate for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.
- (4) For lots of 8,000 square feet or less, where the provision of on-site parking is infeasible, the Planning Board may waive all parking requirements, provided that the total floor area of the building is no greater than 5,000 square feet.
- (5) Section 223-26B of this Chapter shall apply in the CMS District.

#### H. Streetscape improvements.

- (1) Within the building transition zone, the Planning Board may require the lot owner to provide planters, trees, shrubs, or other landscaping to enhance the appearance of the streetscape. Ornamental fencing four feet or less in height may be provided to separate privately owned space from public space. Chain link, vinyl, and solid fencing shall be prohibited. For commercial uses, display areas, and outdoor dining and seating areas may be provided.
- (2) A pedestrian clearway, at least eight feet wide, with unobstructed space for pedestrian activity shall be provided along the sidewalk, unless site conditions require a narrower clearway. Within the street transition zone, if space permits, lot owners may ~~plant trees and~~ place benches, tables, and outdoor seating areas with the approval of the Department of Public Works. The Planning Board ~~may shall~~ require the planting of street trees on average 30 feet to 40 feet apart as a condition of site plan approval, whenever street and sidewalk conditions permit.

- (3) The Planning Board may require the placement of bicycle racks of an approved design within the street transition and building transition zones. ~~Each bicycle rack holding two bicycles may be used to reduce the required parking by one parking space.~~ The Planning Board may require any building containing 5,000 square feet or more of floor area to provide one bicycle rack or equivalent indoor bicycle parking space for every 2,000 square feet of floor area.
- (4) The Planning Board may require that an applicant constructing a building greater than 10,000 square feet in floor area pay for the provision of related street improvements to improve pedestrian and/or bicycle safety.



A = Street Transition Zone  
 B = Pedestrian Clearway  
 C = Building Transition Zone  
 D = Building Frontage

**Figure 18-6: Parts of the Streetscape**

#### 1. Site plan review/special permit procedures and criteria:

- (1) In order to ensure an expedited review of site plans, this article contains a streamlined site plan review procedure for ~~any proposed building project of 10,000 square feet or less in footprint area, as follows:~~
  - (a) The applicant shall meet with the Building Inspector, who shall provide a site plan application and instruction sheet ~~describing the requirements for site plan approval and who may recommend that the applicant have a preapplication meeting with the Planning Board to determine application submission requirements.~~
  - (b) The applicant shall prepare a site plan with sufficient information for the Planning Board to determine whether or ~~not it complies with the provisions of this article.~~
  - (c) If no special permit is required, the applicant shall then meet with the Planning Board to discuss the proposal. No ~~public hearing will be required, unless the Planning Board determines that the proposal may have substantial detrimental effects or may cause public controversy.~~
  - (d) Within 45 days after such meeting, or if there is a public hearing, within 45 days after the closing of the public ~~hearing, the Planning Board shall issue an approval, approval with modifications, or denial of the application, stating the reasons for any modifications or denial. The Planning Board shall also issue a required schedule for initiation and completion of the project. Such approval shall lapse within two years if the applicant does not diligently pursue construction of the project, unless the applicant requests an extension, which may only be granted for good cause by the Planning Board.~~
- (2) For projects with over 10,000 square feet in building footprint area, or that otherwise require a special permit, the ~~applicant shall follow the procedures in §§ 223-18 and 223-25, except that the Planning Board shall take the place of the City Council in § 223-18. Such applications shall comply with those sections to the extent that such sections do not contain standards that conflict with this article. In case of a conflict, this article shall control.~~
- (3) The Planning Board may require a performance guarantee for the construction of public improvements in connection ~~with any project of 10,000 square feet or more in floor area.~~

~~(4) After completion of construction of new buildings, the applicant shall submit as-built plans to the Building Inspector showing the exact location of all site alterations and construction.~~

I. Site plan and special permit amendments. For any proposed change to an approved site plan, the applicant shall meet with the Building Inspector who shall make a determination as to whether or not the proposed change is significant. If the Building Inspector determines that the change is significant (e.g., a change in dimensions of more than 10% shall be presumed to be significant), the application shall be referred to the Planning Board for an amendment to the site plan or special permit, as appropriate. If the Building Inspector determines that the change is not significant and otherwise complies with applicable requirements, the Building Inspector is authorized to issue a building permit without further review.

~~K. Compliance with below market rate housing requirements. All applications involving residential development shall comply with Article IVB of this Chapter (Affordable Workforce Housing).~~

J. Design standards.

(1) Because of the design standards in this section, the architectural review provisions of Chapter 86 shall not apply within the CMS District. In addition to the preceding sections of this article, all new buildings or substantial alterations of existing buildings shall comply with the following design requirements. These design standards are intended to promote the following purposes:

- (a) Preserve and enhance the unique character and general public welfare of the City of Beacon;
- (b) Promote pedestrian access and activity, as well as a general sense of area security;
- (c) Restore and maintain the role of streets as civic and social spaces, framed by active uses;
- (d) Encourage economic development and a convenient mix of uses and services; and
- (e) Support a sense of design context that appropriately relates historic buildings, general facade and window patterns, and traditional streetscapes in the area to new redevelopment efforts, while still allowing ~~contemporary~~ architectural flexibility.

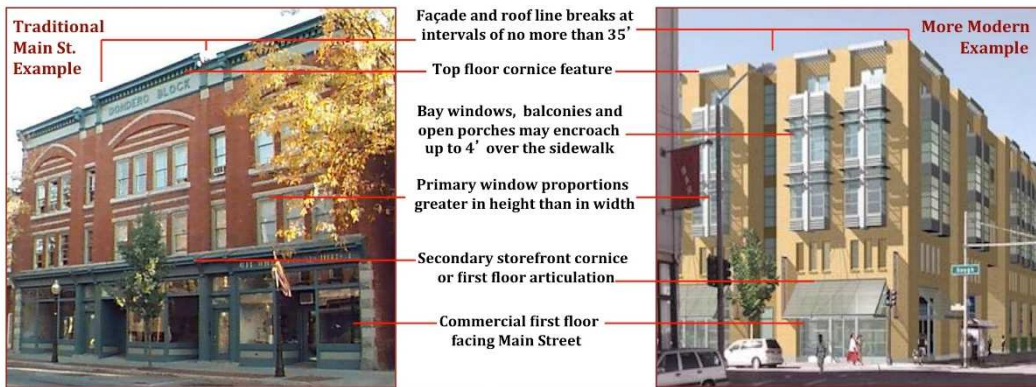
(2) Key Terms: Standards using the verb "shall" are required; "should" is used when the standard is to be applied unless the Planning Board finds a strong justification for an alternative solution in an unusual and specific circumstance; and "may" means that the "standard" is an optional guideline that is encouraged but not required.

(3) Proposed new buildings should be compatible with nearby historic-quality buildings along Main Street. References to the existing context should include scale, type and texture of materials, roof and cornice forms, spacing and proportion of windows and doors, signs, and street-front fixtures. Building exteriors in or directly adjoining the Historic District and Landmark Overlay sections of the CMS District shall reinforce historic patterns and neighboring buildings with an emphasis on continuity and compatibility, not contrast, but new construction may still be distinguishable in architectural details, most evident in window construction and interiors.

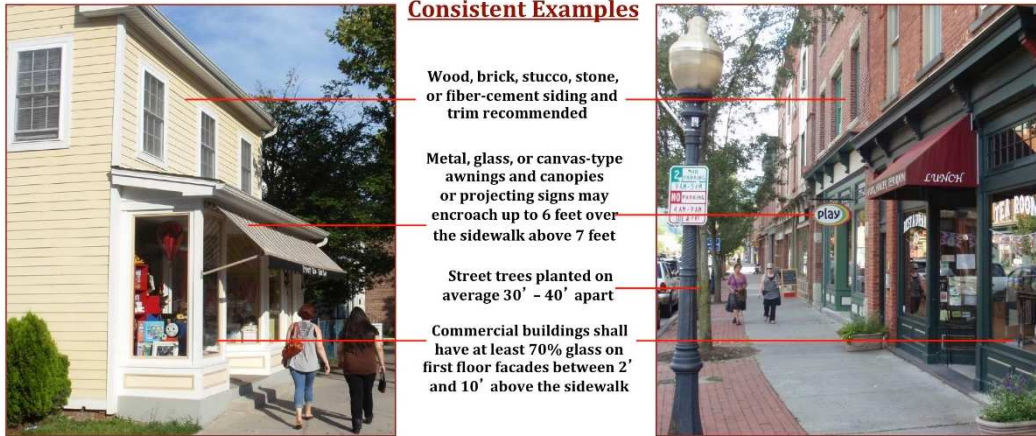
(4) Buildings should have a top-floor cornice feature and first-floor architectural articulation, such as a storefront with a secondary cornice or an architecturally emphasized entrance doorway, to accent the central body of the building.

(5) Architectural features and windows ~~should~~ shall be continued on all sides of the building that are clearly visible from a street or public parking area, avoiding any blank walls, except in cases of existing walls or potential common property walls. Larger buildings shall incorporate significant breaks in the facades and rooflines at intervals of no more than 35 feet.

- (6) Building elements that provide additional architectural interest, such as balconies, bay windows, open porches, and cornices, may encroach up to four feet ~~beyond the front lot line~~ above the sidewalk, if the bottom of the encroaching building elements is at least 12 feet above grade.
- (7) Metal, glass or canvas-type awnings and canopies or projecting signs are encouraged and may encroach up to six feet ~~into the front setback and~~ over the sidewalk above seven feet. Vinyl awnings are discouraged unless the applicant can demonstrate to the Planning Board's satisfaction that the finish and design of such awning are of high quality, aesthetically pleasing and meet the intended standards of the district, ~~as determined by said Board~~.
- (8) Buildings shall have a front entrance door facing the primary street and connected to the sidewalk. Front entrance doors for commercial buildings and retail storefronts shall be active and provide main access during business hours.
- (9) Primary individual window proportions shall be greater in height than in width, but the Planning Board may allow exceptions for storefront, transom, and specialty windows. Mirrored, reflective, or tinted glass, all-glass walls, and exterior roll-down security gates shall not be permitted. Any shutters shall match the size of the window opening, and appear functional, and be attached to the window frame.
- (10) Commercial buildings shall have at least 70% glass on the first-floor facades, located between two feet and 10 feet above the sidewalk. ~~Residential buildings shall~~ Main Street or East Main Street buildings should have at least 30% glass on the ~~first floor~~ upper floor facades.
- (11) Finish building materials should be wood, brick, traditional cement-based stucco, stone, smooth cast stone, ~~or smooth-finished~~ fiber-cement siding, or other materials deemed acceptable by the ~~Planning Board approving body~~. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic rough-cut stone, ~~or synthetic~~ brick, ~~or synthetic~~ stucco, exterior insulation and finishing system (EIFS), ~~or direct-applied finish system (DAFS)~~, and chain link, barbed wire, plastic, or vinyl fencing shall not be permitted.
- (12) Materials and colors should complement historic buildings on the block. Fluorescent, neon, metallic, or other intentionally garish colors, as well as stripes, dots, or other incompatible patterns, shall be prohibited.
- (13) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high. Lighting shall be energy efficient, have full spectrum color quality, and, except for short-term event lighting, shall prevent any lighting above ~~60 watts~~ 500 lumens that directly projects above the horizontal level into the night sky with full cut-off fixtures.
- (14) Mechanical equipment and refuse containers shall be concealed from public view by approved architectural or landscaping elements and shall be located to the rear of the site. Window or projecting air conditioners shall not be permitted on the front façade of new buildings or additions.
- (15) The Planning Board may waive setback requirements for landmark civic buildings, including government buildings, schools, libraries, or places of worship, and for pedestrian-oriented places, such as public greens or plazas and outdoor eating areas.
- (16) The following Figure 18-8 provides annotated photographs to illustrate design standards in this section:



### Design Standards Consistent Examples



### Design Standards Inconsistent Examples

- Two-story minimum required, allowing second floor occupancy
- Architectural features and windows should be continued on all sides, avoiding any blank walls
- Vinyl, aluminum, or sheet metal siding or sheet trim shall not be permitted



- Buildings should have a top floor cornice feature
- Primary window proportions shall be greater in height than in width
- Commercial buildings shall have at least 70% glass on the first floor facade



Vinyl awnings are discouraged, but metal, glass, and canvas-type awnings are encouraged



### Design Standards Consistent Examples

- Wood, brick, stucco, stone, or fiber-cement siding and trim recommended
- Bay windows, balconies and open porches may encroach up to 4' into the setback
- Required landscaping between the sidewalk and building to enhance the streetscape



- In the Linkage District, a step-back of at least 15' behind the façade above the third story
- Primary window proportions greater in height than in width
- Secondary cornice or first floor articulation
- Residential buildings shall have at least 30% glass on first floor facades



- Top floor cornice feature
- Façade and roof line breaks at intervals of no more than 35'
- Street trees planted on average 30' - 40' apart
- Metal, glass, or canvas-type awnings and canopies may encroach up to 6 feet over the sidewalk above 7 feet



K. Main Street infill strategies illustrative sketch plan. This sketch plan provides one possible set of design solutions for infill Development with parking to the rear, which was included in the 2017 Comprehensive Plan Update as an illustration of planning principles for the Central Main Street District. The Plan also recommended the provision of periodic pocket parks or plazas and transit shuttle stops to be coordinated with new development projects and civic uses (see pages 61-67).



Figure 18-8: Central Main Street Infill Strategies and Illustrative Sketch Plan

## **Section 2. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, the Chapter 223 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

## **Section 3. Numbering for Codification**

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

## **Section 4. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 5.** This local law shall become effective immediately upon filing with the Office of the Secretary of State.

- 4.4 Encourage the improvement of the streetscape along Main Street, such as encouraging businesses and owners to provide high quality landscaping, signage and facade treatments. The City should also explore funding opportunities for street improvements, including street trees, street benches, sheltered bus stops, bicycle racks, restrooms, information kiosks and public art displays. Existing street trees should be protected and maintained under the direction of a certified arborist.
- 4.5 Encourage the infill development of sites along Main Street to create new public spaces/pocket parks. Areas discussed in Section 4.2 include the Dutchess County Building and Veterans Place.
- 4.6 Change the zoning of areas on East and West Main Street to ~~reflect density allowed in Central Main Street district.~~ **include the design standards in the CMS district.**
- ~~4.7 Extend Central Main Street District north along Route 9D to Verplanck Avenue.~~

#### *B. Artist Community*

Cultivate the growing artist community so that it remains a part of the economic vitality of the City.

- 4.8 Encourage local and regional economic development organizations to study and provide direction regarding potential institutions or other strategies to attract and retain artists, art-related entrepreneurs, and potential consumers of their products and services.
- 4.9 Encourage creation of artist live/work spaces. Study the effect of Section 223-24.3 on the development of these spaces, and consider revising procedures which currently require the renewal of the special permit for artist live work space every two years. The City should consider the alternative of requiring renewal upon change of ownership or tenancy.
- 4.10 Support and nurture existing organizations that promote the development of Beacon's artist community.

#### *C. Route 52*

Maintain existing retail and service mix in the Route 52 business district while improving the character of the area through pedestrian amenities such as sidewalks and street trees, and improved architectural design.

- 4.11 Require property owners in this business district to provide sidewalks, street trees, and improved architectural design during site plan review.



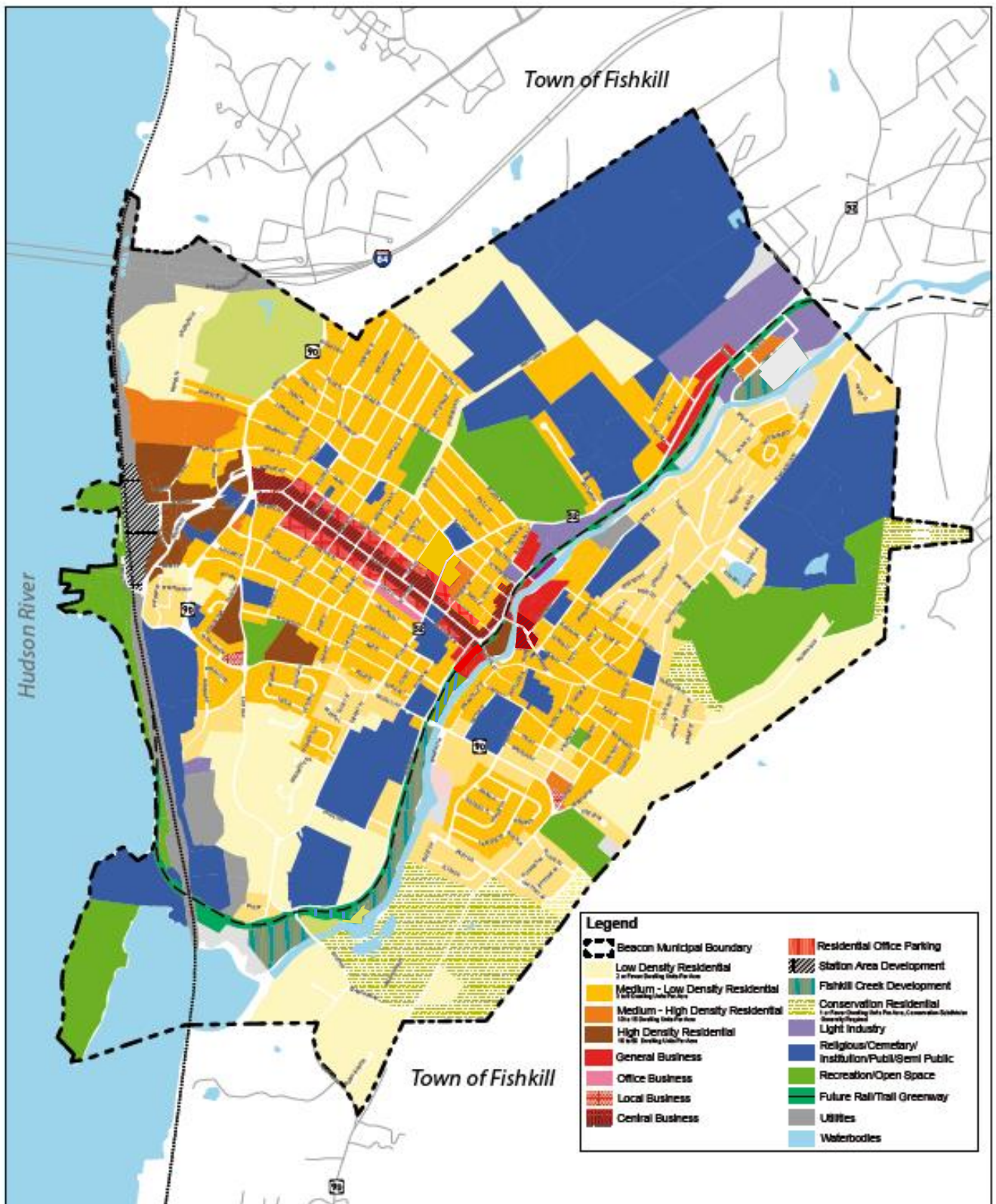


FIGURE 11-1: FUTURE LAND USE MAP

acre are generally found east of Fishkill Creek near Wolcott Avenue, or between Washington Avenue and Liberty Street. Densities of 5 to 8 dwellings per acre are generally found in neighborhoods north, south, and east of Main Street.

Recommendation

No changes from the previous Plan or from existing zoning are proposed for this land use category, except for three individual parcels along Fishkill Avenue (see Figure 12-1).

***Residential – Medium-High Density***

This category calls for 10 to 15 dwelling units per acre, which corresponds to areas in the City such as the townhouses on Schenck Avenue in the RD-4 Zoning District and the Tompkins Terrace Apartments and the Colonial Springs developments south of the golf course and north of the train station in the RD-3 Zoning District.

Recommendation

No changes from the previous Plan or from existing zoning are proposed for this land use category.

***Residential – High Density***

This category calls for 16 to 50 dwelling units per acre, which involves housing types such as apartment buildings and condominiums. Developed areas representing housing densities of this type are the Central Business District, which allows up to 29 dwelling units per acre, and the Forrestal Heights and Davies Terrace neighborhoods, which are in the RD-1.8 Zoning District (which allows 24 dwelling units per acre), and a redevelopment of an industrial site at one East Main Street. Properties in the Linkage Zone are also categorized as high density residential. The district allows 2-4 floor apartment buildings. The Linkage District does not regulate development through density limits. The code provides form-based design criteria that encourage buildings that increase the “vitality, attractiveness and marketability of the part of the City lying between Main Street and the Metro North Train Station.”

Recommendation

No changes from the previous Plan or from existing zoning are proposed for this land use category.

- East Main & Leonard Streets
- South & Wolcott Avenues
- Beekman & River Streets

Although the Dia:Beacon is also in the Local Business Zoning District, and is proposed to remain so, it is identified on the Land Use Plan Map as Institutional.

