

*CITY OF BEACON*  
*One Municipal Plaza - Courtroom*  
*BEACON, NEW YORK 12508*  
*Phone (845) 838-5002 Fax (845) 838-5026*

The Zoning Board of Appeals will meet on **Wednesday, October 16, 2019** in the Municipal Center Courtroom. A training work session will take place at 7:00 p.m. and the regular meeting will begin immediately thereafter, but not later than at 7:30 PM.

1. Application submitted by Robert Vye, 19 South Elm Street, Tax Grid No. 30-5954-27-813875-00, R1-5 Zoning District, for relief from Section 223-17(E) to construct a 425 sq. ft. detached garage (*299 sq. ft. maximum permitted*)
2. Application submitted by David Maros, 1228 North Avenue, Tax Grid No. 30-5955-75-792142-00, R1-7.5 Zoning District, for relief from Section 223-10(C)(4) to allow the vacant pre-existing, non-conforming two-family dwelling that is under renovation to remain unoccupied and maintain its two-family status until renovations are complete
3. 35 Rombout Avenue - consider request for 6-month extension of approval granted 7/17/18

# ZONING BOARD OF APPEALS

City of Beacon, New York

REVISED

## APPLICATION FOR APPEAL

OWNER: ROBERT VYE

ADDRESS: 19 SELM ST

BEACON NY 12508

TELEPHONE: 917 903 4522

E-MAIL: 1PVBOB@HVC.RR.COM

APPLICANT (if not owner): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

REPRESENTED BY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

PROPERTY LOCATION: 19 SELM ST.

ZONING DISTRICT: R1-5

TAX MAP DESIGNATION: SECTION 5954

BLOCK 27 LOT 813875

Section of Zoning Code appealed from or Interpretation desired:

Section 223.17(E) to construct a 425 sq. ft. detached garage where 299 sq. ft. maximum is permitted

Reason supporting request:

PER REGULATIONS ONLY ALLOWED 300ft<sup>2</sup> ± GARAGE. WOULD LIKE A ~~400~~ 425 ft<sup>2</sup> BUILDING AS MORE USEFUL

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

SITE PLAN / SURVEY DRAWINGS & 3D RENDER

Date: 8/22/19

Robert Vye  
Owner's Signature

### Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250

Robert Vye  
Applicant's Signature

**\*\*escrow fees may apply if required by Chairman\*\***

# APPLICATION PROCESSING RESTRICTION LAW

## Affidavit of Property Owner

Property Owner: ROBERT VYE / KAREN MICHEL

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

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

43 VERPLANK AVE

Applicant Address: 195 ELM ST. BEACON NY

Project Address: 195 ELM ST. BEACON NY

Project Tax Grid # ~~130700~~ 813875

Type of Application AREA VARIANCE

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

I, ROBERT VYE, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon ✓
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon
3. ALL tax payments due to the City of Beacon are current ✓
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current

Robert Vye

Signature of Owner

Title if owner is corporation

### Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)

ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)

ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

NO	YES	Initial
<u>✓</u>	<u>      </u>	<u>RV</u>
<u>      </u>	<u>✓</u>	<u>RV</u>
<u>✓</u>	<u>X</u>	<u>RV</u>

owed water but paid  
9-4-19

**FOR OFFICE USE ONLY**

Application #

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

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

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

**SECTION A**

Name of Applicant: ROBERT VYE  
Address of Applicant: 19 S ELM ST. BEACON  
Telephone Contact Information: 917 903 4522

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
ROBERT VYE	19 S ELM ST BEACON	917 903 4522	PURCHASE	12/20/2017
KAREN MICHEL	19 S ELM ST BEACON	917 572 8869	PURCHASE	DUTCHESS COUNTY
				POUGHKEEPSIE NY

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

☐

YES

☒

NO

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

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

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

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

☐

YES

☒

NO

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

(Print) ROBERT VYE

(Signature) Robert Vye

617.20  
Appendix B  
Short Environmental Assessment Form

**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: <b>ROBERT VYE</b>																		
Project Location (describe, and attach a location map): <b>BUILD GARAGE</b>																		
Brief Description of Proposed Action: <b>19 S ELM ST BEACON</b>																		
Brief Description of Proposed Action: <b>BUILD 17'X25' GARAGE IN SOUTH WEST CORNER OF LOT</b>																		
Name of Applicant or Sponsor: <b>ROBERT VYE</b>		Telephone: <b>917 903 4522</b>																
		E-Mail: <b>1 PV BOB@HVC.RR.COM</b>																
Address: <b>19 S. ELM ST</b>																		
City/PO: <b>BEACON</b>		State: <b>NY</b>	Zip Code: <b>12508</b>															
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>NO</td><td>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"/>																	
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>NO</td><td>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? <u>.19</u> acres																		
b. Total acreage to be physically disturbed? <u>.001</u> acres																		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>.19</u> acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input checked="" type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify): _____															
<input type="checkbox"/> Parkland																		

