



**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

**City Council Workshop Agenda
July 29, 2019
7:00 PM**

Workshop Agenda Items:

1. Dutchess County Workforce Investment Presentation by Tina McKinney
2. Danskammer Energy LLC Discussion
3. Noise Ordinance Local Law
4. Historic District Landmark Overlay
5. 248 Tioronda Avenue Concept Plan
6. Main Street Parking Issues
7. City of Beacon Moratorium
8. Discussion of Entity Disclosure Law
9. Consolidated Funding Applications
10. Conservation Advisory Committee Appointment

Executive Session:

1. Real Estate
2. Personnel

City of Beacon Workshop Agenda
7/29/2019

Title:

Dutchess County Workforce Investment Presentation by Tina McKinney

Subject:

Background:

**City of Beacon Workshop Agenda
7/29/2019**

Title:

Danskammer Energy LLC Discussion

Subject:

Background:

ATTACHMENTS:

Description	Type
Resolution Commenting on the Danskammer Buildout Proposal Version 1	Resolution
Resolution Commenting on the Danskammer Buildout Proposal Version 2	Resolution
Letter from Beacon Resident Regarding Danskammer Buildout Proposal	Cover Memo/Letter
Letter from the Green Beacon Coalition to the City Council Regarding the Proposed Danskammer Buildout	Cover Memo/Letter
Letter from Danskammer Energy LLC	Cover Memo/Letter
Presentation by Scenic Hudson Regarding Danskammer Buildout	Presentation



CITY COUNCIL

Resolution No. _____ of 2019

RESOLUTION COMMENTING ON THE DANSKAMMER BUILDOUT PROPOSAL

WHEREAS, Danskammer Energy, LLC (“Danskammer”), seeks a permit through the State’s Article 10 power plant siting process to build and operate a new gas-fired power plant with a potential generating capacity of 525-575 megawatts on the shores of the Hudson River in the Town of Newburgh, referred to as the Facility Repowering Project, and

WHEREAS, the City Council has received and reviewed presentations on the proposed Facility Repowering Project from Danskammer and from Scenic Hudson, and received public comments from residents expressing concerns and opposition to the project; and

WHEREAS, the current power plant located at the site operates only when electric generation demand reaches a peak so that it operates about 5%-10% of the year to meet peak power demand; and

WHEREAS, the new power plant will operate year-round as a base load facility, and

WHEREAS, the new facility will use an air cooled-condensing system which will eliminate use of the Hudson River’s water for cooling; and

WHEREAS, the new power plant will use fracked natural gas as its primary fuel, with provisions to use ultra-low sulfur diesel (ULSD) for up to 30 days as a back-up fuel; and

WHEREAS, New York State banned fracking to protect our health and protect the climate, but this facility would use fracked gas, which is especially dangerous to air and water quality of the communities outside of New York from which it is extracted, and the City of Beacon does not seek increased harms on any community, including outside of New York State; and

WHEREAS, fugitive methane from fracking, pipelines, compressor stations and other transport is a highly potent greenhouse gas; and

WHEREAS, gas-powered plants produce pollution that harms local air quality and the public’s health through release of contaminants; and

WHEREAS, children, the elderly and anyone with a pre-existing health condition affecting their lungs, such as asthma or emphysema, are especially vulnerable; and

WHEREAS, the new gas-powered plant operating at baseload capacity will produce pollution that will fuel the growing climate crisis, contrary to the interests of the City of Beacon and in contradiction to the State’s Energy Plan and Clean Energy Standard of 50% renewable energy generation to be available on the electric grid by 2030, which Governor Cuomo more recently increased to 100% by 2040; and

WHEREAS, Danskammer has filed a Preliminary Scoping Statement with the Siting Board, which informs the Siting Board, other public agencies, and communities about the project, including a description of the proposed facility, potential environmental and health impacts, proposed studies to evaluate those impacts, proposed mitigation measures and reasonable alternatives to the project; and

WHEREAS, Danskammer will conduct various studies to identify and evaluate the potential impacts of a project on the environment, public health, and other public interest factors; and

WHEREAS, after the public involvement program and preliminary scoping statement are filed, Danskammer must then submit a formal Article 10 application to the Siting Board, which includes the same information as the preliminary scoping statement but in greater detail; and

WHEREAS, the City Council recognizes that Danskammer is at the beginning of the approval process and must still hire experts, conduct various planned studies, file its Article 10 application, and conduct public hearings before obtaining final approval to construct the project.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon urges Governor Cuomo and the Power Plant Siting Board convened under Article 10 of the State Public Service Law to consider the concerns stated herein when considering Danskammer's proposal to build and operate a larger, new facility.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Beacon is directed to submit this statement to the Public Service Commission and to send a copy of this resolution to Governor Andrew Cuomo.