#### Recommendation

~~No changes from the previous Plan or from existing zoning are proposed for this land use category.~~ The historic section of the Local Business District in the Fountain Square area on East Main Street should be converted to the Central Main Street District to provide more specific architectural and design standards. Four Fountain Square area parcels not in the Historic District Overlay should be changed from LB to the adjacent R1-5 district (see Figure 12-1).

#### *Central Business*

The purpose of this category is to allow for the continued commercial vitality and mixed uses of area along Main Street, which is the Central Business District in the City. This area corresponds with the Central Business Zoning District. In 2013, the City Council rezoned a large portion of downtown into the Central Main Street (CMS) District. This area is identified as Central Main Street II. The CMS encourages infill development by raising development potential and lowering parking requirements.

#### Recommendation

~~The Plan supports the extension of the urban form of Main Street to Route 52 between Main Street and Verplanck Avenue. It is recommended that this stretch be rezoned to CMS. It is also~~ recommended that the CMS district be extended to the upper and lower sections of Main Street that are currently zoned CB. With this change, the entirety of Main Street would have the same zoning district. The City may wish to rename the CMS district to represent that the zone covers the entire corridor and not just the central area. When extending CMS standards to the existing CB district, heights of Historic Overlay Zone parcels should be limited to what is currently allowed.

As noted in Chapter 3 and 9, the Main Street corridor should be planned in greater detail, with an overall strategy of identifying activity centers based on the types of activities that have developed in each area, identifying the types of activities to be encouraged in each center, the major amenities serving each center (such as small parks, parking facilities), and illustrations of the activity centers with sketch plans.

Gas stations are no longer a permitted use within the CB and CMS Districts. Gas stations should be encouraged to relocate to other locations outside of the Main Street area. Pre-existing non-conforming gas stations seeking building permits or other such approvals should be required to comply with architectural and design standards established specifically for gas stations.



***Residential/Office/Parking***

The purpose of this district is primarily to allow parking as a principal use on a lot in order to support the development of the Central Business District. The district is located to the north and south of the Central Business District, extending from the District boundary to Church Street on the north and DeWindt Street on the south.

**Recommendation**

~~No changes from the previous Plan or from existing zoning are proposed for this land use category.~~ The changes recommended for this district are to convert one parcel along Fishkill Avenue from RD-5 to the PB District and all or parts of eight parcels along the south side of South Street from R1-5 to PB to provide a transitional area between Main Street and the adjacent residential districts (see Figure 12-1).

***General Business***

The General Business category occurs between Conklin Street and State Street on Fishkill Avenue. The General Business District allows a broad range business uses, including residential uses.

**Recommendation**

~~No changes from the previous Plan or from existing zoning are proposed for this land use category.~~ The adjacent section of the HI rail right-of-way between Churchill Street and 850 feet north of Wolcott Avenue should be merged into the adjacent GB District (see Figure 12-1).

***Light Industry***

Industrial areas are generally found on scattered sites along the Fishkill Creek, most commonly on the west side of the Creek. There is a light industrial area adjacent to the train station, which is the location of MTA's commuter parking lot and maintenance shed (within the former Dorel Hat Factory). Two large underutilized properties between Fishkill Avenue and Fishkill Creek on the north end of the City are available for future industrial uses. Although the City has lost many industrial businesses in the past, the remaining industries are important to the tax base of the City, and they provide an important source of employment for many residents.

**Recommendations**

The Plan proposes to revise the regulation of industrial areas so that all active industrial sites will be within a Light Industrial Zoning District tailored to fit the operational criteria of these existing businesses. It is recommended that the light industrial zone adjacent to the train station allow uses that are not discordant with the adjacent land uses proposed for the station area (WD District). This area should not allow auto body shops, repair shops, or adult uses. Alternatively, the City may consider rezoning the station area LI zone to LB, with the provision that retail be limited to accessory uses within 1,000 feet of the station platform so that stores and shops do not compete with other retail areas including Main Street.

## Section 12: Zoning and Implementation Plan

### 12.1. Zoning Recommendations

Based on the recommended land uses described above, this section provides a list of zoning recommendations that the City can pursue as it moves forward with implementation of the overall Comprehensive Plan. Upon adoption of this Plan, the City Council would be empowered to undertake specific zoning amendments to the City's Zoning Code in support of the land uses described in this Future Land Use Plan. Amendments to the Zoning Code would include site specific changes to the City's Official Zoning Map and corresponding text changes to the Zoning Code. The courts of the State of New York have consistently upheld the principle that "zoning should be based on a well-reasoned plan." Any future zoning amendments undertaken in support of this Plan are subject to the requirements of and compliance with the State Environmental Quality Review Act [6 NYCRR Part 617 (SEQR)].

#### Description of Proposed Zoning Recommendations

A series of zoning map and text amendments are needed to implement the land use proposals outlined in the Future Land Use Map. Depending on available funding for undertaking amendments to the Zoning Code and Zoning Map, the proposed zoning amendments could be undertaken in a series of steps or as one comprehensive set of text and map changes. The following presents a discussion of recommended zoning changes needed in order to implement the future land uses described in Section 11.1. A list of zoning recommendations is included in Table 12-1 and Figure 12.1.

*Table 12-1: Proposed Zoning Changes*

Area ID	Description	Existing Zoning	Proposed Zoning
1a	Rezone Long Dock Park to WP (see Section 10.0)	WD	WP
2a/2b	Rezone two areas east of station to WD (see Sec. 10.0)	WP, LB, LI	WD
3	<u>Rezone two parcels on Rt. 52 to R1-5</u>	<u>RD-5</u>	<u>R1-5</u>
4a/4b	Rezone <u>Main Street CB and Fountain Square</u> to CMS	CB, <u>LB</u>	CMS
5	Rezone southern Groverville Mills property to FCD	LI	FCD
6	Rezone <u>section of HI rail right-of-way to CB and GB</u>	<u>HI</u>	<u>CB, GB</u>
7	Rezone former DPW Garage to FCD	LI	FCD
8	Rezone section of HI rail right-of-way to FCD	HI	FCD
9	Rezone LI District to LB or restrict uses in LI	LI	LB or modified LI
<u>10</u>	<u>Rezone parcels on Rt. 52 and South St. to PB</u>	<u>RD-5, R1-5</u>	<u>PB</u>
11	Rezone parcel along Fishkill Creek to WP	FCD	WP
<u>12</u>	<u>Rezone parcels not facing main streets to adjacent zones</u>	<u>CB, CMS</u>	<u>R1-5, PB, R1-7.5</u>

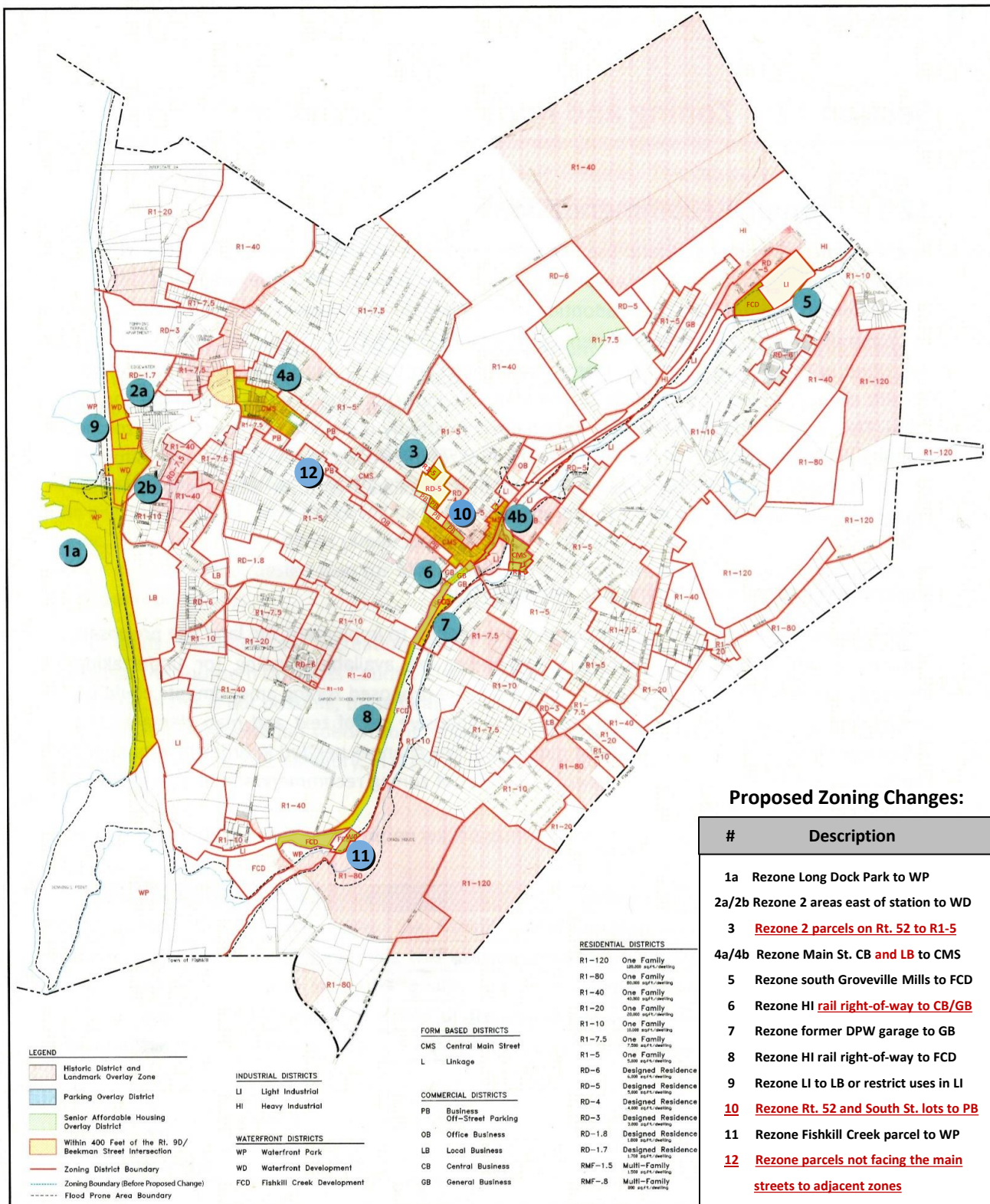


FIGURE 12-1: PROPOSED ZONING CHANGES

Draft: 4/12/18

**LOCAL LAW NO. \_\_\_\_ OF 2018**

**CITY COUNCIL  
CITY OF BEACON**

**LOCAL LAW AMENDING THE ZONING MAP OF  
THE CITY OF BEACON**

A LOCAL LAW to amend the  
Zoning Map of the City of  
Beacon.

**BE IT ENACTED** by the City Council of the City of Beacon as follows:

**Section 1.** Intent. The City Council believes that it is reasonable and appropriate to rezone certain areas in the central downtown business area in a manner that is not inconsistent with the City's Comprehensive Plan and provides for more efficient zoning boundaries. This local law is determined to be an exercise of the police powers of the City to protect the public health, safety and welfare of its residents.

**Section 2.** The zoning of the parcels listed below is hereby changed from the Existing Zoning District to the New Zoning District as shown in the table and as shown in Figure 1 annexed hereto:

<b>Tax Parcel Number</b>	<b>Subject Property Address</b>	<b>Owner's Name and Address</b>	<b>Existing Zoning District</b>	<b>New Zoning District</b>
6054-30-142808	554 Main Street Beacon, NY 12508	Further Properties, LLC 544 Main Street Beacon NY 12508	R1-5 (rear portion of lot)  CB (portion of lot fronting on Main Street)	CMS
6054-30-151814	2 Ackerman Street	Joseph Valentin 2 Ackerman Street Beacon NY 12508	CB	CMS



p/o 6054-37-096715 (See Fig. 1 - along east side of Main Street from Ackerman Street to Churchill Street)	Main Street Beacon, NY 12508	Metro-North Commuter RR Co. 347 Madison Avenue New York, NY 10017	HI	CMS
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p/o 6054-30-168772 (See Fig. 1 - fronting on East Main Street)	8 East Main Street Beacon, NY 12508	10 Boulevard LLC 24 Woodbine Ave Northport, NY 11768	CB (west of Fishkill Creek)  LB (east of Fishkill Creek)	CMS
6054-38-163747	15 East Main Street Beacon, NY 12508	Sharon Bronte 180 W. 58 <sup>th</sup> Street New York, NY 10019	LB	CMS
6054-38-166745	17 East Main Street Beacon, NY 12508	Gwenno M. James 20 South Chestnut Street Beacon, NY 12508	LB	CMS
6054-38-167740	19 East Main Street Beacon, NY 12508	Charalambos Peratikos P.O. Box 16 Beacon, NY 12508	LB	CMS
6054-38-167735	25 East Main Street Beacon, NY 12508	Weber Projects II LLC 25 East Main Beacon, NY 12508	LB	CMS
6054-38-169731	27-31 East Main Street Beacon, NY 12508	Accord Realty & Development Inc. P.O. Box 269 Somers, NY 10589	LB	CMS
6054-38-170728	33 East Main Street Beacon, NY 12508	VBK Properties LLC 10 North Gate Road Carmel, NY 10512	LB	CMS



6054-38-174726	East Main Street Beacon, NY 12508	POK Beacon LLC 3 Water Street Beacon, NY 12508	LB	CMS
6054-38-170722	3 Water Street Beacon, NY 12508	POK Beacon LLC 3 Water Street Beacon, NY 12508	LB	R1-5
6054-38-167716	5 Water Street Beacon, NY 12508	POK Beacon LLC 3 Water Street Beacon, NY 12508	LB	R1-5
6054-38-181714	49 East Main Street Beacon, NY 12508	Sophia Stuart 3 Water Street Beacon, NY 12508	LB	R1-5
6054-38-180717	47 East Main Street Beacon, NY 12508	47 East Main Street LLC 47 East Main Street Beacon, NY 12508	LB	CMS
6054-38-190723	44 East Main Street Beacon, NY 12508	Echo Properties I LLC 1777 Route 6 Carmel, NY 10512	LB	R1-5
6054-38-188729	36 East Main Street Beacon, NY 12508	Larry Way 39 Van Buren Street Beacon, NY 12508	LB	CMS
6054-38-183732	28 East Main Street Beacon, NY 12508	Rafiq Ahmed 28 East Main Street Beacon, NY 12508	LB	CMS
6054-38-186736	5 Leonard Street Beacon, NY 12508	Brian Haight 5 Leonard Street Beacon, NY 12508	LB	CMS
6054-29-041858	183 Fishkill Avenue Beacon, NY 12508	Lucy M. Cullinan 183 Fishkill Avenue Beacon, NY 12508	RD-5	R1-5

6054-38-182748	20 East Main Street Beacon, NY 12508	Kurt L. and Donald P. McMillen 160 Chelsea Rd Wappingers Falls NY 12590	LB	CMS
6054-29-047864	189 Fishkill Avenue Beacon, NY 12508	Emily DeCordova 189 Fishkill Avenue Beacon, NY 12508	RD-5	R1-5
6054-29-042814	158 Fishkill Avenue Beacon, NY 12508	Rocky Harbor, LLC 20 Dallis Place Beacon, NY 12508	RD-5	PB
p/o 6054-29-056780 (See Fig. 1 - portion of lot fronting on South Street)	Main Street Beacon, NY 12508	McDermott Properties 43 Jelliff Mill Rd New Canaan CT 06840	R1-5	PB
6054-29-063780	48 South Street Beacon NY 12508	John WH Dacey Holly R Sumner 48 South Street Beacon, NY 12508	R1-5	PB
p/o 6054-29-062771 (See Fig. 1 - portion of lot fronting on South Street)	424-428 Main Street Beacon NY 12508	Beacon Main Real Estate Group 8 Belford Ln Beacon NY 12508	R1-5	PB
p/o 6054-29-068768 (See Fig. 1 - portion of lot fronting on South Street)	432 Main Street Beacon NY 12508	Neil E Vaughn 432 Main Street Beacon NY 12508	R1-5	PB
6054-29-075770	34 South Street Beacon NY 12508	Neil Vaughn Erika M Foy 432 Main Street Beacon NY 12508	R1-5	PB
6054-29-079768	32 South Street Beacon NY 12508	Eric A. and Danielle F Brown 32 South Street Beacon NY 12508	R1-5	PB

6054-29-082764	28 South Street Beacon NY 12508	Norah Hart 305 Broadway New York NY 10007	R1-5	PB
p/o 6054-29-086757 (See Fig. 1 - portion of lot fronting on South Street)	Main Street Beacon NY 12508	Qualamar Corporation PO Box 4292 New Windsor NY 12553	R1-5	PB
5955-19-744005	1164 North Ave Beacon NY 12508	Clas Lindman 1164 North Ave Beacon NY 12508	CB	R1-5
p/o 5954-26-744995 (See Fig. 1 - excludes portion of lot fronting on W. Church St.)	1158 North Ave Beacon NY 12508	Hibernation Auto Storage Inc. 1158 North Ave Beacon NY 12508	CB	CMS
5954-26-748987	1156 North Ave Beacon NY 12508	Charles W Smith Jr 1156 North Ave Beacon NY 12508	CB	CMS
5954-26-740983	1154 North Ave Beacon NY 12508	Hibernation Auto Storage Inc. 1158 North Ave Beacon NY 12508	CB	CMS
5954-26-747977	134 Main Street Beacon NY 12508	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-757980	142 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-761984	144-146 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-765978	Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS

5954-27-768976	150 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
p/o 5954-27-774986 (See Fig. 1 - excluding the portion of the lot fronting on West Church Street)	152 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-773975	Main Street	284 Main Street Corp 284 Main Street Beacon NY 12508	CB	CMS
5954-27-777974	160 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-781973	162 Main Street	Hose Company LLC 162 Main St. Beacon, NY 12508	CB	CMS
5954-27-787978	7 Cross Street	City of Beacon 1 Municipal Plaza Beacon NY 12508	CB	CMS
5954-27-788982	Cross Street	Crossix LLC 50 Simmons Ln Beacon NY 12508	CB	PB
5954-27-792985	9 Cross Street	Crossix LLC 50 Simmons Ln Beacon NY 12508	CB	PB
5954-27-793967	Main Street	Hudson Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-798971	4 Cross Street	Hudson Todd LLC 4 Cross Street Beacon NY 12508	CB	PB

5954-27-802974	8 Cross Street	Jose R. Santiago Myriam Orrego 8 Cross Street Beacon NY 12508	CB	PB
5954-27-799966	172 Main Street	Hudson Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-805964	174-178 Main Street	7215-18 <sup>th</sup> Avenue Realty Corp PO Box 417 Shrub Oak NY 10588	CB	CMS
p/o 5954-27-813968 (See Fig. 1 - portion of lot fronting on Main Street)	180 Main Street	180 Main LLC 48 Angola Rd Cornwall NY 12518	CB	CMS
p/o 5954-27-813963 (See Fig. 1 - portion of lot fronting on Main Street)	182 Main Street	182 Main Street Beacon LLC 3169 Glendale Blvd Los Angeles CA 90039	CB	CMS
5954-27-811956	184 Main Street	Paul and Jennifer Yeaple 7 Mackin Avenue Beacon NY 12508	CB	CMS
5954-27-814954	186-190 Main Street	190 Main St Inc. PO Box 115 Lincolndale NY 10540	CB	CMS
5954-27-817951	192 Main Street	Landstar Properties LLC PO Box 321 Sparkill NY 10976	CB	CMS
p/o 5954-27-820961 (See Fig. 1 - southern half of lot nearest to Main Street)	5 Willow Street	Susan C. Battersby 1 Mountain Ln Beacon NY 12508	CB	PB
5954-27-831951	6 Willow Street	Jonathan Halevah 6 Willow Street Beacon NY 12508	CB	PB

5954-27-837945	5 Digger Phelps Ct	Richard F Benash Shelita Birchett 339 Roberts Ave Yonkers NY 10703	CB	PB
5954-27-823922	217 Main Street	AMGC Corp 6405 Atlantic Ave Wildwood NJ 08260	CB	CMS
5954-27-821923	215 Main Street	Norbeh Hall Association Inc PO Box 149 Beacon NY 12508	CB	CMS
5954-27-819925	213-215 Main Street	Barbara and Brenda Joyce Sims 5 Kitteridge Place Beacon NY 12508	CB	CMS
5954-27-814929	201-211 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-809932	199 Main Street	Starlight Beacon West LLC 272 St. Johns Golf Dr St Augustine FL 32092	CB	CMS
5954-27-806934	193-195 Main Street	Lazarus Rising LLC 98 Smithtown Rd Fishkill NY 12524	CB	CMS
5954-27-805940	185 Main Street	City of Beacon 1 Municipal Plaza Beacon NY 12508	CB	CMS
5954-27-799935	6 Cliff Street	Willie L Reed Sr 6 Cliff Street Beacon NY 12508	CB	PB
5954-27-797931	8 Cliff Street	Minerva Cabrera 8 Cliff Street Beacon NY 12508	CB	PB