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <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 checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" 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 checked="" 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: <u>N/A GARAGE</u>	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A GARAGE</u>	NO <input checked="" 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" 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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" 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>ROBERT VYE</u> Date: <u>8/22/19</u> Signature: <u>[Signature]</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. 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?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input 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 type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input 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 type="checkbox"/>	<input type="checkbox"/>



	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** 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.

<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 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.
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Name of Lead Agency	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Date
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Print or Type Name of Responsible Officer in Lead Agency	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Title of Responsible Officer
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Signature of Responsible Officer in Lead Agency	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Signature of Preparer (if different from Responsible Officer)

**PRINT**



**North**  
Basis of Bearings  
Document #: 02 2006 2730

lands now or formerly of  
Jacob Dorland  
Document #: 02 2017 7990  
Tax Grid ID #: 809883

5' minimum side/rear yard setback  
line for accessory buildings per  
Residential Zoning District R1-5 (typ)

chain link  
fence  
wood fence

adj.  
property  
line (typ)

N 47°11'53" E  
85.00'

5.0'

relocated  
10'x10'  
shed

wood  
steps

deck  
w/rail

cellar  
doors

13.1'

5.7'

adjacent  
garage

proposed  
17'x25'  
garage

brick  
walk

wood  
steps

elec.  
meter

2 story  
frame  
residence

enclosed  
porch

deck  
open  
covered  
porch

wood  
steps

gas  
meter

S 48°05'32" E  
96.59'

5.1'

adjacent  
2 story  
residence

adjacent  
paved  
drive

adjacent  
open  
covered  
porch

lands now or formerly of  
Insun Kim  
Document #: 02 2006 2730  
Tax Grid ID #: 805865

N 48°08'00" W  
93.76'

chain link  
fence  
wood fence

**Subject Property**  
Tax Map ID: 813875  
Document #: 02 2017 9535  
Area: 8,051.7 s.f. - 0.185 Ac.

paved  
drive

wood fence  
post (typ)

36.0'

85.24'

S 49°05'37" W

conc. walk

4' wide conc.  
sidewalk

granite curb  
remnants

water  
valve

edge of  
pavement  
(typ)

**South Elm Street**  
(assumed R.O.W. width of 40')

R.O.W.  
line  
(typ)

drop  
curb

overhead  
utility line  
(typ)

u-pole  
#70353

u-pole  
#70354



(viewed northerly)

(viewed northwesterly)

(viewed northwesterly)

(viewed southeasterly)

**SURVEYOR'S NOTES:**

1. Copyright © 2018. Jonathan N. Millen, L.L.S. All Rights Reserved. Reproduction or copying of this document may be a violation of copyright law unless permission of the author and/or copyright holder is obtained.
2. Unauthorized alteration of an item in any way, or addition to a survey map for any person, unless acting under the direction of a licensed land surveyor, is a violation of section 7209, subdivision 2, of the New York State Education Law.
3. Only maps bearing the surveyor's signature overlaid with embossed seal are genuine true and correct copies of the surveyor's original work and opinion. Anything other than copies with an embossed seal and signature may contain unauthorized and undetectable modifications, deletions, additions, and changes, and are not to be relied upon. A copy of this document without a proper application of the surveyor's embossed seal should be assumed to be an unauthorized copy.
4. Certifications on this map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the map is prepared, to the title company, to the governmental agency, and to the lending institution listed on this map.
5. The certifications herein are not transferable.
6. The location of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certificate.
7. This survey is subject to the findings of a title report and or title search.
8. Surveyed as per deeds, prior survey maps, filed maps, physical evidence and existing monumentation found at the site.
9. Subject to any conditions, restrictions, covenants and/or right-of ways/easements of record, if any.

**CERTIFICATION NOTES:**

This certification is made only to named parties for purchase and/or mortgage of herein delineated property by named purchaser. No responsibility or liability is assumed by surveyor for use of survey for any other purpose including, but not limited to, use of survey for survey affidavit, resale of property, or to any other person not listed in certification, either directly or indirectly, the setting of fences and/or any other structures in or near the property lines. Unless indicated otherwise, property corners were not set.