Resolution No. _____ of 2019			Date: <u>August 5, 2019</u>				
<input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required. <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 J. Casale					
		Motion Carried					



CITY COUNCIL

Resolution No. ____ of 2019

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WHEREAS, the City Council has received and reviewed presentations on the proposed Facility Repowering Project from Danskammer and from Scenic Hudson, and received public comments from residents expressing concerns and opposition to the project; and

WHEREAS, the current power plant located at the site operates only when electric generation demand reaches a peak so that it operates about 5%-10% of the year to meet peak power demand; and

WHEREAS, when the current plant was in full operation, it was the largest single source of air pollution in the Hudson Valley, and a major contributor to the area’s “D” rating in air quality from the American Lung Association [confirm]; and

WHEREAS, the new power plant would operate year-round as a base load facility and if built would have a decades-long lifespan; and

WHEREAS, the new facility would use an air cooled-condensing system which will eliminate use of the Hudson River’s water for cooling; and

WHEREAS, the new power plant would use fracked natural gas as its primary fuel, with provisions to use ultra-low sulfur diesel (ULSD) for up to 30 days as a back-up fuel; and

WHEREAS, New York State banned fracking to protect our health and protect the climate, but this facility would use fracked gas, which is especially dangerous to air and water quality of the communities outside of New York from which it is extracted, and the City of Beacon does not seek increased harms on any community, including outside of New York State; and

WHEREAS, fugitive methane from fracking, pipelines, compressor stations and other transport is a highly potent greenhouse gas; and

WHEREAS, gas-powered plants produce pollution that harms local air quality and

the public's health through release of contaminants; and

WHEREAS, children, the elderly and anyone with a pre-existing health condition affecting their lungs, such as asthma or emphysema, are especially vulnerable; and

WHEREAS, the new gas-powered plant operating at baseload capacity would produce pollution that will fuel the growing climate crisis, contrary to the interests of the City of Beacon and in contradiction to the State's Energy Plan and Clean Energy Standard of 50% renewable energy generation to be available on the electric grid by 2030, which Governor Cuomo more recently increased to 100% by 2040; and

WHEREAS, the city recognizes the critical economic importance of local construction and permanent jobs at living wages; and

WHEREAS, Danskammer has filed a Preliminary Scoping Statement with the Siting Board, which informs the Siting Board, other public agencies, and communities about the project, including a description of the proposed facility, potential environmental and health impacts, proposed studies to evaluate those impacts, proposed mitigation measures and reasonable alternatives to the project; and

WHEREAS, Danskammer will conduct various studies to identify and evaluate the potential impacts of a project on the environment, public health, and other public interest factors; and

WHEREAS, after the public involvement program and preliminary scoping statement are filed, Danskammer must then submit a formal Article 10 application to the Siting Board, which includes the same information as the preliminary scoping statement but in greater detail; and

WHEREAS, the City Council recognizes that Danskammer is at the beginning of the approval process and must still hire experts, conduct various planned studies, file its Article 10 application, and conduct public hearings before obtaining final approval to construct the project.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon based on the information currently before it, opposes the construction of a new power plant on the Hudson River in the Mid-Hudson Valley; noting that the Council will fully and objectively take into account any new and additional information provided by way of the full formal Article 10 application process; and further noting that for a positive recommendation, such additional information would have to demonstrate the statewide necessity of such additional power capacity, as well as the statewide inability to provide any alternative timely sources with lesser impacts on air quality and economic harm in less populated areas.

BE IT FURTHER RESOLVED, that the City Council of the City of Beacon urges Governor Cuomo and the Power Plant Siting Board convened under Article 10 of the State Public Service Law to consider the concerns stated herein as well as the city's current stance regarding a new power plant in the Hudson Valley when considering Danskammer's proposal to build and operate a larger, new facility.