5954-27-790938	20 Commerce Street	Paul B. and John L. Supple PO Box 510 Beacon NY 12508	CB	PB
5954-27-793942	5 Cliff Street	Paul B. and John L. Supple PO Box 510 Beacon NY 12508	CB	PB
5954-27-798947	181-185 Main Street	Burrow 181 Main LLC 84 Bedford Street New York NY 10014	CB	CMS
5954-27-793946	179 Main Street	Coldfire Holdings LLC 219 Cedar Ln Ossining NY 10562	CB	CMS
5954-27-791947	177 Main Street	Frog Leap Inc 177 Main Street Beacon NY 12508	CB	CMS
5954-27-789948	175 Main Street	Berisha Brothers Inc 4 Forest View Dr Hopewell Junction NY 12533	CB	CMS
5954-27-786950	169-173 Main Street	Berisha Brothers Inc 4 Forest View Dr Hopewell Junction NY 12533	CB	CMS
5954-27-783953	167 Main Street	Movil Development Corp 284 Main Street Beacon NY 12508	CB	CMS
5954-27-782958	163-165 Main Street	Chase Property Mgmt LLC 110 Anderson Street Beacon NY 12508	CB	CMS
5954-27-778961	157-161 Main Street	Barbara and Brenda Joyce Sims 5 Kitteridge Place Beacon NY 12508	CB	CMS

5954-27-774961	153-155 Main Street	Movil Development Corp 284 Main Street Beacon NY 12508	CB	CMS
5954-27-776952	14 Commerce Street	Gerardo J Cervone 14 Commerce Street Beacon NY 12508	CB	CMS
5954-27-771961	Main Street	151 Main St LLC PO Box 910 Beacon NY 12508	CB	CMS
5954-27-768956	149 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-763957	145 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-27-758957	139 Main Street	Star of Bethlehem Baptist Church 139-141 Main Street Beacon NY 12508	CB	CMS
5954-27-757950	6 Commerce Street	Hudson Todd LLC 4 Cross Street Beacon NY 12508	CB	PB
5954-27-753962	131-137 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-26-749961	129 Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS
5954-26-749955	Main Street	Lindley Todd LLC 4 Cross Street Beacon NY 12508	CB	CMS



p/o 6054-29-026773 (See Fig. 1 – portion of lot fronting on Main Street)	423-425 Main Street	City of Beacon 1 Municipal Plaza Beacon NY 12508	CB	CMS
p/o 6054-29-035764 (See Fig. 1 – portion of lot fronting on Main Street)	427 Main Street	Beacon Court Associates Inc. 427 Main Street Beacon NY 12508	CB	CMS
p/o 6054-29-041761 (See Fig. 1 – portion of lot fronting on Main Street)	433 Main Street	Verizon New York Inc. PO Box 2749 Addison TX 75001	CB	CMS
p/o 6054-29-045758 (See Fig. 1 – portion of lot fronting on Main Street)	443 Main Street	Verizon New York Inc. PO Box 2749 Addison TX 75001	CB	CMS
p/o 6054-29-055758 (See Fig. 1 – portion of lot fronting on Main Street)	445 Main Street	Beacon Main Street Theater LLC 484 Main Street Beacon NY 12508	CB	CMS
6054-29-059752	451 Main Street	Jon Car Inc. 451 Main Street Beacon NY 12508	CB	CMS
6054-37-061750	453 Main Street	Stuart and Donna Wilensky 14 Longview Ln Middletown NY 10941	CB	CMS
6054-37-063747	455-457 Main Street	Joseph and Nancy Condon 20 Grove Street Beacon NY 12508	CB	CMS
p/o 6054-37-062739 (See Fig. 1 – portion of lot fronting on Main Street)	25 Van Nydeck Ave	City of Beacon 1 Municipal Plaza Beacon NY 12508	CB	CMS
6054-37-073725	5 Tioronda Ave	John J Goodall Jr Mary Goodal 5 Tioronda Avenue Beacon NY 12508	CB	PB

6054-37-068743	463 Main Street	Paul Quealey Anthony Fox 15 Saddlerock Dr Poughkeepsie NY 12603	CB	CMS
6054-37-071741	465 Main Street	465 Beacon Associates LLC 465 Main Street Beacon NY 12508	CB	CMS
6054-37-075738	469 Main Street	David Rich Paulette Myers-Rich 138 Grand Street New York NY 10013	CB	CMS
6054-37-077735	473 Main Street	Thomas L. Watkins Jr Sherry A Watkins 473 Main Street Beacon NY 12508	CB	CMS
6054-37-076730	475 Main Street	475 Main Street Beacon LLC 101 Castletown St Pleasantville NY 10570	CB	CMS
6054-37-084730	477 Main Street	Howland Center 477 Main Street Beacon NY 12508	CB	CMS
6054-37-091722	483 Main Street	Spanish Pentecostal Church PO Box 491 Beacon NY 12508	CB	CMS
6054-37-113729	493 Main Street	Verdi Boy Realty Group LLC PO Box 203 Hopewell Junction NY 12533	CB	CMS
6054-29-030795	390 Main Street	Beacon United LLC 284 Main Street Beacon NY 12508	CB	CMS

6054-29-034792	396 Main Street	Un-Locked LLC 35 Rombout Ave Beacon NY 12508	CB	CMS
6054-29-036791	398 Main Street	Benjamin Roosa 398 Main Street Beacon NY 12508	CB	CMS
6054-29-039788	Main Street	JP Morgan Chase Bank Natl Assn PO Box 810490 Dallas TX 75381	CB	CMS
6054-29-044784	404 Main Street	JP Morgan Chase Bank Natl Assn PO Box 810490 Dallas TX 75381	CB	CMS
6054-29-048780	412 Main Street	Hardy Homes LLC 5 Wodenethe Dr S Beacon NY 12508	CB	CMS
p/o 6054-29-056780 (See Fig. 1 - portion fronting on Main Street)	Main Street	McDermott Properties 43 Jelliff Mill Rd New Canaan CT 06840	CB	CMS
6054-29-056774	418 Main Street	EB 1 LLC 418 Main Street Beacon NY 12508	CB	CMS
p/o 6054-29-062771 (See Fig. 1 - portion fronting on Main Street)	424-428 Main Street	Beacon Main Real Estate Group 8 Belford Ln Beacon NY 12508	CB	CMS
p/o 6054-29-068768 (See Fig. 1 – portion fronting on Main Street)	432 Main Street	Neil E Vaughn 432 Main Street Beacon NY 12508	CB	CMS
6054-29-069762	436 Main Street	436 LLC 32 Cedar Street Dobbs Ferry NY 10522	CB	CMS

6054-29-074760	440 Main Street	Daniel Frasco 440 Main Street PO Box 938 Beacon NY 12508	CB	CMS
6054-29-075757	444 Main Street	Amarcord Inc 162 Main Street Cold Spring NY 10516	CB	CMS
6054-29-078756	446 Main Street	Qualamar Corporation PO Box 4292 New Windsor NY 12553	CB	CMS
p/o 6054-29-086757 (See Fig. 1 - portion fronting on Main Street)	Main Street	Qualamar Corporation PO Box 4292 New Windsor NY 12553	CB	CMS
6054-37-084750	456 Main Street	456 Main LLC 450 Alton Rd Miami Beach FL 33139	CB	CMS
6054-37-085749	458 Main Street	7215-18 <sup>th</sup> Avenue Realty Corp PO Box 417 Shrub Oak NY 10588	CB	CMS
6054-37-087747	460 Main Street	7215-18 <sup>th</sup> Avenue Realty Corp PO Box 417 Shrub Oak NY 10588	CB	CMS
6054-37-089746	462 Main Street	7215-18 <sup>th</sup> Avenue Realty Corp PO Box 417 Shrub Oak NY 10588	CB	CMS
6054-37-090745	464 Main Street	Melissa Badger 91 E 3 <sup>rd</sup> Street New York NY 10003	CB	CMS
6054-37-092744	466 Main Street	Gritster LLC 466 Main Street Beacon NY 12508	CB	CMS

6054-37-094741	468-470 Main Street	468-472 Main Street LLC 468-472 Main Street Beacon NY 12508	CB	CMS
6054-37-096740	472 Main Street	468-472 Main Street LLC 468-472 Main Street Beacon NY 12508	CB	CMS
6054-37-097737	474-476 Main Street	474-476 Main Street LLC 6 Slocum Rd Beacon NY 12508	CB	CMS
6054-37-100734	478-482 Main Street	Northview Restoration Corp 478 Main Street Beacon NY 12508	CB	CMS
6054-37-103737	484-488 Main Street	484 Main Street Realty 19 Garden Rd Harrison NY 10528	CB	CMS
6054-37-106741	490 Main Street	Matteawan On Main Inc 492 Main Street Beacon NY 12508	CB	CMS
6054-37-109744	498 Main Street	Rodney Weber 25 E Main Street Beacon NY 12508	CB	CMS
6054-37-117750	504 Main Street	500-504 Main Street LLC 6 Slocum Rd Beacon NY 12508	CB	CMS
6054-29-121755	506-512 Main Street	Chestnut Management Inc PO Box 9136 Bardonia NY 10954	CB	CMS
6054-29-124758	516 Main Street	518 Main Street LLC 215 W 83 <sup>rd</sup> Street New York NY 10024	CB	CMS

6054-30-130765	520 Main Street	Red Cardinal Holdings LLC 451 Main Street Beacon NY 12508	CB	CMS
6054-30-127768	5 North Street	Bankers Trust Co of CA, Trustee 252 Seventh Ave New York NY 10001	CB	R1-5
6054-29-124770	9 North Street	Ralph Marinaccio III 816 Route 52 Fishkill NY 12524	CB	R1-5
6054-30-131773	528-534 Main Street	534 Main Street LLC 534 Main Street Beacon NY 12508	CB	CMS
6054-30-132779	Main Street	536 Main Street LLC 206 Milton Tpke Milton NY 12547	CB	CMS
6054-30-129788	544 Main Street	544 Main Street LLC 215 W 83 <sup>rd</sup> Street New York NY 10024	CB (front facing Main Street) R1-5 (rear)	CMS
6054-30-134791	Main Street	City of Beacon 1 Municipal Plaza Beacon NY 12508	CB	CMS
6054-30-136795	Main Street	City of Beacon 1 Municipal Plaza Beacon NY 12508	CB	CMS
6054-29-004836	Eliza Street	CRE JV Five Branch Holdings LLC PO Box 460049 Houston TX 77056	CMS	PB
6054-29-007841	23 Eliza Street	John C. and Tara E. Thom 82 Sunrise Hill Rd Fishkill NY 12524	CMS	PB

5954-36-958873	Church Street	59 Church Street Development PO Box 390 Beacon NY 12508	CMS	PB
5954-36-954865	14 North Chestnut Street	Pamela S. Koeber-Diebboll 14 North Chestnut Street Beacon NY 12508	CMS	PB
5954-36-951861	12 North Chestnut Street	Patrick J. Hannon 12 North Chestnut Street Beacon NY 12508	CMS	PB
5954 28-951876	Church Street	Joseph Neville & Joan Ehrenberg 91 Rombout Ave Beacon NY 12508	CMS	PB
5954-28-943881	North Cedar Street	Cervone Realty Inc 111 North Walnut Street Beacon NY 12508	CMS	PB
5954-28-943875	10 North Cedar Street	Young Eun Figi & Kai Mark McLellan 10 North Cedar Street Beacon NY 12508	CMS	PB
5954-36-938872	8 North Cedar Street	Leli S Franco 49 North Chestnut Street Beacon NY 12508	CMS	PB
5954-28-930881	7 North Cedar Street	Lydia Panko Treanor, Luba Weidler, Nina Panko Keating, & Peter Panko 7 North Cedar Street Beacon NY 12508	CMS	PB
5954-28-917889	6 North Brett Street	Movil Development Corp 284 Main Street Beacon NY 12508	CMS	PB

5954-28-879914	5 North Walnut Street	Colin Chayne & Helen Nelson 5 North Walnut Street Beacon NY 12508	CMS	PB
5954-27-864924	4 North Elm Street	Charles Kacherski 4 North Elm Street Beacon NY 12508	CMS	PB
5954-27-857931	5 North Elm Street	Daniel Aubry 196 Bowery New York NY 10012	CMS	PB
5954-27-846941	6 Digger Phelps Ct	David Maros & Agnieszka Maros 1456 Ulster Hts Ellenville NY 12428	CMS	PB
5954-36-909853	7-9 South Cedar Street	Ramroop Bhagwandin & Chanderdai Bhagwandin 14 Richmond Pl Cortlandt Manor NY 10567	CMS	PB
5954-36-922847	6 South Cedar Street	Hudson Todd LLC 4 Cross Street Beacon NY 12508	CMS	PB
5954-36-935836	South Chestnut Street	J & S Ritter Realty 2 Cedarcliff Ln Poughkeepsie NY 12601	CMS	PB



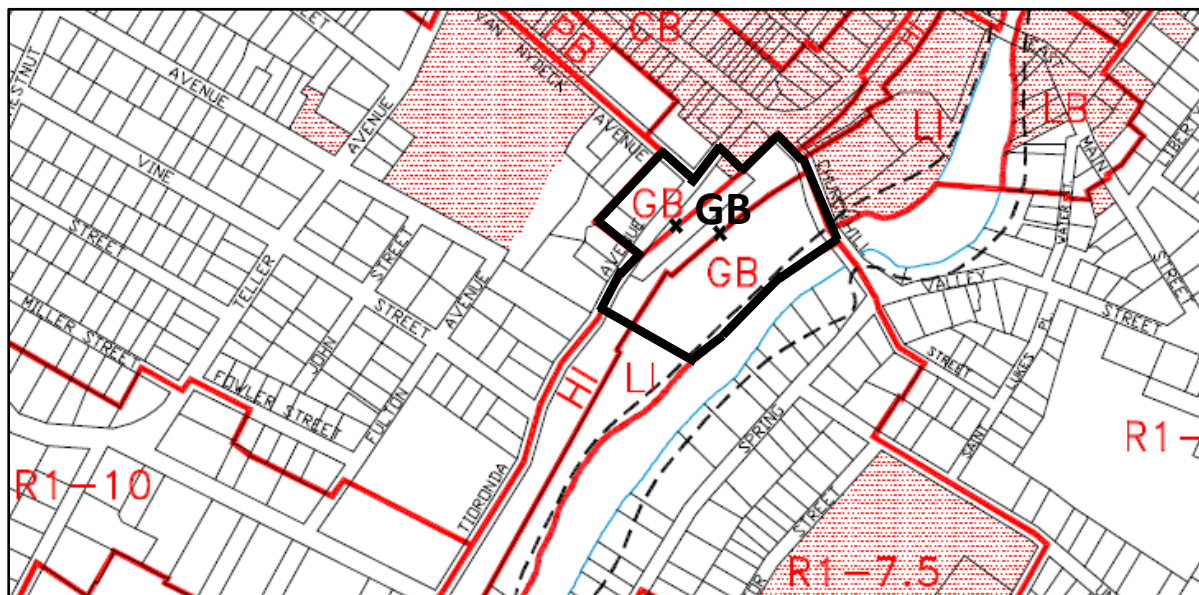
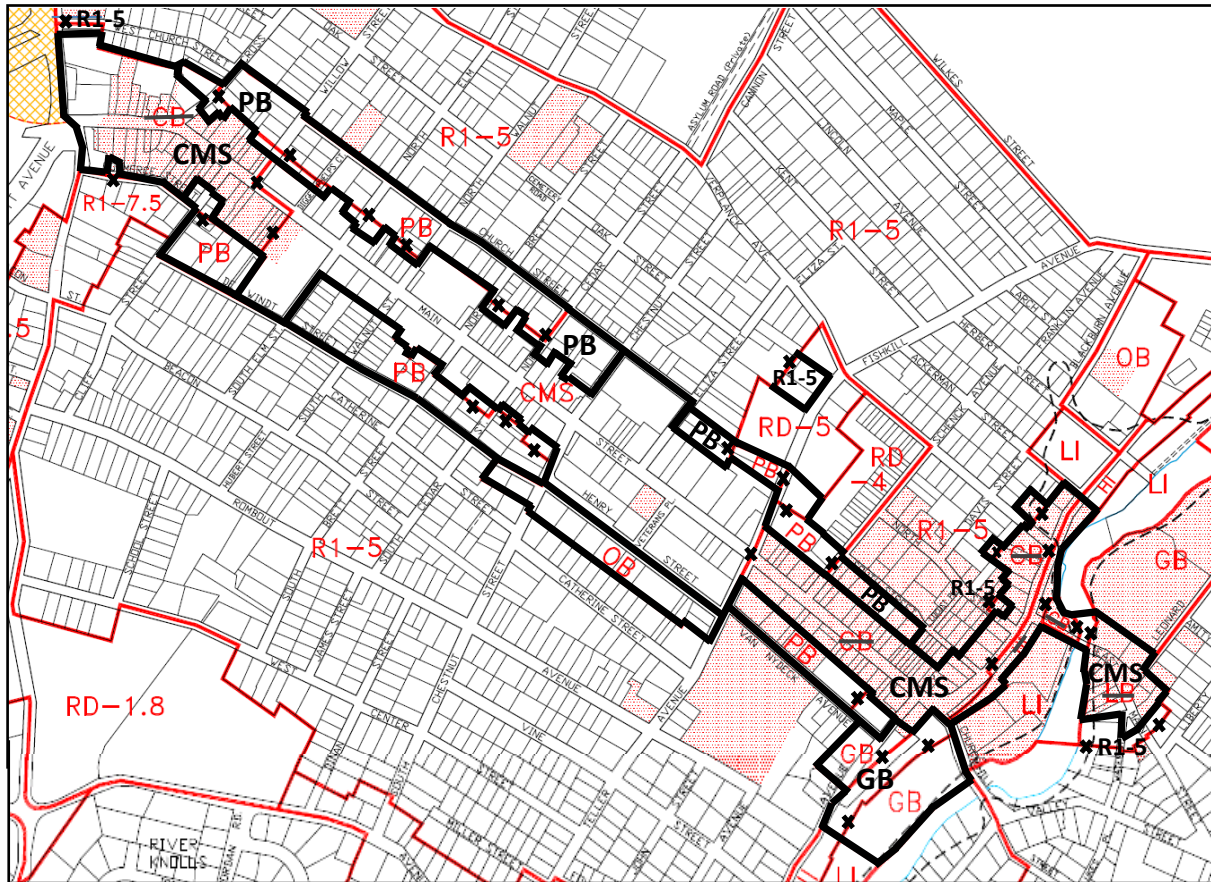
**Section 3.** The zoning of the parcels listed below is hereby changed from the Existing HI Zoning District to the New Zoning District as shown in the table and as shown in Figure 2 annexed hereto:

<b>Tax Parcel Number</b>	<b>Subject Property Address</b>	<b>Owner's Name and Address</b>	<b>Existing Zoning District</b>	<b>New Zoning District</b>
p/o 6054-37-096715 (See Fig. 2 - from Churchill Street to 850 feet north of Wolcott Ave)	Main Street Beacon, NY 12508	Metro-North Commuter RR Co. 347 Madison Avenue New York, NY 10017	HI	GB
/o 6054-37-077707	12 Tioronda Avenue Beacon, NY 12508	Jude Builders Inc. P.O. Box 69 Beacon, NY 12508	HI	GB

**Section 4. Severability.** The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local Law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 5.** This local law shall become effective immediately upon filing with the Office of the Secretary of State.

Attachments: Figures 1 and 2.