**CERTIFIED TO:**

I hereby certify to:  
**Karen S. Michel & Robert C. Vye**  
The City of Beacon

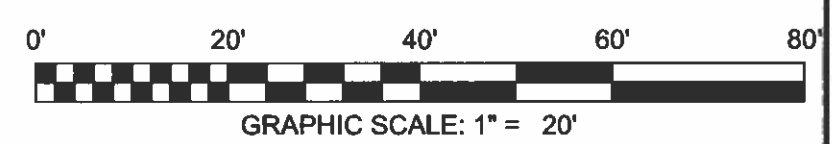
**PROPERTY LINE DETERMINATION NOTES:**

Due to the lack of discovery of survey markers as set by other surveyors in direct proximity to the subject and adjoining properties, and in lieu of said discovery, the surveyor's opinion with respect to establishing the locations of the physical improvements relative to the record lines was based on "Lines Of Possession" as follows:

The alignment of multiple fence lines along the southwesterly and northwesterly property lines, the alignment of a single fence line along the northeasterly property line, and the alignment of the sidewalk, curb, and pavement of the frontage road along the southeasterly property line, when taken in conjunction were in the surveyor's opinion coincident with the deed lines of record, and as such deemed to be acceptable evidence of possession.

**REFERENCES:**

1. The Official Tax Assessor's Maps for the City of Beacon, Dutchess County, New York.
2. Various Deeds of Record - Liber and Page as shown:



GRAPHIC SCALE: 1" = 20'

**SURVEYOR'S CERTIFICATION:**

I hereby certify to the hereon listed parties that this map represents the results of an actual on the ground field survey completed on date, 2018, per record description, of the land shown hereon, located at 19 South Elm Street, City of Beacon, County of Dutchess, State of New York, and was performed in accordance with the current existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. and is to the best of my knowledge, belief and information, accurate and correct. Except as shown hereon: "there are no encroachments either way across property lines; title lines and lines of actual possession are the same".