**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**2018 Capital Plan**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Capital Plan 2018	Backup Material

<b><u>CITY OF BEACON CAPITAL PLAN 2018 - 2027</u></b>									
	<b><u>2018</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
<b>HIGHWAY:</b>									
<b><u>PUBLIC BUILDINGS</u></b>									
Station one generator replacement	\$ 17,500								
Memorial Building Remove and Re-pour Front Landing	\$ 15,000								
Memorial Building Repair Retaining Wall @ Side Entrance by MHL	\$ 12,000								
Time Clocks (Various Locations)	\$ 50,000								
Purchase of Property for Consolidated Fire Stations			\$ 1,000,000						
Memorial Building Repairs		\$ 50,000							
Memorial Building Windows	\$ 100,000								
Municipal Building Roof			\$ 235,000						
Transfer Station Remove Incinerator			\$ 12,000						
Recreation Center Street Building Roof replacement			\$ 50,000						
<b><u>PARK</u></b>									
Green Street - replace retaining walls	\$ 80,000								
Riverfront park design and Construction documents	\$ 40,000								
Recreation Center Gym Floor Replacement and renovation	\$ 30,000								
Hudson North Trail Design	\$ 40,000								
Green Street - resurfacing		\$ 20,000							
USC Theater Parking and Patios		\$ 25,000							
USC Pool Restoration -Fiberglass		\$ 150,000							
Riverfront Park Basketball Court Restoration/Fencing and Parking									
Lot/Walkway Expansion		\$ 315,000							
Memorial - replace park storage shed			\$ 200,000						
USC Theater Caterers Pavilion			\$ 27,000						
Memorial (Hilltop) 20x30 Pavilion			\$ 27,000						

<b><u>CITY OF BEACON CAPITAL PLAN 2018 - 2027</u></b>									
	<b><u>2018</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
<b><u>HIGHWAY EQUIPMENT</u></b>									
Replace 2000 Johnston Sweeper	\$ 265,000								
20-ton Equipment Trailer	\$ 32,000								
Tire Machine	\$ 40,000								
Replace 1979 #7910 truck with 10-wheel w/ plow		\$ 300,000							
Replace 1992 #992 Dump/Plow/Sander		\$ 300,000							
980 Dump/Plow/Sander		\$ 60,000							
Replace 2000 Daewoo Excavator		\$ 118,000							
Replace 2000 Morbark Grinder		\$ 400,000							
Replace 2005 #053 1-ton dump truck w/plow		\$ 63,000							
Replace 2005 #052 1-ton dump truck w/plow		\$ 63,000							
Replace 1995 #954 truck (w/plow, sander & automatic)			\$ 275,000						
Replace 1997 Cat 416 Backhoe			\$ 150,000						
Flail Mower and Trailer			\$ 160,000						
Replace 2007 #070 1-ton dump/plow				\$ 70,000					
Replace 1998 Blacktop Roller (IR DD-65)				\$ 178,000					
Replace 2001 #010 dump/plow/sander				\$ 300,000					
Replace 2007 #073 1-ton dump truck w/plow					\$ 72,000				
Replace 2003 MT5 Trackless					\$ 179,000				
Replace 2007 #072 3/4 ton lift gate/plow						\$ 65,000			
Replace 2000 R-2 service truck						\$ 130,000			
Replace 2005 #054 dump/plow/sander						\$ 355,000			
Replace 2008 #080 one-ton dump/plow							\$ 75,000		
Replace 2007 Johnston VT 650 Sweeper							\$ 365,000		
Replace 2009 #0910 dump/plow/sander							\$ 435,000		
Replace 2007 #070 1-ton dump truck w/plow								\$ 77,000	
Replace 2012 #122 3/4 ton pick up/plow								\$ 70,000	
Replace 2000 John Deere 120 Excavator								\$ 200,000	
Replace 2009 #094 dump/plow/sander								\$ 375,000	
<b><u>PARK EQUIPMENT</u></b>									
Memorial Park Infield Groomer	\$ 13,500								
2 mowers (1 stand, 1 ride)		\$ 24,000							
<b><u>ROAD RECONSTRUCTION</u></b>									
Phillips Street (9D to Kristy), Reconstruction	\$ 2,729,750								
Red Flynn Drive Bridge Joint	\$ 100,000								

<b><u>CITY OF BEACON CAPITAL PLAN 2018 - 2027</u></b>									
	<b><u>2018</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
Bridger Street Condition Report	\$ 10,270								
East Willow Street (Wilkes to Forest Ln) Survey, Engineering		\$ 62,500							
East Willow Street (Wilkes to Forest Ln) Reconstruction			\$ 2,820,000						
North Walnut (Verplanck to Tilden) Survey, Engineering			\$ 124,580						
Main Street (South Street and Herbert Street Engineering and Survey			\$ 40,000						
Main Street (South Street and Herbert Street Construction			\$ 515,875						
Fishkill Avenue from City Line to Main Street				\$ 200,000					
Teller Avenue from Main Street to Wolcott Avenue				\$ 240,000					
North Walnut (Verplanck to Tilden) Reconstruction				\$ 3,641,000					
Kent Street (Fishkill Ave. to Cannon St.) Survey & Engineering				\$ 59,900					
South Avenue Bridge				\$ 4,000,000					
Kent Street (Fishkill Ave. to Cannon St.) Reconstruction					\$ 1,590,220				
Spring Street (Washington to Liberty) Survey & Engineering					\$ 48,900				
South Walnut Drainage Improvements					\$ 1,421,520				
Spring Street (Washington to Liberty) Reconstruction						\$ 1,497,154			
Dutchess Terrace (Verplanck to Dead End) Survey, Engineering						\$ 99,560			
Dutchess Terrace (Verplanck to Dead End) Reconstruction							\$ 2,740,485		
<b><u>SIDEWALKS</u></b>									
South Avenue (Commerce to Rombout), replacement, both sides - Survey & Engineering	\$ 38,000								
South Avenue (Commerce to Davies), replacement, both sides	\$ 460,000								
Lower Main Street (South St to Herbert) Surveying and Engineering	\$ 94,000								
Lower Main Street (South St to Herbert) replacement one side & New ornamental light poles	\$ 558,000								
Blackburn - Tallix side Engineering & Surveying	\$ 44,000								
Blackburn - Tallix side Engineering & Construction	\$ 220,000								
Wilkes Street sidewalk/running path along park		\$ 283,000							
<b><u>TRANSPORTATION IMPROVEMENT PROJECTS</u></b>									
58 Pedestrian Countdown timers	\$ 403,000								
Main Street Pedestrian Crosswalks	\$ 958,000								
<b><u>POLICE</u></b>									
Locker room renovation		\$ 80,000							
Office furniture		\$ 35,000							
Patrol SUV		\$ 42,000							
<b><u>FIRE</u></b>									
Replace 1986 Pumper	\$ 520,000								

CITY OF BEACON CAPITAL PLAN 2018 - 2027									
	2018	2019	2020	2021	2022	2023	2024	2025	2026
Replace Portable Fire Radios			\$ 24,000						
Replace Rubber Fire Boat				\$ 110,000					
Replace 1993 Pumper					\$ 600,000				
Replace 12 SCBA Harness/Bottles					\$ 120,000				
TOTAL ANNUAL PROJECT AMOUNTS	\$ 6,870,020	\$ 2,390,500	\$ 5,660,455	\$ 8,798,900	\$ 4,031,640	\$ 2,146,714	\$ 3,615,485	\$ 722,000	\$ -



<b>CITY OF BEACON WATER CAPITAL PLAN 2018-2027</b>									
	<b><u>2018</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
<b><u>WATER MAIN IMPROVEMENTS</u></b>									
Phillips Street (Wolcott to Kristy) Reconstruction	\$ 587,468								
Fulton Ave., Fowler St., Vine St. area 1,600 ft. undersized	\$ 60,000								
Wilson St. (Liberty St. to dead end) 2,000 ft. undersized - Engineering	\$ 86,000								
Cargill Line (well field to Route 9) Surveying & Engineering	\$ 86,000								
Village of Fishkill Inter-Municipal Replacement Well Program	\$ 100,000								
Back Up Well Pump House Road		\$ 225,000							
Fulton Ave., Fowler St., Vine St. area 1,600 ft. undersized		\$ 510,000							
Wilson St. (Liberty St. to dead end) 2,000 ft. undersized Construction		\$ 553,000							
Cargill Line (well field to Route 9) Construction		\$ 1,030,000							
East Willow Street, Engineering		\$ 12,000							
East Willow Street Reconstruction			\$ 432,000						
North Walnut (Verplanck to Tilden), Engineering			\$ 21,420						
North Walnut (Verplanck to Tilden) Reconstruction				\$ 723,642					
Kent Street (Fishkill Ave. to Cannon), Engineering				\$ 10,100					
Kent Street (Fishkill Ave. to Cannon), Construction					\$ 341,646				
Spring Street, Engineering					\$ 8,100				
Spring Street Reconstruction						\$ 325,288			
Dutchess Terrace (Verplanck to Dead End), Engineering						\$ 25,440			
Madison (Prospect to Judson) Survey and Engineering						\$ 10,000			
Dutchess Terrace (Verplanck to Dead End) Reconstruction							\$ 658,204		
Madison (Prospect to Judson) Reconstruction							\$ 134,198		
Mountain Lane, survey and Engineering							\$ 107,000		
Mountain Lane, Construction								\$ 1,175,000	

<b><u>CITY OF BEACON WATER CAPITAL PLAN 2018-2027</u></b>									
	<b><u>2018</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>	<b><u>2021</u></b>	<b><u>2022</u></b>	<b><u>2023</u></b>	<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
<b><u>WATER TREATMENT FACILITY IMPROVEMENTS</u></b>									
Replace Filter Media - 3 filter beds	\$ 300,000								
Melzingah Dam Valves	\$ 100,000								
Melzingah Dam Piping		\$ 250,000							
Removal of Existing Underground 1000 gallons storage tank and installation of new natural gas generator		\$ 350,000							
Filter Plant Roof Replacement		\$ 100,000							
Re-face Mt. Beacon Dam - Construction		\$ 1,500,000							
<b><u>WATER TANK MAINTENANCE</u></b>									
Replace Fairview Tank	\$ 1,600,000								
<b><u>EQUIPMENT</u></b>									
Replace 1995 Large Dump #955	\$ 200,000								
Replace 2002 Box Van #022		\$ 62,500							
Replace 2008 Small Dump #088			\$ 65,500						
Replace 2008 Pick Up #081 Car #1				\$ 50,000					
Replace 1997 Flatbed #977					\$ 52,000				
Replace 2012 Small Dump #122						\$ 67,000			
Replace Utility Van (small)							\$ 30,000		
Replace Pick-up (WPO)								\$ 50,000	
<b>TOTAL ANNUAL PROJECT AMOUNTS</b>	<b>\$ 3,119,468</b>	<b>\$ 4,592,500</b>	<b>\$ 518,920</b>	<b>\$ 783,742</b>	<b>\$ 401,746</b>	<b>\$ 427,728</b>	<b>\$ 929,402</b>	<b>\$ 1,225,000</b>	<b>\$ -</b>

<b>CITY OF BEACON SEWER CAPITAL PLAN 2018-2027</b>									
	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
<b><u>WWTP UPGRADES</u></b>									
Chlorine Contact Basin and Dechlorination Engineering	\$ 100,000	\$ 50,000							
Replace final settling tank cross collector, shaft & misc. and replace valves in telescopic pit	\$ 835,000								
Replace #1 Concentration Tank Drives	\$ 120,000								
Reconstruct Admin Building	\$ 150,000								
Digester cleaning	\$ 250,000								
Water Metering for STP	\$ 45,000								
Replace #2 Concentration Tank Drives	\$ 120,000								
STP Headworks Construction		\$ 3,200,000							
Belt press mechanical improvements		\$ 106,000							
Replace aeration tank diffuser		\$ 660,000							
Chlorine Contact Basin and Dechlorination			\$ 2,200,000						
Primary settling tank - major overhaul			\$ 500,000						
Belt press complete replacement				\$ 810,000					
Replace perimeter fence and gate						\$ 85,000			
Replace Roofing Blower Building, Sludge Control						\$ 200,000			

<b>CITY OF BEACON SEWER CAPITAL PLAN 2018-2027</b>									
	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
<b><u>SEWER LINE IMPROVEMENTS</u></b>									
Phillips St. Reconstruction	\$ 418,345								
South Interceptor - Cleaning & Televising - Kristy to South Avenue & End of Walkway to STP - Engineering	\$ 12,000								
Wilkes St. (Fishkill to Matteawan) Engineering	\$ 12,400								
Teller (Catherine to Henry) Survey & Engineering	\$ 18,900								
South Interceptor Sewer Survey along Fishkill Creek (topo & boundar) between Union Avenue & End of Simmons Lane	\$ 15,000								
South Interceptor - Cleaning & Televising - Kristy to South Avenue & End of Walkway to STP		\$ 250,000							
North Interceptor Replacement - Behind DIA to STP		\$ 1,400,000							
East Willow Street Survey, Engineering		\$ 10,500							
Wilkes St. (Fishkill to Matteawan) Reconstruction		\$ 264,046							
West Main Pump Station - Forcemain Replacement		\$ 1,800,000							
West Main Pump Station		\$ 2,100,000							
East Willow Street Construction			\$ 372,000						
Teller (Catherine to Henry) Construction			\$ 300,000						
N. Chestnut (Main to Church) Survey & Engineering			\$ 19,400						
South Interceptor (Madame Brett to STP) Survey & Engineering			\$ 125,000						
N. Chestnut (Main to Church) Construction				\$ 288,000					
South Interceptor (Madame Brett to STP) Construction					\$ 3,050,000				
<b><u>EQUIPEMENT</u></b>									
Utility Vehicle - F250	\$ 45,000								
Utility Vehicle - F250	\$ 45,000								
<b><u>I &amp; I Improvements</u></b>	\$ 900,000	\$ -	\$ -	\$ -					
<b>TOTAL ANNUAL PROJECT AMOUNTS</b>	<b>\$ 3,086,645</b>	<b>\$ 9,840,546</b>	<b>\$ 3,516,400</b>	<b>\$ 1,098,000</b>	<b>\$ 3,050,000</b>	<b>\$ 285,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution to adopt a local law to amend Chapter 223, concerning calculation of the Lot Area per Dwelling Unit in the R1, RD and Fishkill Creek Development Districts**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso calculation lot area	Resolution
Lot Area LL 4.11.18	Local Law
Calc of Lot Area Neg Dec	Neg Dec



**CITY OF BEACON**  
**CITY COUNCIL**  
**RESOLUTION NO. \_\_\_\_\_ OF 2018**

**A RESOLUTION TO ADOPT A LOCAL LAW TO AMEND CHAPTER 223 OF THE CODE OF THE CITY OF BEACON CONCERNING CALCULATION OF LOT AREA PER DWELLING UNIT IN THE R1, RD, AND FISHKILL CREEK DEVELOPMENT DISTRICTS.**

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council in accordance with 6 NYCRR Part 617 and upon review of the Short Environmental Assessment Form and all other materials prepared, hereby adopts the attached Negative Declaration for the proposed action.

**BE IT FURTHER RESOLVED**, that the Beacon City Council hereby adopts a local law to amend Chapter 223 concerning calculation of the Lot Area per Dwelling Unit in the R1, RD, and Fishkill Creek Development Districts.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

LOCAL LAW NO. \_\_\_\_ OF 2018

CITY COUNCIL  
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND  
CHAPTER 223 OF THE CODE OF THE  
CITY OF BEACON

A LOCAL LAW to amend Chapter 223, concerning calculation of the Lot Area per Dwelling Unit in the R1, RD, and Fishkill Creek Development Districts.

BE IT ENACTED by the City Council of the City of Beacon as follows:

**Section 1.** Chapter 223, Attachment 1 of the Code of the City of Beacon entitled “§ 223-17C, Schedule of Regulations For Residential Districts” is hereby amended to add the following footnote “q” after “Lot Area per Dwelling Unit” and in the attached “Notes” list:

q. For all development proposals involving a total lot area of more than three acres within a R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more as defined in § 223-63.

**Section 2.** Chapter 223 of the City Code, Article IVC entitled “Fishkill Creek Development District” § 223-41.14B is hereby amended as follows:

B. Development Potential. Maximum number of dwelling units per acre of lot area, after deducting on all development proposals involving a total lot area of more than three acres any lot area with existing, pre-development very steep slopes over 20% of 25 percent or more as defined in § 223-63, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland: 11. Additionally, a minimum of 25 percent of the total development’s floor area shall be permitted nonresidential uses other than dwelling units or artist live/work spaces, which must be built out before or concurrently with the residential development of the site. Less nonresidential square footage may be granted by the City Council for the voluntary and guaranteed inclusion in the project of desirable environmental, transportation, or other substantial public benefits which would not otherwise be required of the project, as determined at the sole discretion of the City Council as part of the concept plan approval.



**Section 3.** Chapter 223 of the City Code, Article VI entitled “§ 223-63, Definitions” is hereby amended as follows:

**VERY STEEP SLOPE**

An area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet ~~horizontal length of at least 100 feet and extending over a horizontal width of at least 100 feet.~~ [Added 3-1-2004 by L.L. No. 2-2004]

**Section 4.** Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

**Section 5.** Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 6.** Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

# 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.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: City of Beacon Local Law concerning the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts							
Project Location (describe, and attach a location map): City of Beacon							
Brief Description of Proposed Action: The proposed local law amends the Zoning Code of the City of Beacon to provide that for all R1, RD and Fishkill Creek Development Zoning Districts involving a total lot area of more than three acres, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, land within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development "very steep slopes" of 25 percent or more as defined in Section 223-63 of the Code of the City of Beacon. The proposed local law also amends the definition of very steep slopes set forth in Section 223-63 to better describe the type of steep slopes that exist within the City of Beacon, specifically to define very steep slopes as an area of land with a gradient of 25% or more extending over a contiguous land area of at least 10,000 square feet.							
Name of Applicant or Sponsor: City of Beacon		Telephone: 845-838-5000 E-Mail: Mayor@cityofbeacon.org					
Address: 1 Municipal Plaza							
City/PO: City of Beacon		State: NY	Zip Code: 12509				
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%; text-align: center;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" 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%; text-align: center;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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 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 <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input 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?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input 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 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <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 type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____			

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 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 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: _____	NO	YES
_____	<input type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>City of Beacon</u> Date: <u>5/21/18</u> Signature: <u>Sam Zorich, esq on behalf of the City of Beacon</u>		

**CITY OF BEACON  
One Municipal Plaza  
Beacon, New York 12508  
(845) 838-5000**

**Short Environmental Assessment Form- Part 1**

Question 1: Narrative

The proposed local law amends the Zoning Code of the City of Beacon to provide that for all development proposals involving a total lot area of more than three acres or more within a R1, RD and Fishkill Creek Development Zoning Districts, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, land within a federal regulatory floodway, within a state or federally regulated wetland, and/or within an area of very steep slopes of 25 percent or more as defined in Section 223-63 of the Code of the City of Beacon. This law will decrease the total net development area a developer may use in calculating the maximum number of dwelling units permitted on a lot within the R1, RD and Fishkill Creek Development Zoning Districts, which contain the above sited environmental features. The proposed local law also amends the definition of very steep slopes set forth in Section 223-63 to better define the type of very steep slopes that exist in the City, which tend to be long and narrow areas.

The maximum number of dwellings permitted on a lot is calculated by dividing the total net development area by the minimum lot area per dwelling unit required for each residential zoning district as set forth in the Zoning Code of the City of Beacon. The total net development area is the total lot area of the property available after subtracting any lot area covered by surface water, land within a federal regulatory floodway, within a state or federally regulated wetland or within an area of very steep slopes of 25 percent or more. The purpose of the proposed local law is to regulate development to protect the City and certain environmentally sensitive features. The City's objective is to ensure that development density is reasonably related to land capabilities, with lower densities maintained on lands least able to support intensive uses due to natural features such as steep slopes and wetlands. The City Council believes that the restrictions imposed by the proposed local law will protect the environment and the health, safety and welfare of the City and its residents.

**Agency Use Only [If applicable]**

<b>Project:</b>	Local Law-Net Development Area
<b>Date:</b>	May 8, 2018

***Short Environmental Assessment Form***  
***Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Short Environmental Assessment Form**  
**Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attached.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>City of Beacon</u>	<u>5/21/18</u>
Name of Lead Agency	Date
<u></u>	<u></u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u></u>	<u>James Lomida, Esq.</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

City of Beacon City Council

May 8, 2018

**Proposed Action:** Local Law to Amend Chapter 223, concerning calculation of Lot Area per Dwelling Unit in the R1, RD, and Fishkill Creek Development Districts.

### **Short Environmental Assessment Form**

#### **Part 3- Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance**

The proposed action discussed in Parts 1 and 2 of this Full Environmental Assessment Form involves proposed amendments to Chapter 223, Attachment 1 of the Code of the City of Beacon entitled “§223-17C, Schedule of Regulations For Residential Districts” and Chapter 223, Article IVC entitled “Fishkill Creek Development District,” concerning the calculation of lot area per dwelling unit. The proposed local law amends the Zoning Code of the City of Beacon (“Zoning Code”) to provide that for all development proposals in the R1, RD and Fishkill Creek Development Zoning Districts involving a total lot area of more than three acres, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, land within a federal regulatory floodway, within a state or federally regulated wetland, or with existing pre-development very steep slopes of 25 percent or more as defined in Section 223-63 of the Zoning Code. The goal of this local law is to promote proper and sustainable residential development in the City.

The maximum number of dwellings permitted on a lot is calculated by dividing the total net development area by the minimum lot area per dwelling unit required for each residential zoning district as set forth in the Zoning Code. The total net development area is the total lot area of the property available for development after subtracting any lot area covered by surface water, or located with a state or federally regulated wetland, or land with very steep slopes of 25% or more. This calculation of net development area excludes lands that are not suitable for development and ensures that development density is reasonably related to land capabilities, with lower densities maintained on lands least able to support intense uses due to natural features such as steep slopes and wetlands. Adoption of the proposed local law will potentially decrease the development intensity on some sites, but this will reduce the overall environmental impacts on sensitive natural areas and ensure that development density is reasonably related to land capabilities, as recommended in the 2017 Comp Plan Update on page 111.

Under the existing City Zoning Code developers are prohibited or strongly discouraged from developing on lands that are covered by surface water, lands within a floodway or wetland and on lands with steep slopes. Under Section 123-14B(2) of the Zoning Code, no new construction is permitted in a regulatory floodway. Under Section 123-16B of the Zoning Code, no building, development, or construction of site improvements is permitted on very steep slopes unless the approval authority has determined “(1) that there is no other suitable alternative area within the lot available for the proposed use, improvement or development of such lot; (2) that the activity proposed is the minimum necessary to make reasonable use of the land; (3) that all feasible construction standards and precautions will be taken to assure



**Proposed Action:** Local Law to Amend Chapter 223, concerning calculation of Lot Area per Dwelling Unit in the R1, RD, and Fishkill Creek Development Districts.

that environmental impacts will be minimized; and (4) that the purpose and intent of this section are satisfied to the maximum degree feasible.” There are approximately 30 acres of very steep slopes in the City, according to the 2017 Comp Plan Update, page 100. Very Steep Slopes are defined in the City Zoning Code as “an area of land with a gradient of 25% or more extending over a horizontal length of at least 100 feet and extending over a horizontal width of at least 100 feet.” This definition does not often fit the type of steep slopes in the City of Beacon, which generally tend to be long and narrow sections of very steep slopes. The revised definition uses the same overall area, but includes narrower configurations in the standard. Under Section 223-16A of the Zoning Code, a developer is prohibited from altering or developing in any wetland or watercourse area. In the City, approximately 72 acres of wetlands are protected by the Army Corps of Engineers.

The proposed local law further discourages development on environmentally sensitive features because such areas are not calculated towards net development area. A developer is more likely to develop on flat, unconstrained surfaces, instead of trying to get approval from the Planning Board, or other approval authority, to develop, for example, at considerable cost on very steep slopes.

Development on environmentally constrained lands results in denser clustered developments. The same amount of density permitted as is permitted on unconstrained lands is forced on smaller portions of developable land, located close to environmentally sensitive features. Dense developments located in close proximity to wetlands, floodways and steep slopes can still result in major impacts to such areas. These dense clustered developments present new concerns and can still impact the surrounding constrained areas. This local law addresses this concern by ultimately reducing density on lots impacted by environmental constraints.

Furthermore, the proposed local law furthers the goals of the City’s 2017 Comprehensive Plan Update. Specifically, the 2017 Comprehensive Plan Update provides that the City should focus on the following goals and objectives:

- Preserve environmentally significant features and create an open space system of sufficient size to reserve adequate areas for the protection of water related resources, wildlife, and land forms of particular environmental value.”(2017 Comprehensive Plan Update p. 110).
- Encourage high environmental standards for development and infrastructure. (*Id.*)
- Ensure that development density is reasonably related to land capabilities, with lower densities maintained on lands least able to support intensive uses due to natural features such as steep slopes, soil types, and wetlands. (*Id.* at 111)

City of Beacon City Council

May 8, 2018

**Proposed Action:** Local Law to Amend Chapter 223, concerning calculation of Lot Area per Dwelling Unit in the R1, RD, and Fishkill Creek Development Districts.

- Discourage development which involves significant land manipulation that destroys natural topographic features and creates potential for drainage, erosion and other environmental problems. Prohibit such land manipulation in low-density areas as designated in the Land Use Plan. (*Id.* at 112).

The proposed local law will ensure that lower density developments are constructed near natural environmentally sensitive features such as surface waters, steep slopes, floodways, and wetlands because such environmental features are excluded from the available net development area. The law allows the City to ensure that development density is related to the available developable space on a lot of three acres or more. The purpose of the proposed local law is to regulate development to meet the goals set forth in the 2017 Comprehensive Plan Update and protect certain environmentally sensitive features. Therefore, the City Council determines that the Proposed Action will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement is not required.

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution to set a public hearing on June 18, 2019 to receive public comment on a proposed local law to amend Chapter 195 of the Code of the City of Beacon, concerning Lot Line Adjustments**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso PH lot line adjustments	Resolution
Memo Lot Line Adjustments	Cover Memo/Letter
Lot Line Adjustments LL_5.9.18	Local Law



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_\_ OF 2018**

**RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR JUNE 18, 2018 TO  
RECEIVE PUBLIC COMMENT ON A PROPOSED LOCAL LAW TO AMEND  
CHAPTER 195 OF THE CODE OF THE CITY OF BEACON, CONCERNING  
LOT LINE ADJUSTMENTS**

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Beacon hereby schedules a public hearing to receive public comment on a proposed Local Law to amend Chapter 195 of the Code of the City of Beacon, concerning lot line adjustments.

<b>Resolution No. _____ of 2018                      Date: <u>2018</u></b>							
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call <input type="checkbox"/> On roll call</div><div><input type="checkbox"/> 2/3 Required <input type="checkbox"/> 3/4 Required</div></div>							
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy J. Casale					
<b>Motion Carried</b>							

## MEMORANDUM

**TO:** City of Beacon City Council  
**FROM:** Keane & Beane, P.C.  
**RE:** Lot Line Adjustments  
**DATE:** May 9, 2018

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Please find attached to this memorandum a proposed local law which sets forth an administrative review process for lot line adjustments, without requiring an appearance before the Planning Board.

Pursuant to General City law, subdivision of land in New York is controlled at the local government level. In the City of Beacon subdivision of land is specifically regulated by Chapter 195 of the Code of the City of Beacon. The term subdivision is currently defined in Section 195-10 of the City Code as:

The division of any parcel of land, regardless of use, into two or more lots, plots, blocks, sites or parcels, with or without the creation of new streets or private roads, for the purpose, whether immediate or future, of transfer of ownership or building development, **and shall include resubdivision** as defined herein.

Under this definition, the City of Beacon requires full subdivision review for any resubdivision application. Resubdivisions are defined in the City Code as “any change of existing property lines or of property lines shown on a plat approved by the Planning Board and filed in the office of the County Clerk.” By this definition, simple lot line adjustments are considered resubdivisions requiring full subdivision review. A lot line adjustment or alteration is a means by which a boundary line dividing two lots is adjusted or moved. Such a move is typically made by agreement between the owners of the parcels. For example, the sale of an unused portion of the right of way would require resubdivision approval. An agreement between neighbors to resolve a dispute when a fence is extending over a border conveying a small strip of land so that a driveway can be widened, would all require resubdivision approval. There is obviously a cost and expense associated with subdivision review including appearing at Planning Board meetings, preparation of a subdivision map, etc.

In New York State there is no statutory requirement that defines lot line adjustment as a subdivision. General City Law Section 32(4)(a) provides the following:

The term “subdivision” **may** include any alteration of lot lines or dimensions of any lots or sites shown on a plat previously approved and filed in the office of the county clerk or register of the county in which such plat is located.

Some municipalities, including Beacon, require applications for lot line adjustments to go through a full subdivision review by the Planning Board. Other municipalities, by contrast, provide that a lot line adjustment is not a subdivision or resubdivision of land at all and review applications for lot line changes using a simple administrative process. In such cases, lot line adjustments are often processed and decided by municipal planning staff or building officials or the planning board itself using expedited procedures, which do not involve a public hearing. Whether considered a subdivision or not, the lots created as a result of any lot line adjustment must conform to applicable zoning regulations and the procedure must not result in an increase in the number of lots or parcels.

In order to create a more efficient application process for lot line adjustment applications, our office has prepared the attached local law. The attached local law sets forth an administrative review process for lot line adjustments, without requiring full subdivision review before the Planning Board. The law amends the definitions of “resubdivision” and “subdivision” to exclude lot line adjustments and creates a definition for lot line adjustments. Under the proposed local law lot line adjustments are defined as “any conveyance of real property between adjacent landowners which does not result in additional buildable lot(s) nor create a zoning deficiency in either lot. A lot line adjustment is not considered a subdivision for purposes of this chapter.” All applications for lot line adjustments will be submitted to the Building Department to be reviewed by the Building Inspector. The Building Inspector shall determine whether the application meets the criteria for classification as a lot line adjustment. If the Building Inspector determines that the application is for a resubdivision and not a lot line adjustment, formal subdivision review is required pursuant to Section 195-3 of the Code of the City of Beacon. This process will greatly reduce the costs and time required to review a lot line adjustment application.

Attach.

ecc: Anthony Ruggiero  
Tim Dexter

DRAFT LOCAL LAW NO. \_\_\_\_ OF 2018

CITY COUNCIL  
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND  
CHAPTER 195 OF THE CODE OF THE  
CITY OF BEACON

A LOCAL LAW to  
amend Chapter 195 of  
the Code of the City of  
Beacon, concerning  
Lot Line Adjustments.

BE IT ENACTED by the City Council of the City of Beacon as follows:

**SECTION 1.** Chapter 195, Article I, of the Code of the City of Beacon is hereby amended as follows to create Section 3.1 entitled “Lot line adjustments”:

§ 195-3.1 Lot line adjustments.

A. Exemption. A lot line adjustment shall not be considered a subdivision and is therefore exempt from the procedural requirements otherwise imposed upon a subdivision. A lot line adjustment, however, must be determined to be exempt by the Building Inspector based upon the lot line adjustment criteria set forth herein.

B. Criteria for classification as a lot line adjustment.

- (1) No new lot is to be created; or
- (2) The action is intended to adjust, relocate or correct an existing lot line; or
- (3) The intended conveyance will involve a part of one lot being added to an adjoining lot; and
- (4) Neither of the lots involved will become nonconforming in any respect under Chapter 223, Zoning, as a result of the lot line adjustment.

C. Application process.

- (1) An application for a lot line adjustment exemption shall be submitted to the Building Department and shall be on a form approved by the Building Inspector.

(2) The application shall be accompanied by the required application fee, payable to the City of Beacon, in the amount set forth in the City of Beacon Fee Schedule, which is on file in the City Clerk's Office.

(3) The application shall contain:

- (a) The name, address and telephone number of each lot owner involved in the lot line adjustment.
- (b) The address and Tax Map number of each lot involved.
- (c) An explanation of the intended adjustment and the reason(s) therefor.
- (d) A map, acceptable to the Building Inspector, drawn to scale depicting the existing lot line as well as the proposed new lot line.
- (e) Any other documentation and/or information required by the Building Inspector.

D. In the event that the exemption is denied, the Building Inspector shall specify the reason(s) therefor in the written notice.

E. The Building Inspector may include in an approval of an application for lot line adjustment such terms and conditions as the Building Inspector deems necessary or appropriate to ensure the safety or further the purpose and intent of this Chapter or any other applicable law.

**SECTION 2.** The following definitions set forth in Chapter 195, Article II, Section 10 of the Code of the City of Beacon entitled "Definitions" are hereby amended or added as follows:

### **LOT LINE ADJUSTMENT**

Any conveyance of real property between adjacent landowners which does not result in additional buildable lot(s) nor create a zoning deficiency in either lot. A lot line adjustment is not considered a subdivision for purposes of this chapter.

### **RESUBDIVISION**

Any change in a subdivision plat or resubdivision in the of existing property lines or of property lines shown on a plat approved by the Planning Board and filed in the office of the Dutchess County Clerk, which change affects any street and/or lot layout shown on such plat or affects any area reserved thereon for public use or diminishes the size of any lot shown thereon.

### **SUBDIVISION**

The division of any parcel of land, regardless of use, into two or more lots, plots, blocks, sites or parcels, with or without the creation of new streets or private roads,



for the purpose, whether immediate or future, of transfer of ownership or building development, and shall include resubdivision as defined herein. Subdivision does not include lot line adjustments as defined in this chapter.

### **SECTION 3. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, Chapter 195 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

### **SECTION 4. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

### **SECTION 5. Effective Date**

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution to adopt a local law to create Section 223-26.4 concerning Short-Term Rentals**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Short Term Rentals Reso	Resolution
Short Term Rentals LL_0521	Local Law
STR EAF and Neg Dec	Neg Dec



**CITY OF BEACON**  
**CITY COUNCIL**  
**RESOLUTION NO. \_\_\_\_\_ OF 2018**

**A RESOLUTION TO ADOPT A LOCAL LAW TO CREATE CHAPTER 223-26.4 AND AMEND SECTION 223-63 OF THE CODE OF THE CITY OF BEACON CONCERNING SHORT-TERM RENTALS.**

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council in accordance with 6 NYCRR Part 617 and upon review of the Short Environmental Assessment Form and all other materials prepared, hereby adopts the attached Negative Declaration for the proposed action.

**BE IT FURTHER RESOLVED**, that the Beacon City Council hereby adopts a local law to create Section 223-26.4 and amend Section 223-63 of the Code of the City of Beacon concerning short-term rentals.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call				<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2018**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO CREATE  
SECTION 223-26.4 AND AMEND SECTION 223-63 OF THE CODE OF  
THE CITY OF BEACON**

A LOCAL LAW to create  
Section 223-26.4 and amend  
Section 223-63 of the Code  
of the City of Beacon  
concerning Short-Term  
Rentals.

BE IT ENACTED by the City Council of the City of Beacon as follows:

**SECTION 1.** Chapter 223, Article III, Section 26.4 entitled “Short-Term Rentals,” of the Code of the City of Beacon is hereby created as follows.

§ 223-26.4 Short-Term Rentals

- A. Findings. The City Council of the City of Beacon has determined it is in the best interest of the City and its residents to regulate short-term rentals. While the City Council recognizes the benefits of short-term rentals allowing home-owners to supplement their income to defray the cost of housing and to provide lodging for visitors to the City, the City Council finds the use of a part of or the entire dwelling unit for short-term rentals is potentially inconsistent with the use of the dwelling unit for single family purposes. In order to protect the health, safety and welfare of the City and its residents, it is necessary to restrict the rental of homes for terms shorter than 30 consecutive days, a practice which is growing in popularity with the advent of internet and social media-based programs that connect property owners and persons seeking short-term rentals. In addition, studies have shown that short-term rentals are linked to increases in rent and housing costs because rental units are taken off the market and used as short-term rentals. Units are going to short-term renters rather than to permanent residents which results in a decrease in available housing stock within the City of Beacon. The City Council further finds that non-owner occupied short-term rentals are inconsistent with the use of a residence for residential dwelling purposes and inconsistent with single-family neighborhoods. The City Council believes that the restrictions and requirements imposed herein further those objectives and the protection of the health, safety and welfare of the City and its residents.

- B. Definitions. As used in this section, the following words shall have the meanings indicated:

**OWNER**

An individual or group of individuals who are in possession of and have a fee interest in real property. The term “owner” shall not include entity corporation, limited-liability company, partnership, association, trustee, receiver or guardian of an estate, mortgagee, lien holder, or other business entity.

**OWNER-OCCUPIED**

A one-family or two-family house or multiple dwelling building used by the owner as his or her or their domicile or principal residence.

**SHORT-TERM RENTAL**

An entire dwelling unit, or a room or group of rooms or other living or sleeping space, made available to rent, lease or otherwise assigned for a tenancy of less than 30 consecutive days. The term “short-term rental” does not include dormitories, hotel or motel rooms, bed and breakfast inns or lodging houses, as permitted and regulated by the City of Beacon Zoning Ordinance.

- C. Permit required. It shall be unlawful to use, establish, maintain, operate, occupy, rent or lease any property as a short-term rental without first having obtained a short-term rental permit.
- D. Short-term rentals shall be permitted in all zoning districts subject to the requirements set forth in this section.
- E. Permit application.
- (1) An application for a short-term rental permit shall be filed before the dwelling unit, or a room or group of rooms or other living or sleeping space within a dwelling unit, or any other space is advertised for short-term rental, and if the spaces are not advertised, then such permit shall be obtained before said space is leased or rented.
  - (2) Issuance of a short-term rental permit requires submission of an application to the Building Department and payment of the processing fee set forth in the City fee schedule.
  - (3) The form and content of the permit applications shall be as determined from time to time by the Building Department and shall contain such information and

materials as the Building Department deems necessary to determine the sufficiency of the application. Such application shall contain, at a minimum:

- (i) ~~The name and address, e-mail address, and contact numbers of all property owners~~ Proof of receipt of New York State STAR Credit or STAR property tax exemption for the short-term rental property; and
  - (ii) ~~Government issued proof of residency of each owner with picture ID (driver's license, passport, etc.); and~~
  - (iii) ~~A copy of the deed for the property to be used as a short-term rental and a copy of the most recent tax bill.~~
  - (iv) ~~Copy of utility bill in owner's name.~~
- (v)(ii) (a) The property address; (b) the total number of dwelling units located within the building; (c) the total number of bedrooms and bathrooms inside the building; (d) the total number of dwelling units and individual bedrooms proposed for short-term rental use; (e) the location of each such dwelling unit or individual bedroom within the building; and (f) the number of persons to be accommodated in each short-term rental area; and
- (vi)(iii) A signed and notarized certification in a form acceptable to the City Clerk by each property owner attesting to the fact that (a) the owner resides at the property and it is the owner's domicile (primary residence); (b) ~~that to the best of their knowledge the~~ property is fit for human habitation and safe; (c) ~~that~~ the property owner will comply with all of the conditions and restrictions of the permit; (d) ~~that~~ no portion of the area used for short-term rentals will utilize a cellar or attic, or any portion thereof, as habitable space unless it meets the requirements of the International Fire, Residential and Building Codes or successor law; (e) ~~that to the best of their knowledge~~ the property is in compliance with all the provisions of this Article, the applicable provisions of the City Code, the International ~~Fire, Building and Maintenance Codes~~ Series of Codes and the New York State Code Supplement; and (f) the required building permits and certificates of occupancy are in place for all existing structures on the property if applicable; and
- (vii)(iv) Such other information as the City may require to prove the property is owner-occupied and safe for renters.

- (4) All permits issued pursuant to this section shall be for a period of two years and shall be renewable for subsequent two-year terms upon application, conformance with this section and payment of the permit fee.
  - (5) If the status of the information changes during the course of any calendar year, it is the responsibility of the owner to submit such changes to the Building Department in writing within 30 days of the occurrence of such change. Failure to do so shall be deemed a violation of this section.
- F. Inspection. Each short-term rental shall be inspected by the Building Department at the time of the initial application and prior to any permit renewal, to determine whether the short-term rental remains in compliance with the section and all other applicable provisions of the City Code, the International Series of Codes and New York State Code Supplement. If the Building Inspector determines that the short-term rental space is not in compliance, the owner shall cease use of the dwelling unit as a short-term rental until all noncomplying elements have been corrected and the owner shall apply for reinspection with the Building Department, subject to an additional fee.
- G. Owner-occupancy. It shall be unlawful to use, establish, maintain operate, occupy, rent or lease any property as a short-term rental if the property is not owner-occupied. The property used as a short-term rental shall be the principal residence of the owner at all times during the term of the permit.
- H. No owner shall offer or use any part of the property as a short-term rental not approved for residential use, including but not limited to, vehicles parked on the property, a storage shed, recreation room, trailer, garage, or any temporary structure such as a tent.
- I. A short-term rental property shall not be rented for any commercial purpose, or any other purpose not expressly permitted under this section, such as concerts or weddings.
- J. Presumptive Evidence. The presence or existence of the following shall create a rebuttable presumption that a property is being utilized as a short-term rental:
  - (1) The property is offered for lease or rent on a short-term rental website, including but not limited to Airbnb, HomeAway, VRBO and similar websites; or
  - (2) The property is offered for lease or rent by the use of any other advertising mechanism for a period of less than 30 days.
- K. Revocation of a permit.
  - (1) The grounds upon which a permit can be revoked shall include but shall not be limited to:

- (i) The permit was issued in error, or issued in whole or in part as a result of a false, untrue, or misleading statement on the permit application or other document submitted for filing, including but not limited to the schematic or certification; or
  - (ii) A short-term rental permit has been issued and the owner fails to continue to occupy the premises on a continuous basis as his or her primary residence; or
  - (iii) Use of the property as a short-term rental creates a hazard or public nuisance or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community.
  - (iv) Failure to comply or violating the conditions of the permit.
- (2) Any permit issued pursuant to this section may be revoked or suspended by the Building Inspector, after written notice to the owner. Written notice shall be served by registered or certified mail, return receipt requested, and by regular mail, to the applicant at the address shown on the application. The notice shall describe the reasons why the City is revoking the permit.

#### L. Appeals

- (1) The City Administrator shall appoint a Hearing Officer to hear and decide appeals from any suspension or revocation of a permit made by the Building Inspector.
- (2) Upon the suspension or revocation of a permit, the applicant may, within 10 business days after receiving written notice, file a request, in writing, upon the City Administrator for review of said decision by the Building Inspector. Notice of the date, place and time of the hearing shall be given in writing by mail to the applicant at the address shown on the application. In the event that demand for a hearing is not made within the prescribed time or in the event that the applicant does not timely appear for the hearing, the Building Inspector's decision shall then be final and conclusive.
- (3) The hearing shall commence no later than 30 days after the date on which the request was filed.
- (4) The applicant shall be given an opportunity to present evidence why such denial of application, or such suspension or revocation of the license, shall be modified or withdrawn. The Building Inspector or his or her designated agent may also present evidence. Upon consideration of the evidence presented, the Hearing Officer shall sustain, modify or reverse the decision of the Building Inspector or his or her designated agent.