**Jonathan N. Millen, L.L.S.**

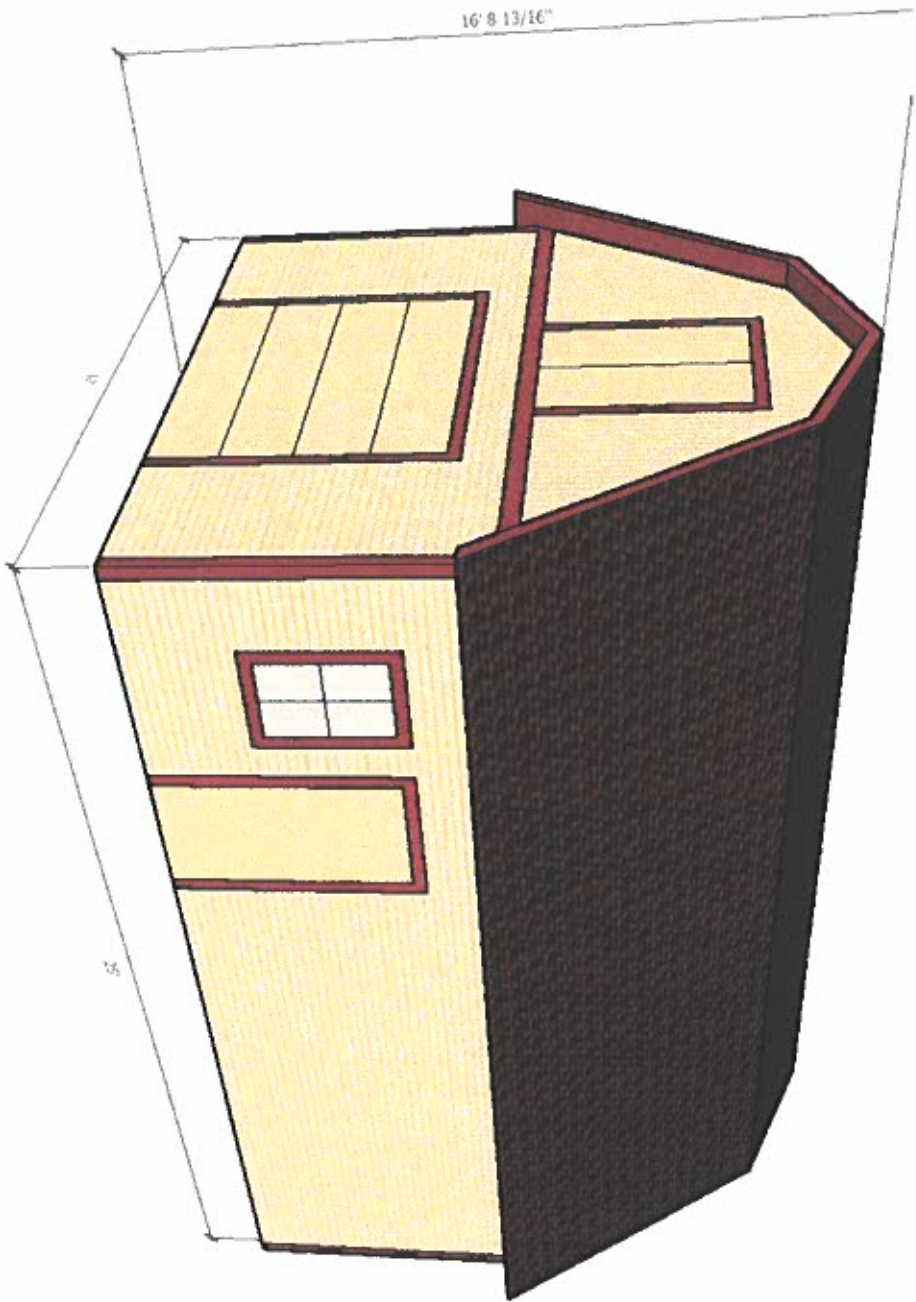
N.Y. LIC. No. 050746



**Survey & Site Plan for Proposed Garage and Shed**  
of the lands of  
**Karen S. Michel & Robert C. Vye**

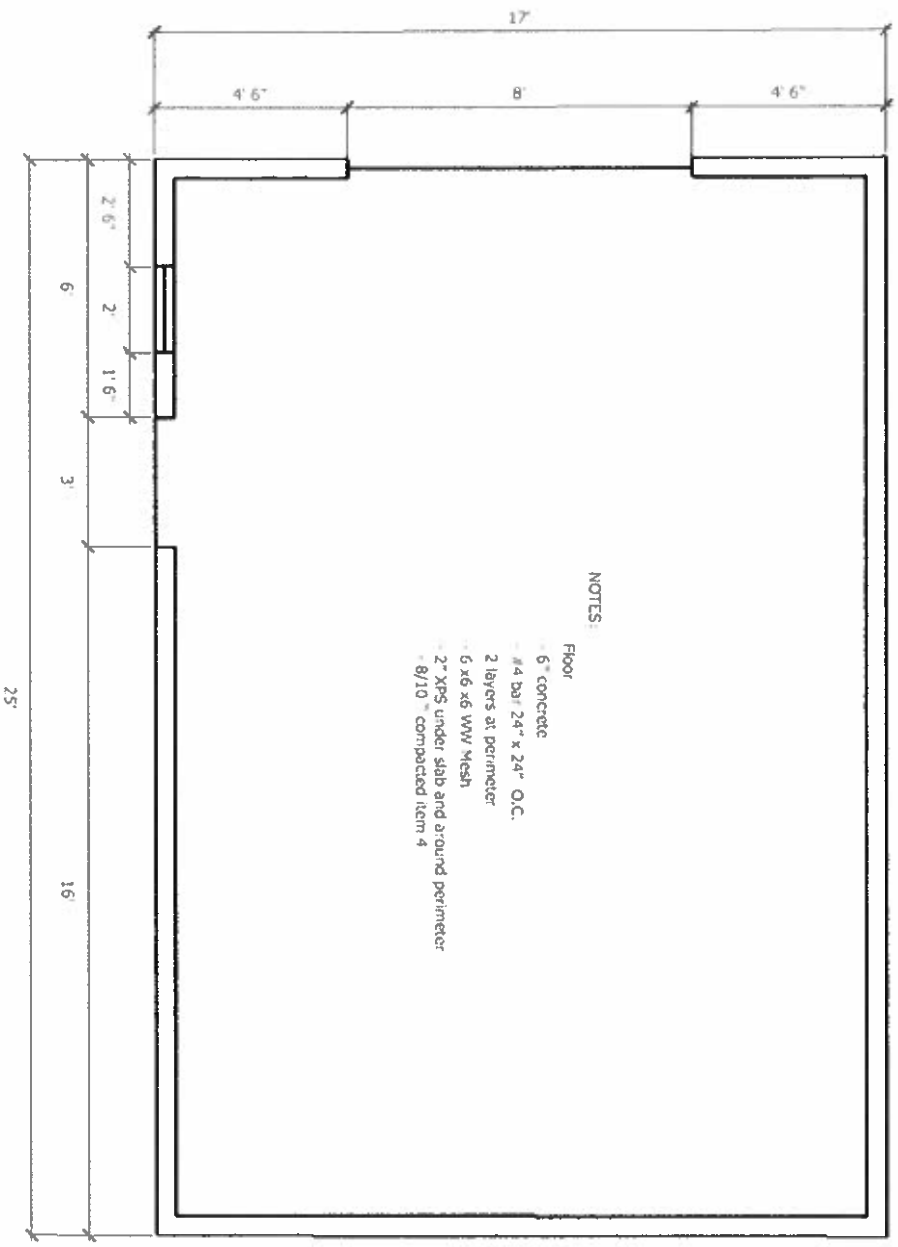
**Automated Construction Enhanced Solutions, Inc.**  
**Professional Land Surveying**  
1229 Route 300 - Suite 3 - Newburgh, NY 12550  
Office: 845.942.7198 Field: 914.906.8830 E-Mail: imillen@acesurveying.com