- (5) In the event the applicant is not satisfied with the decision of the Hearing Officer, such aggrieved party may file an Article 78 proceeding under the New York Civil Practice Law and Rules. The Article 78 proceeding must be filed within 30 days of the filing of the Hearing Officer's decision with the City Clerk of the City of Beacon and service of the same upon the applicant.

M. Violations. Any owner who fails to obtain the permit required herein, or otherwise violates any provision of this section, shall be guilty of an offense which shall be punishable by a fine of not more than \$500 per offense. When a person has received written notice from the Building Inspector or has been served with a summons and complaint in an action to enjoin continuance of any violation, each day in excess of 10 days thereafter that he or she continues to be guilty of such violation shall constitute an additional, separate and distinct offense.

**SECTION 2.** The following definitions listed in Chapter 223, Article VI, Section 63 entitled "Definitions," of the Code of the City of Beacon are hereby amended as follows.

#### **DWELLING**

A detached building designed or used exclusively as living quarters for one or more families. The term shall not be deemed to include "automobile court," motel," "boarding- or rooming house," "house trailer;" ~~"tourist home"~~ or "tent."

#### **HOME OCCUPATION**

An accessory use of a character customarily conducted entirely within a dwelling by the residents thereof using only customary home and home-scale equipment, including but not limited to typewriters, computers, fax machines, small-scale photocopiers, scanners, small-scale printers, file cabinets, drafting equipment and postage meters, which use is clearly incidental and secondary to the use of the residence for dwelling purposes, does not change the character thereof, does not have any exterior evidence of such secondary use other than a small nameplate not over one square foot in area, and does not involve the keeping of stock-in-trade. Home offices and artist studios meeting the criteria above shall be considered home occupations. However, the conducting of a tattoo and/or body piercing parlor, clinic, hospital, barbershop, beauty parlor, photographer's salon, tearoom, ~~tourist home~~ short-term rental, real estate office, animal hospital, dancing instruction, band instrument instruction in groups, convalescent home, funeral home, stores of any kind or any similar use shall not be deemed to be a home occupation. Any instruction of a musical instrument shall be limited to one pupil at a time. Home occupations are regulated in accordance with § **223-17.1** of this chapter.

#### **HOTEL**

A building, or portion thereof, containing rooms occupied primarily by transient guests, who are lodged with or without meals, and in which there may be provided such services as are accessory and incidental to the use thereof as a temporary

residence, such as dining, recreational facilities, public rooms and meeting rooms, and gift shops. The term "hotel" shall not include bed-and-breakfast establishment, boardinghouse, rooming house, ~~tourist home~~ short-term rental or single-room-occupancy building for the purposes of this chapter.

### **OWNER-OCCUPIED**

A one-family or two-family house or multiple dwelling building used by the owner as his or her or their domicile or principal residence.

### **TOURIST HOME**

~~A dwelling, except a hotel, boardinghouse or rooming house, as defined elsewhere in this chapter, in which overnight accommodations are provided or offered for transient guests.~~

## **SECTION 3. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, Chapter 223 of the City of Beacon Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

## **SECTION 4. Severability**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

## **SECTION 5. Effective Date**

This local law shall take effect immediately upon filing with the Office of the Secretary of State. Any short-term rental, as defined herein, in existence prior to adoption of this local law shall have 45 days to file an application to obtain a short-term rental permit and shall have until December 31, 2018 ~~90 days~~ to receive such short-term rental permit ~~before any violations are issued~~, unless a delay is caused by the Building Department in not issuing said permit. Any short-term rental existing prior to the effective date that (a) does not meet the definition of short-term rental or (b) is a short-term rental, as defined, and does not file an

application within 45 days of the effective date is deemed to be in violation of this local law and subject to enforcement.

**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: City of Beacon local law concerning Short-Term Rentals		
Project Location (describe, and attach a general location map): City of Beacon		
Brief Description of Proposed Action (include purpose or need):  The proposed local law creates Section 223-26.4 of the Code of the City of Beacon to permit short-term rentals in all zoning districts in the City of Beacon. The proposed local law requires individuals to obtain a short-term rental permit to operate a property as a short-term rental. The property used as a short-term rental must be the principal residence of the owner at all times during the term of the permit. Only individuals or groups of individuals who are in possession of and have a fee interest in the property may obtain a short-term rental permit. Business entities, associations, a trustee, receiver or guardian of an estate or mortgagee or lien holder may not operate short-term rentals in the City of Beacon. The City Council of the City of Beacon has determined that it is in the best interest of the City and its residents to regulate short-term rentals. While the City Council recognizes the benefits of short-term rentals, allowing home-owners to supplement their income to defray the cost of housing and to provide lodging for visitors in the City, the City Council finds that it is necessary to regulate the rental of homes for terms shorter than 30 consecutive days to protect the health, safety and welfare of the City and its residents.		
Name of Applicant/Sponsor: City of Beacon	Telephone: 845-838-5000 E-Mail: mayor@cityofbeacon.org	
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12509
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council of the City of Beacon	Public Hearing on April 2, 2018
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input 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>	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? The proposed local law permits short-term rentals in all residential, commercial and industrial zoning districts. The proposed local law also permits short-term rentals in the Parking Overlay District, the Waterfront Park Zone, the Waterfront Development Zone and the Fishkill Creek Development District.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>C.4. Existing community services.</b>	
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? Beacon Police Department	
c. Which fire protection and emergency medical services serve the project site? Dutchess County Emergency Response Unit, Mase Hook and Ladder, Beacon Engine Station 1, Lewis Tompkins Hose Station 2	
d. What parks serve the project site? The proposed local law permits short-term rentals in every Zoning District within the City of Beacon. The City of Beacon Highway Department maintains six parks that may possibly be used by a short-term rental property.	

#### D. Project Details

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

f. Does the project include new residential uses? <span style="float: right;"><input 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	_____	_____	_____	_____
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 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 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) 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. _____ _____ <del>iv. Will there be on-site dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></del> 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 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: \_\_\_\_\_

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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: \_\_\_\_\_ 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: \_\_\_\_\_
- 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.

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

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 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): \_\_\_\_\_

\_\_\_\_\_

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

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



<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will line extension within an existing district be necessary to serve the project? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
<hr/>	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____	
<hr/>	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?              _____ Square feet or _____ acres (impervious surface)              _____ Square feet or _____ acres (parcel size)           </li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?              _____              _____              • If to surface waters, identify receiving water bodies or wetlands: _____              _____              • Will stormwater runoff flow to adjacent properties? _____           </li> </ul>	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
<hr/>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

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 type="checkbox"/> No</span> If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ _____ _____ vi. Are public/private transportation service(s) or facilities available within 1/4 mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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> 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>	
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> If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____	
l. 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>	
m. Hours of operation. Answer all items which apply. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">           i. During Construction:           <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </div> <div style="width: 45%;">           ii. During Operations:           <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </div> </div>	

<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 type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: _____</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 type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input 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: _____</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 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 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 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): \_\_\_\_\_

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

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• 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: _____			

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

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
• If yes, DEC site ID number: _____	
• Describe the type of institutional control (e.g., deed restriction or easement): _____	
• Describe any use limitations: _____	
• Describe any engineering controls: _____	
• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
• Explain: _____ _____	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input 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: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input 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 type="checkbox"/> No</span>	
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name _____	Classification _____
• Wetlands: Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input 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 type="checkbox"/> No</span>	
j. Is the project site in the 100 year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500 year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input 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 type="checkbox"/> No</span>	
If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input type="checkbox"/> No</span></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 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 type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</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 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 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 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 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 type="checkbox"/> No
If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	<input type="checkbox"/> Yes <input type="checkbox"/> No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**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 Drew Grunko Date February 26, 2018

Signature [Signature] Title City Attorney for the City of Astoria

**PRINT FORM**



**CITY OF BEACON**  
**One Municipal Plaza**  
**Beacon, New York 12508**  
**(845) 838-5000**

**Full Environmental Assessment Form- Part 1**

**F. Additional Information**

The purpose of this local law is to create Section 223-26.4 of the Code of the City of Beacon to allow short-term rentals in every Zoning District within the City. A short-term rental is defined in the proposed local law as "an entire dwelling unit, or a room or group of rooms or other living or sleeping space, or any other space, made available to rent, lease or otherwise assigned for a tenancy of less than 30 consecutive days." The term short-term rental does not include dormitories, hotel or motel rooms, bed and breakfast inns or lodging houses because such facilities are permitted and regulated by other provisions of the City of Beacon Zoning Ordinance. A short-term rental permit is required to establish and operate a short-term rental. In addition, the property used as a short-term rental must be the principal residence of the owner at all times during the term of the permit. The proposed local law specifically defines owner as "an individual or group of individuals who are in possession of and have a fee interest in the real property. The term 'owner' shall not include a business entity or association, a trustee, receiver of guardian of an estate, or mortgagee or lien holder."

The purpose of the proposed local law is to minimize the likelihood of material disruption and adverse impacts to residents from short-term rentals. There is a greater tendency for Short-Term renters to fail to conduct themselves during their occupancy in a manner that respects neighbors and the community as would persons with longer standing relationships to their neighbors. In addition, studies have shown that short-term rentals are linked to increases in rent and housing costs because rental units are taken off the market and used as short-term rentals. Units are going to short-term renters rather than to permanent residents which results in a decrease in available housing stock within the City of Beacon. The City Council believes that the restrictions and requirements imposed by the proposed local law will protect the health, safety and welfare of the City and its residents.

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]	
Project :	Local law Concerning Short-Term Rentals
Date :	February 26, 2018

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> <div style="text-align: right; font-size: small;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1, D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1, E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1, D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1, E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

### 8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1, E.3.a. and b.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/4 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, 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.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2c, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



<b>13. Impact on Transportation</b> The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1, D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>14. Impact on Energy</b> The proposed action may cause an increase in the use of any form of energy. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1, D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

<b>15. Impact on Noise, Odor, and Light</b> The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1, D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b> The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES         </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
(See Part 1. C.1, C.2, and C.3.)

☒ NO☐ YES

*If "Yes", answer questions a - h. If "No", go to Section 18.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

*If "Yes", answer questions a - g. If "No", proceed to Part 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

### Full Environmental Assessment Form Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

#### Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The City Council recognizes that use of property as a short-term rental is a growing trend with the advent of internet and social media-based programs, such as Airbnb, HomeAway, and VRBO, that connect property owners and persons seeking short-term rentals. In the local law a short-term rental is defined as "an entire dwelling unit, or a room or group of rooms or other living or sleeping space, or any other space, made available to rent, lease or otherwise assigned for a tenancy of less than 30 consecutive days." Property owners may maintain and operate a short-term rental only after first obtaining a short-term rental permit. Only an individual or a group of individuals who are in possession of and have a fee interest in the real property may obtain a short-term rental permit. A property owned by a business entity or association, a trustee, receiver or guardian of an estate, or mortgagee or lien holder may not be used as a short-term rental property.

An application for a short-term rental permit must be filed before the dwelling unit or room may be advertised as a short-term or before said space may be leased or rented. A short-term rental permit is valid for two years and may be renewed for a subsequent two year period after the applicant submits a new application. At the time of registering the dwelling unit, the owner shall indicate what host site(s) and other methods will be used to advertise the property. At the time an application for permit renewal is made, the owner shall provide a printout from all host sites detailing the number of days a unit was rented. Each short-term rental shall be inspected by the Building Department at the time of the initial application and prior to any permit renewal. If the Building Inspector determines that the short-term rental space is not in compliance, the owner shall rectify all noncomplying elements and shall apply for reinspection with the Building Department.

The short-term rental property must be owner-occupied. This means that the property used as a short-term rental shall be the principal residence of the owner at all times during the term of the permit. Short-term rental properties are properties that already exist. The proposed local law will not result in any new construction or development. Furthermore, a property owner may not use his or her property as a short-term rental for a total of more than 100 days out of the calendar year.

The proposed local law creates Section 223-26.4 to regulate short-term rentals to protect the health, safety and welfare of the City and its residents. The law will also minimize the likelihood of material disruption and adverse impacts to residence from short-term rental properties. The law sets forth a permitting process that allows the City to regulate and keep track of short-term rental properties within the City of Beacon. Therefore, the proposed action will not result in a significant adverse environmental impact.

#### Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information including memorandums and comments from the City's Planning Consultant and City Staff, local laws from other municipalities, news articles, studies and reports, case law updates, and proposed State Legislation.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City Council of the City of Beacon \_\_\_\_\_ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Local Law concerning Short-Term Rentals

Name of Lead Agency: City of Beacon City Council

Name of Responsible Officer in Lead Agency: Randy Casale

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Randy Casale

Address: 1 Municipal Plaza, Beacon, NY 12509

Telephone Number: 845-838-5000

E-mail: mayor@cityofbeacon.org

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution to amend City fee schedule to create short-term rental permit fee**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Fee Sched Reso

Type

Resolution

**CITY COUNCIL  
CITY OF BEACON**  
Resolution No. \_\_\_\_\_ of 2018

**RESOLUTION AMENDING THE FEE SCHEDULE CONCERNING SHORT-TERM  
RENTAL PERMITS**

Council Member \_\_\_\_\_ moved, seconded by Council Member \_\_\_\_\_, to adopt the following Resolution amending the Master Fee Schedule.

**WHEREAS**, on May 21, 2018 the City Council of the City of Beacon adopted Local \_\_\_\_ of 2018 concerning short-term rentals; and

**WHEREAS**, the law requires applicants to obtain a short-term rental permit to rent or lease any property for less than thirty (30) consecutive days.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council hereby amends the City of Beacon Fee Schedule to provide as follows:

Permit	Base Fee
Short-Term Rental Permit	\$75

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution to request state action concerning state building code requirements for short-term rentals**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Request for state action_STR_reso	Resolution





**CITY OF BEACON**  
**CITY COUNCIL**  
**RESOLUTION NO.\_\_\_\_\_ OF 2018**

**A RESOLUTION TO REQUEST STATE ACTION CONCERNING STATE  
BUILDING CODE REQUIREMENTS FOR SHORT-TERM RENTALS**

**WHEREAS**, on May 21, 2018, the City Council of the City of Beacon adopted a local law to regulate the rental of entire dwelling units, rooms or groups of rooms, or other living or sleeping space for terms shorter than 30 consecutive days; and

**WHEREAS**, the local law requires property owners to obtain short-term rental permits to use, establish, maintain, operate, occupy, rent or lease any property as a short-term rental for a period shorter than 30 consecutive days; and

**WHEREAS**, in order to obtain a short-term rental permit, the short-term rental property must comply with all provisions of the City Code, the Intentional Fire, Building and Maintenance Codes and any New York State supplemental code provisions; and

**WHEREAS**, the International Building, Fire, Residential and Property Maintenance Codes (“International Series of Codes”) do not specifically address short-term rental “Airbnb” type uses; and

**WHEREAS**, the City of Beacon Building Inspector has determined, after consulting with the Department of State, that short-term rentals are transient occupancies, which in the International Building Code are considered an R1 use group; and

**WHEREAS**, the International Building and Fire Code imposes a higher level of fire protection for dwellings typically used by transient guests; and

**WHEREAS**, under the City’s short-term rental law, a property owner will be unable to obtain a short-term rental permit if the property does not meet all local and state fire protection requirements; and

**WHEREAS**, short-term rental operators in the City commented during public hearings that the fire protection measures required by the State are unduly restrictive and, in their opinion, not necessary to safely operate a short-term rental property; and

**WHEREAS**, it is in the interest of the public health, safety and welfare that the State review the International Series of Codes and New York State Supplement concerning requirements applicable to short-term rental properties.

**NOW, THEREFORE, BE IT RESOLVED**, that the Beacon City Council hereby adopts this Resolution to urge the Department of State, Division of Building Standards & Codes to examine the requirements in the International Series of Codes and New York State supplement applicable to short-term rental properties and provide local governments with written advice as to how to enforce the International Series of Codes and New York State Supplement rules against short-term rental properties; and

**BE IT FURTHER RESOLVED**, that the City shall send a copy of this Resolution to Governor Andrew Cuomo, the New York State Conference of Mayors, John R. Addario, P.E., Director of the New York State Department of State, Division of Building Standards & Codes, New York State Senator Sue Serino, New York State Senator John J. Bonacic, New York State Assemblyman Frank Skartados, New York State Assemblyman James Skoufis and New York State Assemblyman Joseph R. Lentol.

Resolution No. _____ of 2018			Date: <u>2018</u>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution authorizing execution of agreement with New York State Department of State for Mid-Hudson  
Downtown Initiative**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Downtown Initiative Reso	Resolution



**CITY OF BEACON  
CITY COUNCIL**

**Resolution No. \_\_\_\_\_ of 2018**

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH  
NEW YORK STATE DEPARTMENT OF STATE  
FOR MID-HUDSON DOWNTOWN INITIATIVE**

**BE IT RESOLVED**, that the City Council of the City of Beacon does hereby authorize and direct the Mayor or City Administrator to execute an agreement with the New York State Department of State for a grant relating to the development of zoning, the update of the Comprehensive Plan and management services associated with the Mid-Hudson Downtown Initiative.

Dated: \_\_\_\_\_

Resolution No. _____ of 2018		Date: <u>2018</u>		<input type="checkbox"/> Amendments <span style="float: right;"><input type="checkbox"/> 2/3 Required</span>			
<input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call		<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution authorizing an Agreement with Beacon Arts to Place a Beacon 3D Sculpture on City-Owned Property**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Beacon 3D Reso	Resolution
Beacon 3D License agreement	Agreement

**CITY OF BEACON**

**CITY COUNCIL**

Resolution No. \_\_\_\_\_ of 2018

**RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH  
BEACON ARTS FOR THE BEACON 3D PUBLIC ART EXHIBIT**

**WHEREAS**, in 2017 the City of Beacon granted Beacon Arts Community Association, Inc. (“Beacon Arts”) a license to operate the Beacon 3D public art exhibit on City-owned property from May 1, 2017 to November 1, 2017 at City Hall, 1 Municipal Plaza, on property fronting Beekman Street; and

**WHEREAS**, Beacon Arts is interested in renewing their license to operate the Beacon 3D public art exhibit in the same location for a term of one year from May 21, 2018 to May 21, 2019, with an additional one-year term on the consent of both parties, to display three sculptures entitled “Effluence” by Lori Merhige, “Pop Sculpture” by Insun Kim and “In the Same Boat” by Ed Benavente.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Beacon hereby authorizes the execution of a new License Agreement with Beacon Arts.

**BE IT FURTHER RESOLVED**, that the new License Agreement shall be subject to review and approval by the City Administrator and the City Attorney as to form and substance.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> 2/3 Required					
<input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call <input type="checkbox"/> 3/4 Required					
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

## BEACON 3D LICENSE AGREEMENT

This License Agreement (the “Agreement”), dated \_\_\_\_\_, 2018, is made by and between Beacon Arts Community Association, Inc. (“Beacon Arts”), a 501(c)(3) non-profit organization, with a principal place of business located at 380 Main Street, Suite 1A, Beacon, NY 12508 and the City of Beacon, having offices at 1 Municipal Plaza Beacon, NY (the “City”)(Collectively, the “Parties”).

**WHEREAS**, this Agreement sets forth the rights and obligations of the Parties in connection with the operation of the Beacon 3D public art exhibit.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein, it is agreed as follows.

1. Purpose of the Agreement. The purpose of this Agreement is to memorialize the agreement of the Parties relating to the erection and display of the Beacon 3D public art exhibit on City-owned property (the “Exhibit”). As part of the Exhibit, the City Council has approved the placement of three sculptures entitled “Effluence” by Lori Merhige, “Pop Culture” by Insun Kim and “In the Same Boat” by Ed Benavente (the “Exhibit Pieces”) at City Hall, located at 1 Municipal Plaza, on City-owned property fronting Beekman Street. Images of the Exhibit Pieces are attached hereto.
2. Installation. Beacon Arts will make all arrangements in regard to the packing, transport, installation and removal of the Exhibit Pieces. Beacon Arts shall coordinate all aspects of the installation and removal of the Exhibit Pieces with the City so as to minimize disruption. Both Parties shall at all times have the right to inspect all work involving site preparation and installation of the Exhibit Pieces.
3. Maintenance and Repair. Beacon Arts is solely responsible for any and all maintenance and repairs of the Exhibit Pieces. Beacon Arts shall provide periodic on-site inspections of the Exhibit Pieces. With advance written notice, Beacon Arts may uninstall or make alterations to the Exhibit or any part of the Exhibit Pieces. Beacon Arts was offered the opportunity to maintain the grass adjacent to the Exhibit Pieces, but declined to do so and requested that the City maintain the grass. Beacon Arts shall meet with the City to discuss grass maintenance around the Exhibit Pieces. Beacon Arts recognizes that there could be damage to the Exhibit Pieces from the maintenance of the grass. Beacon Arts agrees to release and hold harmless the City from such damage.
4. Display. The Exhibit Pieces will be displayed in a manner consistent with appropriate safety measures to insure public safety while interacting with the Exhibit Pieces. Beacon Arts will install the Exhibit Pieces in a manner that will protect the safety of the Exhibit Pieces, the public, as well as City-owned property. Beacon Arts shall meet with the Building Inspector prior to the installation of the Exhibit Pieces.