**Proposed Garage**

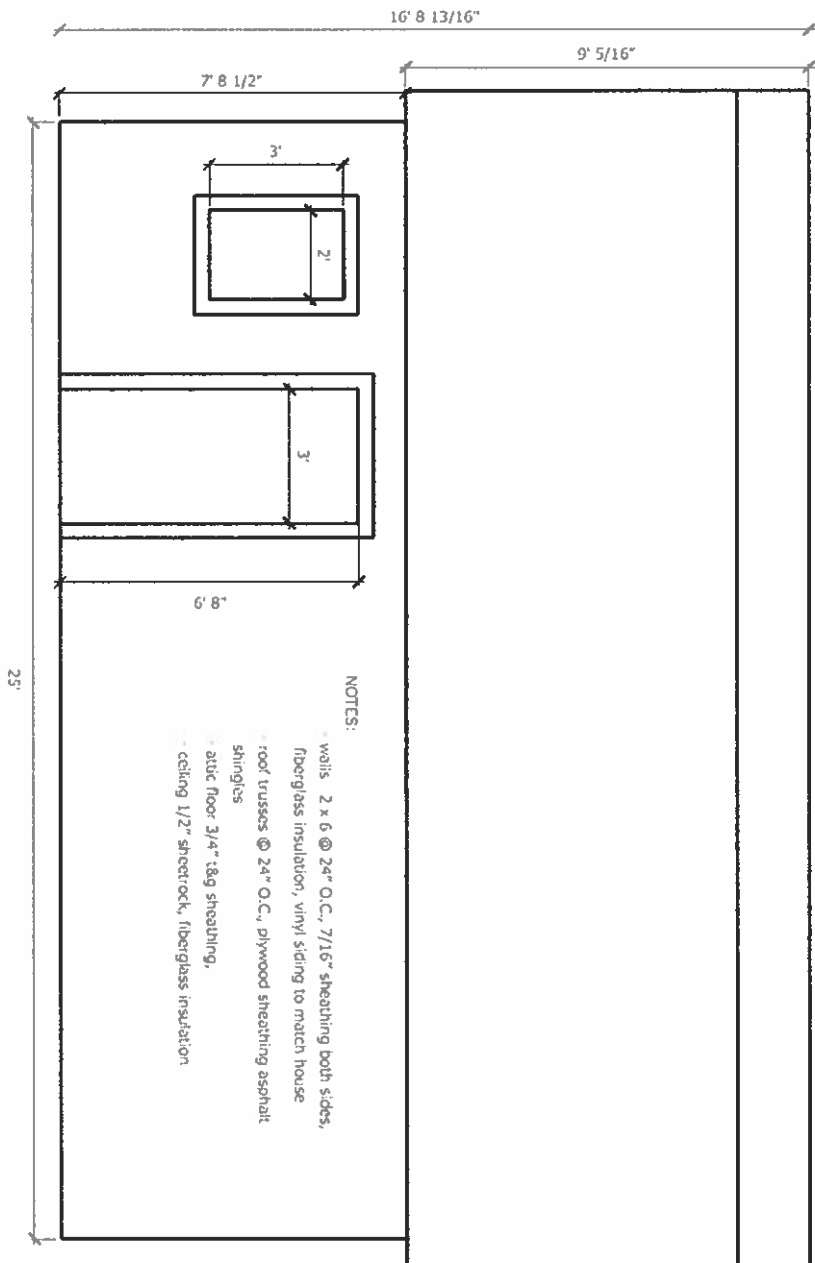
19 S Elm St. Beacon

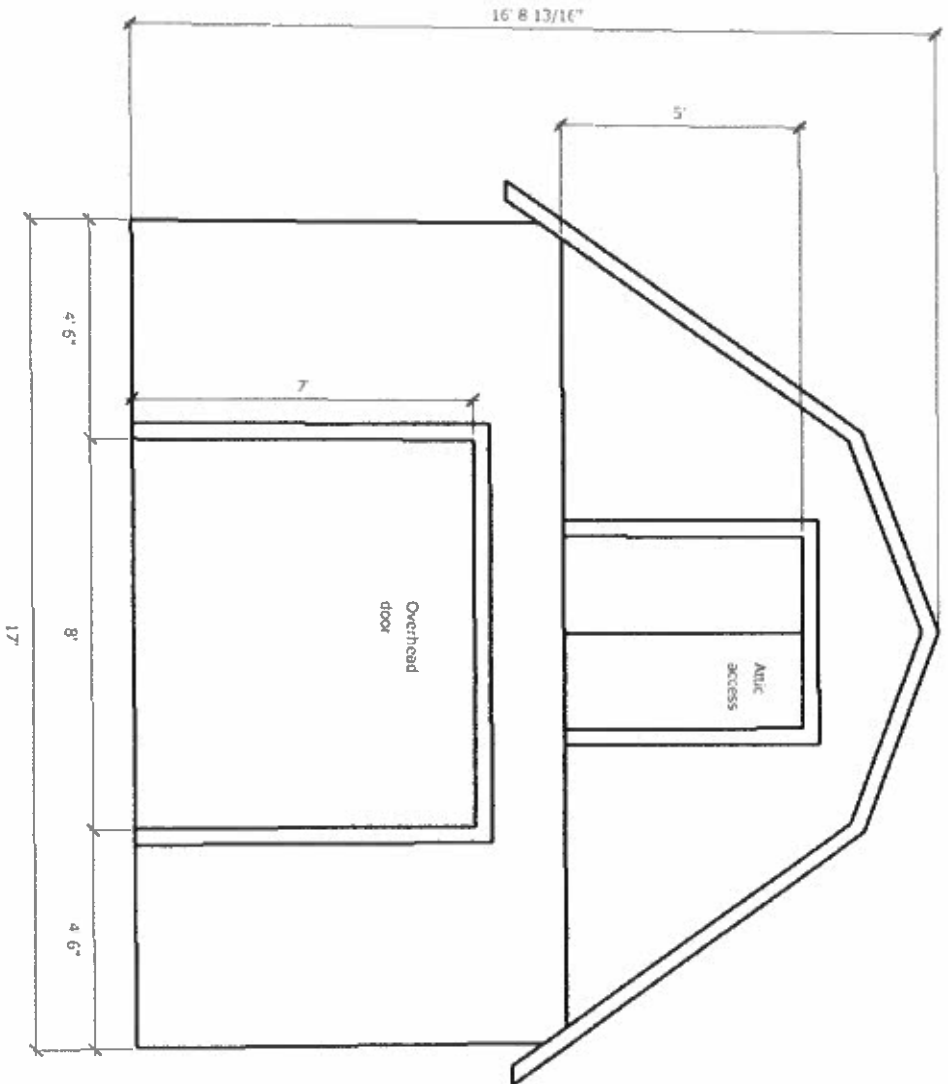


# Garage Floor Plan

19 S Elm St Beacon

**Garage**  
19 S Elm St Beacon  
north elevation





**Garage**  
19 S Elm St. Beacon  
Front elevation

# ZONING BOARD OF APPEALS

City of Beacon, New York

## APPLICATION FOR APPEAL

OWNER: DAVID MAROS

ADDRESS: 6 Digger Phelps Ct  
Beacon, NY, 12508

TELEPHONE: 845.443.5693

E-MAIL: maros.david@gmail.com

APPLICANT (if not owner): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

REPRESENTED BY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

PROPERTY LOCATION: 1228 North Ave  
Beacon, NY, 12508

ZONING DISTRICT: R1-7.5

TAX MAP DESIGNATION: SECTION 5955

BLOCK 75 LOT 792142

Section of Zoning Code appealed from or Interpretation desired:

We would like to appeal to have the November 7th  
deadline to have the house occupied extended and  
keep the two family status of the house.

Reason supporting request:

We would like to renovate the house at a very high  
quality and we are too close to the deadline to finish  
We have already started the work and doing our best to finish  
Supporting documents submitted herewith: Site Plan, Survey, etc. as required: as early as possible.  
Will email plans if required.

Date: 09/23/2019



Owner's Signature

### Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250

Applicant's Signature

**\*\*escrow fees may apply if required by Chairman\*\***

# APPLICATION PROCESSING RESTRICTION LAW

## Affidavit of Property Owner

Property Owner: David and Agnieszka Maras

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

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

6 Digger Phelps Ct  
1228 North Ave

Applicant Address: 6 Digger Phelps Ct

Project Address: 1228 North Ave

Project Tax Grid # 5955-75-792142

Type of Application ZBA Appeal

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

I, David Maras, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon X
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon
3. ALL tax payments due to the City of Beacon are current X
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current X

[Signature]

Signature of Owner

Title if owner is corporation

### Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)

ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)

ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

NO

YES

Initial

✓

✓

EG

✓

EG

EG



**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S  
ACTS (INDIVIDUAL OR CORPORATION)**

STANDARD NYBTU FORM 8007

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED  
BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

**THIS INDENTURE**, made this August 20, 2019

between

Scott Bajcar  
Robin K. Bajcar A/K/A Robin Reiner Bajcar N/K/A Robin K. Reiners  
1228 North Avenue  
Beacon, New York 12508

party of the first part, and

David Maros  
Agnieszka Marzena Maros  
5 Digger Phelps Court  
Beacon, New York 12508

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

City of Beacon, County of Dutchess, State of New York, more particularly described in schedule A attached hereto.

Said premises is being and intended to be the same premises conveyed to Grantor herein by deed dated March 25, 1997 and recorded on April 8, 1997 in Book 1992 page 279 in the Dutchess County Clerk's Office and the same premises conveyed to Grantor herein by deed dated March 25, 1997 and recorded on April 8, 1997 in Book 1992 page 280 in the Dutchess County Clerk's Office.

The deed located in Book 1992 page 280 in the Dutchess County Clerk's Office was erroneously described as Lot 2 when it should have been described as Lot 32. The premises is also described as tax lot # 5955-75-799137.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**FOR OFFICE USE ONLY**

Application #

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

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

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

**SECTION A**Name of Applicant: David MarasAddress of Applicant: 6 Digger Phelps CtTelephone Contact Information: 845 443 5693**SECTION B. List all owners of record of the subject property or any part thereof.**

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
David Maras	6 Digger Phelps Ct	845 443 5693	Purchase	
Agnieszka Maras	---	845 <del>443</del> 630 9095		

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

☐ YES ☒ NO

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

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

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

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

☐ YES ☒ NO

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

(Print) DAVID MAROS

(Signature) 

617.20  
Appendix B  
Short Environmental Assessment Form

**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: <u>1228 Parth Ave Renovation</u>							
Project Location (describe, and attach a location map): <u>1228 Parth Ave</u>							
Brief Description of Proposed Action: <u>Full restoration and modernization of the house.</u>							
Name of Applicant or Sponsor: <u>David Maros</u>		Telephone: <u>8454435693</u>					
		E-Mail: <u>maros.david@gmail.com</u>					
Address: <u>6 Digger Phelps Ct</u>							
City/PO: <u>Beacon</u>		State: <u>NY</u>	Zip Code: <u>12508</u>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? <u>0.315</u> acres b. Total acreage to be physically disturbed? <u>0</u> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>0.315</u> acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" 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 checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" 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 checked="" 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" 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>David Maras</u>		Date: <u>09/23/19</u>
Signature: <u>[Signature]</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. 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?"

	No, or small impact may occur	Moderate to large impact may occur
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 checked="" type="checkbox"/>	<input 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"/>

	No, or small impact may occur	Moderate to large impact may occur
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"/>

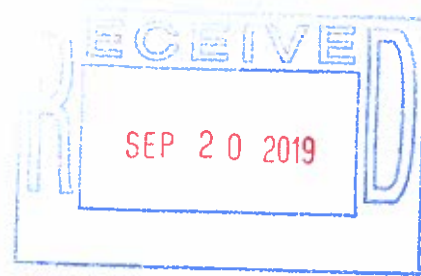
**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant 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.