5. Site Restoration: Beacon Arts is responsible for site restoration for any damage caused by Beacon Arts their contractors, agents, employees or third parties in the action of installation, removal, inspection, display, maintenance and repair of the Exhibit Pieces.
6. Insurance: Beacon Arts will maintain the required insurance for the entire length of the Exhibit. Beacon Arts shall ensure that the installers and any staff or third-party contractors who work on City property to provide maintenance or repairs to the - Exhibit Pieces shall carry insurance. Workers' Compensation and Employers' Liability Insurance shall commence before the installation of the Exhibit Pieces on City property. In addition, the City shall be name as additional insured. Beacon Arts will provide the City with a copy of the certificate of insurance prior to the installation of the Exhibit Pieces.
7. Termination. Beacon Arts, understands and acknowledges that the City reserves the right to terminate this Agreement for convenience and without cause by making a written request to Beacon Arts for removal of the Exhibit Pieces, with 10-days advance written notice. Both Parties may terminate this Agreement without prior written notice if there is an immediate threat to public health, safety and welfare.
8. Term. Unless otherwise terminated as provided for in this Agreement the initial term of this Agreement shall be for a term of one year from May 21, 2018 to May 21, 2019. This Agreement may be renewed for an additional one-year term on the consent of both parties.
9. Indemnification and Hold Harmless Agreement

Beacon Arts agrees to indemnify, defend and hold harmless the City and its officers, appointed or elected officials, employees, volunteers, successors, and assigns from and against any and all liability claims, suits, demands, damages, judgments, costs, interest and expenses to which it may be subject, or which it may suffer, by reason of any claim or cause of action arising out of or resulting from the operation of the Beacon 3D public art exhibit, any act or failure to act by Beacon Arts, or any of their agents, contractors, employees, licenses, or invitees which arise in connection with (a) Beacon Art's services, including any site preparation and the installation and maintenance of the Artwork; (b) the display of the Exhibit Pieces at the site due to or resulting from any act or omission of Beacon Arts or any of their agents, contractors, employees, licensees, or invitees, including claims for intellectual property and/or copyright infringement by a third party; or (c) Beacon Arts' not being in compliance with applicable laws or in violation of this agreement.



**IN WITNESS WHEREOF**, the parties hereto have signed this instrument as of the date first written above.

**Beacon Arts**

**City of Beacon**

By: \_\_\_\_\_

Title:

By: \_\_\_\_\_

Title:

STATE OF NEW YORK                    )  
COUNTY OF DUTCHESS               ) ss.:

On the    day of \_\_\_\_\_, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK                    )  
COUNTY OF DUTCHESS               ) ss.:

On the    day of \_\_\_\_\_, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

**“Pop Sculpture”  
by Insun Kim**



**“In the Same Board”  
by Ed Benavente**



**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution establishing a Tree Advisory Committee**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso tree committee	Resolution
Tree Advisory Committee Mission Statement	Backup Material



**CITY OF BEACON  
CITY COUNCIL**

Resolution No. \_\_\_\_\_ of 2018

**RESOLUTION ESTABLISHING A TREE ADVISORY COMMITTEE**

**WHEREAS**, the City Council of the City of Beacon has expressed interest in establishing a Tree Advisory Committee (the “Committee”); and

**WHEREAS**, the City Council believes it would be beneficial to have a Committee to promote the improvement and preservation of a healthy environment as it relates to public trees; and

**WHEREAS**, the Committee will provide advisory recommendations for the planting, maintenance, protection and removal of trees on public streets, parks and City-owned properties; and

**WHEREAS**, the Committee shall consist of at least five voting members, one member will be from the Conservation Advisory Committee and one member will be from the Garden Club, all members of the Committee shall be residents of the City of Beacon and shall be appointed by the Mayor. The Highway Superintendent, Assistant to the Mayor, and the Director of Recreation shall be designated Ex Officio non-voting members; and

**WHEREAS**, each voting member of the Committee shall be appointed to a three (3) year term, except that the initial terms shall be staggered in three, two and one-year increments.

**NOW, THEREFORE BE IT RESOLVED**, that City Council hereby establishes a Tree Advisory Committee with the power and duties set forth in the attached Mission Statement.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Not on roll call.				<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

## **Tree Advisory Committee**

**05.18.18**

### **Mission:**

The Tree Advisory Committee works to promote the improvement and preservation of a healthy environment as it relates to public trees. The committee will provide advisory recommendations for the planting, maintenance, protection and removal of trees on public streets, parks and City-owned properties.

### **Members:**

All members of the Tree Advisory Committee must be residents of the City. Any City resident interested in this position is encouraged to apply. Those with a background in arboriculture, landscape architecture and streetscape design may be particularly interested in applying. The Committee shall consist of at least five voting members, one member will be from the Conservation Advisory Committee and one member will be from the Garden Club, all members of the Committee shall be residents of the City of Beacon and shall be appointed by the Mayor. The Highway Superintendent, Assistant to the Mayor, and the Director of Recreation shall be designated Ex Officio non-voting members.

### **Length of term:**

This committee's term is three (3) years, except for the initial membership terms which will be staggered in three, two and one-year increments.

### **Definitions**

***Certified Arborist:*** A person certified by the International Society of Arboriculture as having specialized knowledge, experience, and training related to arboriculture.

***Diseased Tree:*** Any tree or shrub with a combination of structural defects and/or a health condition, which makes it subject to a high probability of failure.

***Hazardous Tree:*** Any tree or shrub, public or private, with visibly defined structural defects likely to cause failure of all or part of the tree and be a danger to public safety.

***Public Tree:*** All trees and shrubs on any City park or other property owned or controlled by the City on any public street, alley, median, sidewalk, or highway within the public right-of-way, as well as school district trees.

***Private Tree:*** Any tree or shrub or any substantial portion of a tree, shrub, or plant which is in a private location along a public right-of-way.

***Street Tree:*** Any tree or shrub located on either side of all streets, avenues, bike paths, and located within the bound of all City rights-of-way.

***Tree:*** Any self-supporting woody plant together with its root system, growing upon the earth with one trunk of at least three inches in diameter at a height of four and one-half feet above the ground, or a multi-stemmed trunk system with a definitively formed crown.

### **Powers and Duties:**

The Tree Advisory Committee shall:

- A. make recommendations to the City Staff regarding removal, pruning or planting of any public tree(s);
- B. be responsible for keeping an inventory of all trees in the City, including all public spaces;
- C. promote tree maintenance City-wide;
- D. submit an annual tree Report to the City Council on its activities and make recommendation on the location and type of proposed donated trees;
- E. work in cooperation with the Highway Superintendent, from time to time recommend features, plans and programs relating to tree improvements to the City Council;
- F. develop a street tree master plan;
- G. assist City staff and the Planning Board in reviewing tree landscape plans, upon request;
- H. assist the Building Department with comments on tree replacement pursuant to the Chapter 204 of the Code of the City of Beacon regarding tree planting and maintenance requirements, upon request;
- I. educate citizens of the City about benefits, care and threats to trees;
- J. assist in organizing an annual Arbor Day celebration; and
- K. carry out such other duties as may be assigned from time to time by the Mayor.



**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution authorizing the Adoption of a Capital Plan for the City of Beacon for the Year 2018**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description  
Reso Capital Plan

Type  
Resolution



**CITY OF BEACON  
CITY COUNCIL**

**Resolution No. \_\_\_\_\_ of 2018**

**Resolution Authorizing the Adoption of a Capital Plan for the  
City of Beacon for the Year 2018**

BE IT RESOLVED, that the Mayor and City Council of the City of Beacon hereby authorize the adoption of a Capital Plan with projected expenditures as described in the accompanying attachments and,

BE IT FURTHER RESOLVED that the Mayor and City Council hereby authorize preparation of the bond authorization documents for the projects identified in the plan.

Resolution No. _____ of 2018		Date: <u>2018</u>						
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call					<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.							<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent	
		Terry Nelson						
		Jodi McCredo						
		George Mansfield						
		Lee Kyriacou						
		John Rembert						
		Amber Grant						
		Mayor Randy Casale						
<b>Motion Carried</b>								

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution approving the adoption of a policy relating to cell phone use**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Cell Phone Use Reso	Resolution
Cell Phone Use Policy	Backup Material



**CITY OF BEACON  
CITY COUNCIL**

**Resolution No. \_\_\_\_\_ of 2018**

**RESOLUTION ADOPTING CELL PHONE USE POLICY**

**BE IT RESOLVED**, that the City Council of the City of Beacon does hereby adopt a cell phone use policy.

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

# **CELL PHONE USE POLICY**

## **Purpose**

The purpose of this policy is to promote a safe and productive work environment and increase public safety. This policy applies to both incoming and outgoing cellular phone calls.

## **Scope**

This policy is effective upon approval of the City Council and applies to all City employees.

## **City Issued Cell Phones**

A City-owned cell phone will be issued to all Department Heads as determined by the City Administrator or his/her designee, as well as City employees when required by that employee's job duties and/or as determined by the City Administrator or his/her designee. Such City-owned cell phones shall not be used by City employees for personal reasons other than incidentally and/or in emergency situations.

## **Unauthorized Cell Phone Use**

Employees are required to conduct themselves appropriately in the workplace and to refrain from using cell phones for activities that are unauthorized by this Policy, another applicable City policy, or other applicable law, rule or regulation. Unauthorized use of cell phones includes, but is not limited to, the following uses, all of which are prohibited:

1. Any use of City-owned cell phones for activities that are inappropriate to the workplace or are prohibited by any law, rule, regulation or City policy.
2. Any use of City-owned cell phones for furtherance of a non-City business or non-City employment, including, without limitation, consulting for pay, sales or administration of business transactions, or sale of goods or services, including assisting relatives, friends or other persons in such activities.
3. Any use of City-owned cell phones to engage in any outside fund-raising activity, endorse any product or service, participate in any lobbying activity, or engage in any prohibited political activity.
4. Any use of City-owned cell phones for personal reasons not prohibited by numbers 1, 2 or 3 above, except incidentally and/or in emergency situations.
5. Any use of personal cell phones during working hours that would violate numbers 1, 2 or 3 above.
6. Any use of personal cell phones for conducting City business, except incidentally and/or in emergency situations.
7. Any use of personal cell phones during regular working hours for personal reasons not prohibited by numbers 1, 2 or 3 above, except incidentally and/or in emergency situations.

8. Any use of any cell phone while driving a City vehicle or while driving any other vehicle while conducting City business. Drivers must comply with all federal, state, and local laws and regulations regarding the use of mobile devices while driving.

To the extent this Policy is in conflict with any other duly instituted Policy or General Order contained in the Rules and Regulations of the City of Beacon Police Department or Fire Department, such Rules and Regulations shall govern such police officer's / firefighter's phone usage, as applicable.

### **Privacy**

City employees do not have a right of privacy while using City-owned cell phones, whether for official or personal purposes, at any time. Any use of a City-owned cell phone is made with the understanding that such use is not private.

By using City-owned cell phones, whether for official or other purposes, City employees consent to the searching, monitoring and/or disclosing of the contents of any information maintained on or passing through the City-owned cell phone and of any logs or other records of the use of such equipment, including, but not limited to, billing records, call records, text records and pictures.

### **Liability**

Employees in possession of City-owned cell phones are expected to use reasonable care to protect the equipment from loss, damage or theft. Lost, damaged or stolen cellular equipment should be immediately reported to the employee's supervisor. Normal wear and tear is the expected decline in the condition of equipment due to normal everyday use. It is not caused by abuse or neglect. Normal wear and tear shall be assessed by the City Administrator, and, in his/her discretion, costs associated with the replacement or repair of City-owned cell phones based upon such may be paid for by the City. Additionally, damage inflicted in the course of an employee's official duties shall be assessed by the City Administrator, and, in his/her discretion, costs associated with the replacement or repair of City-owned cell phones based upon such may be paid for by the City. However, all costs incurred for replacement or repair of a City-owned cell phone due to an employee's negligent, reckless or intentional conduct will be the responsibility of the employee.

Upon resignation, termination of employment, or at any time upon request, the employee will be asked to produce the City-owned cell phone for return or inspection. Employees unable to present the equipment in good working condition (notwithstanding normal wear and tear) within a reasonable time period (i.e., 24 hours) will bear the cost of a replacement.

Any overage or other charges realized by the City as a result of an employee's personal calls shall be the responsibility of the employee and must be reimbursed to the City.

Employees who are charged with traffic violations resulting from the use of their cell phone while driving will be responsible for all financial liabilities (fines associated with citations) that result from such actions.

### **Sanctions for Unauthorized Use**

Unauthorized use of City-owned cell phones may result in: (1) loss of use or limitations on use of City-owned cell phones; (2) financial liability for the cost of such use; (3) disciplinary or other adverse personnel actions, up to and including dismissal; and/or (4) civil and/or criminal penalties.

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Resolution approving the adoption of a policy relating to nepotism**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso antinepotism	Resolution
Antinepotism policy	Backup Material





**CITY OF BEACON  
CITY COUNCIL**

**Resolution No. \_\_\_\_\_ of 2018**

**RESOLUTION ADOPTING ANTI-NEPOTISM POLICY**

**BE IT RESOLVED**, that the City Council of the City of Beacon does hereby adopt an anti-nepotism policy.

Dated: \_\_\_\_\_

Resolution No. _____ of 2018		Date: <u>2018</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> 2/3 Required					
<input type="checkbox"/> Not on roll call.		<input type="checkbox"/> On roll call					
<input type="checkbox"/> 3/4 Required							
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

## Nepotism & Family Relationships

The City of Beacon (the “City”) recognizes that the City is best served when objective employment standards are applicable to all employees. Problems in the workplace may arise when employment decisions are affected by family or financial associate relationships. In order to avoid favoritism, the appearance of favoritism or any potential conflicts of interest when making employment decisions, it is the intention of the City to avoid having family or financial associate relationships influence the professional activities of the City’s staff.

For the purpose of this policy, the following definitions shall apply:

- “Family” and/or “family members” shall be defined as spouse (through marriage or civil union), domestic partner, mother, father, child, brother sister, grandchild, grandparent, uncle, aunt, niece, nephew, in-law, guardian, ward, cousin and any step or marital relationship of these individuals.
- “Financial associate(s)” shall be defined as someone with whom an employee of the City or City Council Member has a financial interest. An example of a financial associate is person with whom the employee or City Council Member shares a domicile.

The City endeavors to employ the best available candidate when vacancies occur. The existence of family or financial associate relationships will not be an automatic bar to initial employment or to continued employment, but may provide reason to deny employment if the City believes that such hire may be contrary to this policy.

In order both to improve the quality of recruiting and reference-checking, and to avoid favoritism, the appearance of favoritism or any potential conflicts of interest in the hiring process, all applications for employment shall require disclosure of any and all family members and/or financial associates employed by the City or serving on the City Council. Current employees of the City and City Council Members shall disclose in writing to the City Administrator if a family member has applied for employment in the City. The City shall be informed immediately of all such disclosures.

Employees who are family members or financial associates shall not be employed in capacities where one of the employees: (1) has direct supervisory authority over the other employee on a day-to-day basis; (2) has the power to control the day-to-day working conditions of the other employee; (3) has the power or effective power to recommend hiring, firing, promotion, transfer or discipline of the other employee; (4) is expected or has the authority to evaluate the performance of the other employee; and/or (5) is, as part of his/her job responsibilities, privy to managerial or confidential information to which the other employee should not be privy. To the extent possible, employees who are family members or financial associates shall not be placed in the same department.

In the event that hiring, marriage, promotion, or reorganization results in a situation not in compliance with this policy, reassignment or transfer will be effectuated, to the extent practicable to address the situation, in accordance with applicable law and any applicable provisions of collective bargaining agreement(s).

Knowing or willful violation of this policy may result in disciplinary action up to and including dismissal and/or removal from office in accordance with applicable law and any applicable provisions of collective bargaining agreement(s).

Cross-Ref: City of Beacon Code Section 29-9(H)  
City of Beacon Code Section 43-3 through 43-5

**City of Beacon Council Agenda**  
**5/21/2018**

**Title:**

**Approval of Minutes from May 7, 2018**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Minutes\_May\_7\_2018

Type

Minutes

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on April 2, 2018 at 7:00 PM. Please note that the video recording of this meeting is available at [www.cityofbeacon.org](http://www.cityofbeacon.org).

**Council Members Present:**

Lee Kyriacou, At Large  
George Mansfield, At Large  
Terry Nelson, Ward One  
John Rembert, Ward Two  
Jodi McCredo, Ward Three  
Amber Grant, Ward Four  
Randy Casale, Mayor

**Council Members Absent/Excused:****Also Present:**

Anthony Ruggiero, City Administrator  
Nick Ward-Willis, City Attorney

*A moment of silence was observed for those who serve and have served in the United States military.*

**First Opportunity for Public Comments:** Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those, which are the topic of a public hearing tonight.

**Speakers:**

Kenny Harper  
Moe Baxter  
Mary Keetz  
Dennis Pavelock  
April Farley

Christopher Clay  
Theresa Kraft  
Judy Winterbottom  
Stosh Yankowski  
Robin Tavis

Arthur Camins  
Laeri Nast  
Jason Hughes

**Community Segment:**

- Karen Gersch presented information about the Circus! at the Howland featuring "The Art of Balance" in June and July. For more information please email [information@howlandculturalcenter.org](mailto:information@howlandculturalcenter.org) or call 845-831-4988
- Peg O'Leary presented information on Highland Meadows, a senior living development overseen by Community Services Programs, Inc. Call 845.297.2004 or TDD#711 for information & application.
- Christine Galbo presented information on the Beacon Youth Police Academy. For more information and applications please email [beaconyouthpa@gmail.com](mailto:beaconyouthpa@gmail.com).

**Council Member Reports:**

**Terry Nelson:** Heard from a lot of constituents about the Cupcake Festival. Read an email from a constituent on Orchard Street.

**Jodi McCredo:** Will be holding a Ward 3 meeting at the First Presbyterian Church 7pm on May 22nd. Nick Page will also be in attendance. School board election is next Tuesday. Shared information about the Meet the Candidates night being held.

**George Mansfield:** Requested at a future workshop a discussion of the value of events like the Cupcake Festival.

**Lee Kyriacou:** Pleased to hear everyone's comments. Offered advice about how to interpret tax assessments.

**Amber Grant:** Wished Council Member Nelson a happy birthday. Meet the school board candidates tomorrow night at 7 pm at the High School. Thanked the Volunteer Ambulance Corp for their Nalaxone training May 24<sup>th</sup> 7pm at the Lewis

Tompkins Hose Company. Anyone interested is requested to RSVP – information is available on the City of Beacon website. Coffee meet up with Council Member Grant to discuss any council issues or questions on June 2<sup>nd</sup> at Trax coffee house from 9:30-11:00 am.

**John Rembert:** Had first Ward 2 meeting last Saturday and thanked all who came out. The concerns shared will be followed up on by the committee. Encouraged everyone to continue to reach out.

**Mayor Randy Casale:** Grievance Day for assessments is May 23<sup>rd</sup>, 2018 from 2-4pm and 6-8pm. Deadline for filing Form RP-524 is May 23, 2018. Read commendation of Officer Serrine for recent rescue using Narcan. Read memo from City of Beacon Planning Board declaring the Planning Board's intent to serve as Lead Agency for the environmental review of the proposal to subdivide a 9.88-acre parcel into two building lots located at 850 Wolcott Avenue (St. Luke's Church). Asked the Council if they agreed to defer to the Planning Board as Lead Agency. Encouraged everyone to attend the Meet the Candidates Night. Recognized National Teachers Week and National Nurses Week – thanked both professions for their contributions and hard work.