<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.
<div style="display: flex; justify-content: space-between;"> <div> Name of Lead Agency </div> <div> 09/23/2019 Date </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> Print or Type Name of Responsible Officer in Lead Agency </div> <div> Title of Responsible Officer </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> Signature of Responsible Officer in Lead Agency </div> <div> Signature of Preparer (if different from Responsible Officer) </div> </div>	

**PRINT**

September 16, 2019

Zoning Board of Appeals  
1 Municipal Plaza  
Beacon, NY 12508



Dear Members,

It has just been brought to our attention by the building dept. that the variance for our home renovation project has expired on July 19, 2019.

We apologize for the oversight on our end.

We ran behind schedule on the project due to the following reasons.

Our original contractor told us after construction had started that the porch was not part of his quote.

We needed to get all the windows re-framed as they were not made per the Architectural plans. This also meant ordering all new windows.

We had to take care of extensive roof repairs on our commercial space on Main Street.

Some personal issues came up that needed both our emotional & financial support.

We are asking that you allow us a 6 month extension as we feel that we are back on track with the project & have good people in place.

Thank you for your time & consideration.

Sincerely,

A handwritten signature in black ink that reads "Amit Kochhar".

Amit Kochhar

35 Rombout Avenue

Beacon, NY 12508



CITY OF BEACON  
ZONING BOARD OF APPEALS

**RESOLUTION**

**WHEREAS**, an application has been made to the City of Beacon Zoning Board of Appeals by **Amit Kochhar** (the "Applicant") for a 1.8 foot side yard setback variance where the minimum required side yard setback variance is 10 feet pursuant to City Code § 223-17.C/223 Attachment 1:2, in connection with construction of a 412 square foot two-story addition with an 8.1 side yard setback on property located at **35 Rombout Avenue**, in an R1-7.5 zoning district. Said premises being known and designated on the tax map of the City of Beacon as **Parcel ID# 5954-34-688852**; and

**WHEREAS**, a duly advertised public hearing on the application was held on July 17, 2018, at which time all those wishing to be heard on the application were given such opportunity; and

**WHEREAS**, the Board closed the public hearing on July 17, 2018; and

**WHEREAS**, the proposed action is a Type II Action pursuant to the New York State Environmental Quality Review Act, and accordingly, no further environmental review is required; and

**WHEREAS**, the Board, from the application, after viewing the premises and neighborhood concerned, and upon considering each of the factors set forth at Section 223-55(C)(2)(b)[1]-[5] of the City of Beacon Zoning Code, finds with the variance:

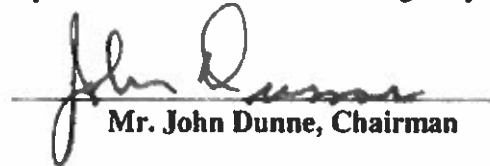
- 1) The variance **WILL NOT** create an adverse impact to the character of the neighborhood;
- 2) The benefit the Applicant seeks **CANNOT** be achieved through another method, feasible for the Applicants to pursue, that does not require the variance;
- 3) The variance **IS NOT** substantial;
- 4) The variance **WILL NOT** create any adverse impacts to the physical or environmental conditions of the neighborhood; and
- 5) The need for the variance **IS** self-created.

**NOW, THEREFORE, BE IT RESOLVED**, that said application for a 1.8 foot side yard setback variance where the minimum required side yard setback variance is 10 feet pursuant to City Code § 223-17.C/223 Attachment 1:2 is hereby **GRANTED** subject to the following conditions:

1. No permit or certificate of occupancy shall be issued until the Applicant has paid in full all application and consultant fees incurred by the City in connection with the review of this application.
2. The Applicant has six months to commence construction and one year to complete from the date of obtaining the last land use approval.

**BE IT FURTHER RESOLVED**, that the Zoning Board of Appeals may grant a six month extension of this variance approval provided that a written request for an extension is submitted before the variance expires. Such extension shall only be granted upon a showing by the Applicant that the circumstances and conditions upon which the variance was originally granted have not substantially changed.

Dated: July 17, 2018

  
Mr. John Dunne, Chairman

**Mr. Dunne called the roll:**

<b>Mr. Dunne called the roll:</b>							
<b>Motion</b>	<b>Second</b>	<b>Zoning Board Member</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Excused</b>	<b>Absent</b>
		John Dunne	X				
	X	Jordan Haug	X				
X		Robert Lanier	X				
		Judy Smith	X				
		David Jensen	X				
		<b>Motion Carried</b>	<b>5</b>	<b>0</b>			