**Anthony Ruggiero:** No report.

#### Resolutions, Ordinances and Local Laws:

**1. Resolution authorizing City Administrator to sign Memorandum of Understanding (MOU) with New York State Division of Justice Services**

Nelson	McCredo	Mansfield	Kyriacou	Rembert	Grant	Casale	All in favor
seconded	motioned						Motion Passed

**2. Resolution approving agreement between the City of Beacon and Riverpool**

Nelson	McCredo	Mansfield	Kyriacou	Rembert	Grant	Casale	All in favor
	Seconded			motioned			Motion passed

**3. Resolution authorizing City Administrator to sign Memorial Park easement agreement with Central Hudson**

Nelson	McCredo	Mansfield	Kyriacou	Rembert	Grant	Casale	All in favor
seconded		motioned					Motion passed

**4. Resolution to set a public hearing for May 21, 2018 to receive comments on the 2018 Capital Plan**

Nelson	McCredo	Mansfield	Kyriacou	Rembert	Grant	Casale	All in favor
	motioned			seconded			Motion passed

**5. Resolution authorizing City Administrator to sign water supply agreement with Village of Fishkill**

Nelson motioned	McCredo	Mansfield seconded	Kyriacou	Rembert	Grant	Casale	Motion passed 7-0
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**Approval of Minutes**

Minutes from April 16, 2018

Nelson	McCredo motioned	Mansfield	Kyriacou	Rembert seconded	Grant	Casale	All in favor  Motion passed
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**Budget Amendments**

Nelson	McCredo	Mansfield	Kyriacou	Rembert seconded	Grant motioned	Casale	Motion passed 7-0
--------	---------	-----------	----------	---------------------	-------------------	--------	-------------------------

**Second Opportunity for Public Comments:** Each speaker may have one opportunity to speak for up to three minutes on any subject matter on which the Council can take action.

**Speakers:**

Lisa Alvarez  
Dan Aymar-Blair  
Curtis Blair  
Jessica Jeliffe

America Campbell  
Daniel Aubrey  
Steve Rothberg  
Graham Lawlor

**Executive Session: Advice of Counsel**

- Enter into executive session

Nelson	McCredo	Mansfield motioned	Kyriacou	Rembert	Grant seconded	Casale	All in favor Motion passed
--------	---------	-----------------------	----------	---------	-------------------	--------	----------------------------------

**Adjournment:**

Next Workshop: May 14, 2018 at 7:00 PM

Next regular meeting: May 21, 2018 at 7:00 PM

A video recording of this meeting is available on the City of Beacon's website:

<http://www.cityofbeacon.org/Government/videos.htm>

Please ~**PRINT**~ your name **CLEARLY** so we can spell it correctly in the record.

→ **Page 1**

Thank you!

Please check:

PRINTED Name	General Comment	Public Hearing	Address	Preferred contact info
KEVIN HAYDON	✓		515 Haydon Ave	
MOE BAXTER	✓		7 RYANS AVE	
Mary Keetz	✓		54 Cross Street	
Dennis Pavelock	✓		34 Judson St	
April M. Farley	✓		Beacon, N.Y.	ENRNO
CHRISTOPHER CLAY	✓		118 N. WALNUT ST	
Theresa Krantz	✓		Liberty St	
Julie Winterbottom	✓		75 W. Elm St.	
STOSH YANKOWSKI	✓		S. CHESTNUT ST.	
Rebun Tavis	✓		5 Angela Court	
Arthur Cammis	✓		39 Lombard Av	
LARRY ALAST	✓		52 Church	

**NEXT PAGE**





May 7, 2018 - submitted by Dennis Pavlock



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## Related Articles

Golf carts travel on more city streets as laws change  
October 2, 2012

Golf cart leaving the fairways, heading to the streets...  
August 12, 2011

Popularity of little vehicle creates new trend: Golf-cart...  
November 24, 2011

Hookups On Hold In Winter Garden Until Fees Increase  
April 1, 1987

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Lake County

Winter Garden

Golf Cart

Home → Collections → Lake County

## Fore! Winter Garden to allow golf carts on city streets

November 28, 2008 | By Rich McKay, Sentinel Staff Writer

West Orange drivers: Be careful. Winter Garden is about to become the first city in Orange County -- and only the second in Central Florida -- to allow golf carts on designated municipal streets.

The little two-seaters -- top speed 20 mph -- will give the city some "green" cachet, because their electric motors don't emit any pollution-causing carbons.

But officials also are hoping to entice some of the hundreds of residents from nearby retirement communities, such as Stoneybrook West and Trailer City, to hop in their carts and spend money in the city's newly restored downtown.

"We're going to do this on a six-month trial period, and then see how it goes," City Manager Mike Bollhoefer said.

Signs alerting the public to the change should be posted next week.

The main cartways will be Lakeview Avenue and parts of Surprise Drive, he said. Because the city isn't requiring headlights or tail lights, cart operation will be restricted to daylight hours.

Residents have buzzed around in the battery-powered vehicles for years in gated communities such as The Villages, and special stretch models provide taxi service in downtown Orlando.

But many cities have been reluctant to allow them on local streets.

"The carts go slow," Bollhoefer acknowledged. So he said the city will require them to pull over and let cars go by.

The city of Stuart in Martin County considered -- and rejected -- a cart measure Nov. 10. City commissioners reportedly feared that the city's streets couldn't handle both typical traffic and the low-speed vehicles.

But Tavares in Lake County has allowed the carts on its downtown roads for about a year with no problems, said City Administrator John Drury.

"We haven't had one single complaint, knock on wood," he said. "Lots and lots of people are leaving their SUVs at home and driving to work in a golf cart -- and I'm one of them."

Drury's three-mile commute includes dropping his daughter off at day care, taking his wife to her job and then continuing to the city's administration building.

"At the end of the day, I go back and pick them all up," he said. "I'm just one example, but it's catching on."

On Tuesday, the Lake County Commission approved adding three golf-cart parking spaces at the county courthouse.

"Now those lawyers can leave their big gas guzzlers at the office and drive over in golf carts," Drury said. "We're going green."

Sean Greene, who owns Golf Cart Enterprises in Winter Garden, applauds the move by the city and hopes it'll bring more business his way.

"The big selling point is how much you can save on gas," Greene said. "You can go 30 miles on a single charge, and they're making the batteries better every day."

"Sure, gas has dropped back down around \$2 [a gallon] but nobody believes it'll stay there," he said. "We've been bit by that snake before."

Recommend 0

Tweet

G+

The f's

-no emissions  
-Runs on a BATTERY.  
-no Big Traffic TO WORRY ABOUT.

SLC - STREET Legal CARTS

5/7/18

# BEACON YOUTH POLICE ACADEMY

Presented by the BEACON POLICE DEPARTMENT  
with Beacon Recreation & the Beacon City School District

## July 16-20, 2018

This free week long program for students in the Beacon Community entering grade 9-12 will provide an introduction to law enforcement, interactions with officers and field trips. A variety of locations will be used to host the program, including Beacon High School. Trips will include visits to local training centers, police academy, court and correctional facility. The goal of the academy is to help participating youth understand the role police officers play in the community, job duties performed and the requirements of becoming a police officer.

**SPACE IS LIMITED. Apply by June 15, 2018**

***APPLY ONLINE!***

Online application can be found on Facebook  
and Instagram or by emailing us at  
[beaconyouthpa@gmail.com](mailto:beaconyouthpa@gmail.com).



5/7/18



## Please SUPPORT the 2018 Beacon Youth Police Academy!

Our program is funded through the generous donations of members of the city of Beacon community. Please consider a donation to support this year's program. See our attached flyer for detailed information. To contribute please visit our Go Fund Me Page or email us at [beaconyouthpa@gmail.com](mailto:beaconyouthpa@gmail.com).

This year all donors contributing \$200 or more will have their name/company added to the backs of our academy t-shirts. These donations must be received by June 1 to allow for printing time.



We would like to again thank our 2017 donors for their support.

Lee Kyriacou	John Forman	Peggy Ross	Prue Posner	Jennifer & Brian Soltish
Donna DeLuca	John Galbo	Owen White	Natalie Charriez	Danielle Briscoe-Craig
Rosemary Engel	Amber Grant	Thomas Baldino	Kenya Gadsden	Diane Spiak-Pisanelli
Justin Riccobono	Robert Lanier	Pam Wetherbee	Nicole & Joel Ramos	Agnes Compagnone
Randy Casale	St. Rocco's Society	Beacon GOP	Key Food Beacon	Pleasant Ridge Pizza
Mr. V's Deli	Beacon Lions Club	Antalek & Moore	VFW Post 666	Beacon Elks Lodge 1493
Knights of Columbus Trinity Council No. 445			Marine Corp League Carmen Ramputi Detachment #861	



coolearth  
architecture inc.

NAVIGATION

PERMACULTURE DESIGN

*Permaculture Design*  
*Kindergarten*  
*Kindergarten*  
*Kindergarten*  
*Kindergarten*

# Integrated Permaculture Design

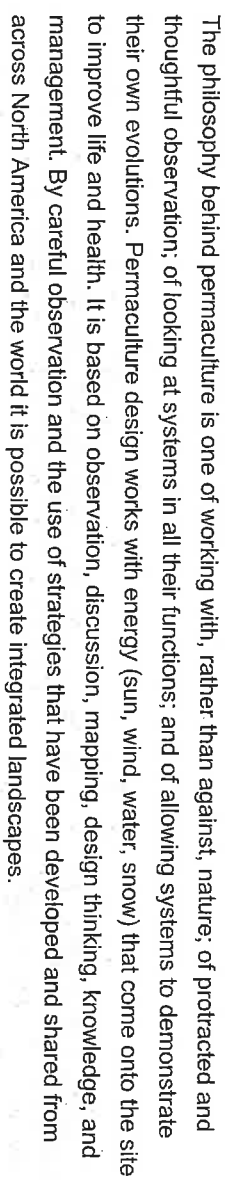
Permaculture is a design approach to creating integrated landscapes of people and nature — that benefits both.

There are many options...

We don't have limited choices. We can create a sustainable city... benefiting all environmentally and financially.

Please Read + Share →

*Wish Alvarez*  
*Submitted 5/7/10*



## **Low-maintenance & Durable**

Landscapes with positive yield (food and mulch as opposed to gas fumes) and low maintenance sites, that are durable and last as long as possible

## **Resilience & Food Security**

Ensure essentials needs are met (wood fireplace for heating, rainwater and grey-water collection, tuber and forage crops).

## **Bio-diversity and Health**

Attract and provide homes for beneficial insects like bees, and sensitive creatures like salamanders

## **Yield & Food**

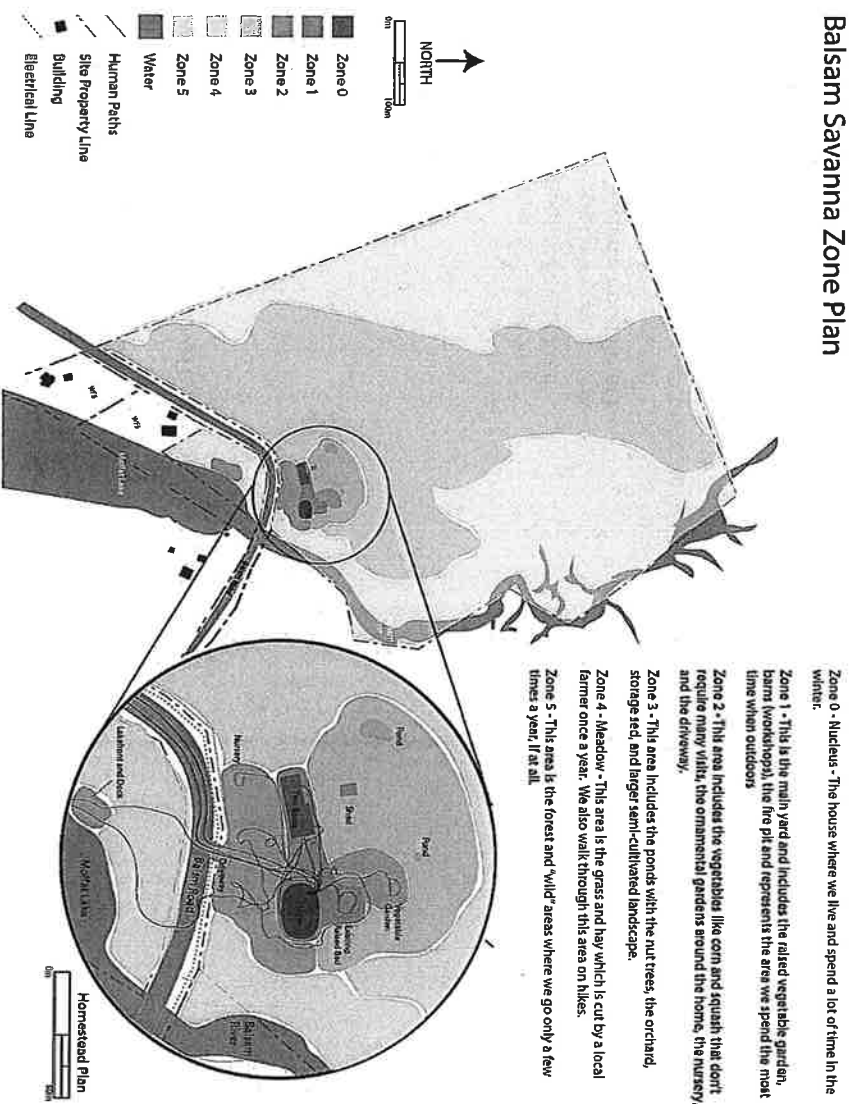
Healthy, organic food grown at your doorstep.  
Fueled by the sun, wind, rain, the systems should meet not only on-site needs by also the needs of people and communities.

## **Micro-climates & Comfort**

Leveraging energy flows (wind, sun, rain, snow) on your site we can create increase health  
Planting trees and perennial crops, as well as the use of mulch and compost helps embody carbon in the soil for generations.

# **Our services include the following:**

## Balsam Savanna Zone Plan



# Permaculture Resources

The examples of permaculture systems implemented to date show the great possibilities. See below for a few exciting examples:

Martin Crawford – Food Forest, England, Video

Geoff Lawton – Pioneer, Zaytuna Farms, Australia, food forest, educator

Rob Heart, Shropshire, 1960-70's



Scott Mann, Permaculture Podcast

Diego Footer, Creative Destruction

## RESOURCES

[Toronto's Energy Disclosure By-Law](#)

[Energy Models](#)

[Passive House Design Architects](#)

[Expert Witness Architect](#)

[Permaculture Design](#)

## TAGS

386 Pacific

2030 Challenge

2030 Commitment

2030 course architect  
architects

architect toronto

Architecture Bullfrog power

CAGBC Concentrating PV

contact photography festival

Coolearth Gallery

Green Energy Doors Open

high performance  
buildings

High Performance House Installation

Junction LEED

LEED AP

LEED Consultant

LEED Consultant  
toronto

LEED Consulting net-zero

Net-Zero Lighting Net-zero Toronto

OAA Parry Sound Architect

Passive House

## About:

Coolearth is a sustainable architecture firm in with offices in Toronto and Parry Sound, Ontario. We strive to provide environmentally sound architectural solutions on all projects where practical. Our services include site selection, project definition, design, contract/permit documents, contract administration, tendering and consultant selection. We also offer have a Passive House Trained Designer on staff.

## Contact Information:

We welcome inquiries, questions, comments or feedback!

**p:** 416-868-9774

**e:** [info@coolearth.ca](mailto:info@coolearth.ca)

386 Pacific Avenue, Toronto,  
Ontario M6P 2R1

## Contact Form:

## Our services include:

- Energy Audits and Retrofits
- Custom Homes
- Institutional
- Retail Interior Design
- Advocate Architect
- Adaptive Re-use
- Rural and Urban Infill

[View Larger Map](#)



Proud member of Passive  
House Canada



Mayor's announcements  
5/7/18

## CITY OF BEACON New York

John Gunn  
Planning Board Chairman

Planning Board

845-838-5002

April 13, 2018

City of Beacon City Council ✓  
Dutchess County Department of Health  
Dutchess County Planning Department  
New York State Department of Environmental Conservation  
New York State Department of Transportation  
New York State Historic Preservation Office

Subject: **850 Wolcott Avenue (St. Luke's Church)**  
**Tax Map No. 30-6054-45-120587-00**  
**Designation of Lead Agency in Accordance with SEQRA**

Dear Sir/Madam:

The City of Beacon Planning Board is hereby notifying you that it has received applications for Site Plan Approval, Special Use Permit Approval, and Subdivision Approval in connection with the proposal to subdivide one 9.88 acre parcel with an existing church and school into two building lots so that the proposed private school (Hudson Hills Academy) will be located on its own parcel. The parcel is located in the R1-7.5 zoning district and the Historic District and Landmark Overlay Zone, which allows school uses by Special Permit from the City Council. St. Luke's Church is listed on the National Register of Historic Places, the proposed action is classified as Type I.

The City of Beacon Planning Board hereby declares its intent to serve as the Lead Agency for the environmental review of the proposed action. Further, the City of Beacon Planning Board is hereby notifying you that, in accordance with the provisions of the State Environmental Quality Review Act (SEQRA), the Planning Board will automatically become the Lead Agency unless you submit a written objection to the Board within 30 calendar days of the mailing of this notification. Enclosed for your use, if you choose, is a form for responding to the Planning Board.

In accordance with the requirements of SEQRA, enclosed for your review are Part 1 of the Long Environmental Assessment Form (EAF) which has been prepared by the project sponsor for the proposed action, and a copy of the application.

Very truly yours,

*John Gunn*

John Gunn, Chairman

Enclosures: 3

cc: Lt. Timothy P. Dexter      Arthur R. Tully, PE  
Jennifer L. Gray, Esq.      John Clarke, City Planner  
Hudson Land Design, Project Consultants

For 4/16 Council Meeting  
5/7/18

## Grievance Day Memo:

**City of Beacon Grievance Day is May 23, 2018 from 2 p.m. to 4p.m. and from 6:00 p.m. to 8:00 p.m.**

**Deadline for filing Form RP-524 is May 23, 2018**

The deadline for submitting Form RP-524 is Grievance Day. If you mail the form, it must be **received** by the assessor or BAR no later than Grievance Day. If you do not file the form by the deadline, you will lose the opportunity for administrative **and judicial review** of your assessment this year.

It is important to bring documentation to support your claim. (appraisal, comparables)

If you wait until your tax bill arrives, it'll be too late to challenge the value assigned to your property or to ensure you're getting the exemptions you deserve.

## Grievance procedures

Any person who pays property taxes can grieve an assessment, including:

- property owners
- purchasers in contract
- tenants who are required to pay property taxes pursuant to a lease or written agreement

Only the assessment on the current tentative assessment roll can be grieved - you can't grieve assessments from prior years.

There is no cost to grieve an assessment and it does not require you to hire a lawyer.

Mayor's announcements  
5/7/18



Chief of Police  
Kevin Junjulas

## CITY OF BEACON

POLICE DEPARTMENT  
CITY MUNICIPAL PLAZA, SUITE 101  
BEACON, NEW YORK 12508  
(845) 831-4111  
Fax: (845) 838-3092



May 2, 2018

To: Chief Kevin Junjulas

From: Sgt Joseph Conti

Re: Narcan save

On 05/01/2018 Police officers along with City of Beacon FD responded to [REDACTED] for a male whom had overdosed. When officers and FD arrived at the scene, the subject was observed laying on the floor unconscious and not breathing. The City of Beacon FD then administered Narcan, but the subject had no reaction. Officer Serrine then gave the subject a second administration of Narcan, to which the subject began to vomit and was rolled to the recovery position. The subject then became alert and was evaluated by EMS. If not for the quick and alert actions performed by PO Serrine, the subject most likely would have died at the scene. Officer Serrine should be commended on a job that was well done.

Mayne's announcements  
5/7/18



Chief of Police  
Kevin Junjulas

**CITY OF BEACON**  
POLICE DEPARTMENT  
MUNICIPAL PLAZA, SUITE 3  
BEACON, NEW YORK 12508  
(845) 831-4111  
Fax: (845) 836-5092



March 23, 2018

To: Chief Kevin Junjulas

From: Sgt Joseph Conti

Re: Recovering of a loaded firearm

On 03/17/18 Officers responded to a report of a suspicious subject whom had made two attempts to enter the Hudson Valley Credit Union prior to opening. The subject was described as a male wearing a gray track suit with a hood over his face which was covered by a surgical mask. Officer Lawrence arrived in the rear parking lot of the Credit Union where he observed two males walking towards the bank, one of which matched the description of the suspicious male. Officer Lawrence advised HQ of his observations. Officer Serrine then arrived at the scene, immediately approached the males and detained the male who matched the description of the suspicious male. As Officer Serrine placed handcuffs on one of the subjects, the other one took off running in a W/B direction on Church St. Officer Lawrence followed the subject in his patrol vehicle down Church St. The subject then took a left turn into a driveway to which Officer Lawrence exited his vehicle and began following him on foot. As the subject was running, he opened a garbage pail and threw a loaded firearm into it. Moments later, Officer Lawrence was able to apprehend the subject and place him into police custody. Officer Serrine then arrived and detained the subject while Officer Lawrence was able to go back to the garbage pail and secure the gun. Just prior to Officer Lawrence pursuing the subject he was able to consciously turn on his body cam, which videotaped the entire incident, including the subject dropping the loaded gun into the garbage pail. The video taping of this incident will be very valuable evidence for the DA's office during a possible trial. These Officers should be commended for the job they did. Their team work and alertness got a gun off the street and quite possibly saved lives.

Respectfully Submitted

Sgt Joseph Conti

CC: Officer Lawrence

Officer Serrine

*Handwritten signature and initials*  
#329