BE IT FURTHER RESOLVED, that the City Council of the City of Beach urges Governor Cuomo and New York State to focus economic development resources into the Hudson Valley to provide living wage jobs for the construction and operation of clean power generation, brownfield clean-up, or other appropriate economic development projects in an area with the physical beauty, extensive tourism assets and population as has the Hudson Valley.

BE IT FURTHER RESOLVED, that the City Clerk of the City of Beacon is directed to submit this statement to the Public Service Commission and to send a copy of this resolution to Governor Andrew Cuomo.

Resolution No. _____ of 2019			Date: August 5, 2019				
Amendments						2/3 Required	
Not on roll call.			On roll call			3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		John Rembert					
		Lee Kyriacou					
		George Mansfield					
		Jodi McCredo					
		Amber Grant					
		Mayor Randy Casale					
		Motion Carried					

Dear City Councilors and Mayor Casale,

We are writing in opposition to the construction, renovation or the alteration for future operation of the Danskammer Power plant. The reasons you state in the resolution are many, with very serious consequences for both local and global citizens. We urge you to vote in opposition to this project and we would like this letter to be a part of the public record on the matter.

We realize that one major concern for Newburgh is the economic impact on the Newburgh/Valley Central School District's tax revenues, but alternate uses of this site can support those needs in time and in the interim, the State must see to it that economic development opportunities for clean industry or business should be encouraged and the school districts given extra support during this interim period. The children in our area schools should not have to trade off their futures and their health in order to obtain funding for their education.

In addition, the number of jobs at such a high-tech power plant will not only be minimal once construction is completed, but they could be replaced and increased manyfold with clean businesses, including tourism or the construction of alternative clean energy projects on this site or nearby. A fracked-gas fueled power plant that generates pollution both at its source and from its output that contributes to the destructive impacts on our global climate needn't be the only option for construction jobs in the area. Indeed, there is no shortage of construction jobs in NY State as we well know. Instead there is a serious shortage of construction workers. So, the argument about the need for these jobs is highly questionable and clearly not worth the deleterious effects on our environment for generations to come. <https://therealdeal.com/2017/06/28/shortage-of-skilled-labor-is-forcing-us-contractors-to-turn-away-work-report/>

NYC Construction | Construction Employment

Faced with shortages in skilled labor, many construction contractors across the United States are being forced to turn work down. According to a new survey cited by the Wall Street Journal, more ...
therealdeal.com

The fracking industry primarily wants the Danskammer Plant as a permanent customer for its oil and gas products. Shockingly, they have no qualms about storing diesel fuel on a flood plane exposed to the ever increasing intensity of storms and hurricanes. It's foolhardy, cynical and completely in denial of the new reality we face as a global community. Just because the oil and gas industry executives and investors dispute the evidence of science doesn't mean that we have to believe their assertions and twisted logic. This plant is not our only energy option. We must move strongly towards alternative sources and also to energy efficiency. I remember the energy crisis of the 1970's when we learned how to conserve. We are capable of many more alternatives with all the new technologies that have been developed since that time. In the face

of the NY State goals of a cleaner, greener more sustainable energy future, a majority of its citizens are on board, especially the younger ones who will inherit the disasters the older generation set into motion. The fact that Beacon is now using 100% renewable resources for its electricity is a major step in the right direction and is to be celebrated, but it would be tragic if Beacon didn't come out fully in opposition to the Danskammer Plant as other Hudson Valley communities have. New York State has made up it's mind for a cleaner future and I hope that Beacon will not be a part of the blinkered past. There should be no equivocation here. We must simply stand up as a community and say no. And we should be prepared for attempts to divide the various communities in NY, the Hudson Valley and rural Pennsylvania by industrial propaganda that pits so-called "haves" and "have-nots," left and right, or urban and rural in a cynical ploy by the oil industry and their surrogates to keep us from standing together for the greater good and our collective future.

Finally, on a personal note. I am descended from the Arctic Circle Indigenous Sami people. The Sami have been reindeer herders since pre-history and have been witnessing and experiencing the destructive effects of climate change for some time now. You can easily learn more about this issue by searching YouTube. I have ties to Sami activists who were present at the Paris Climate Summit in 2015, to those who annually attend the UN Indigenous People's summits on climate change in New York City and with Sami artist/activists who spent a month at Standing Rock in 2016 in solidarity with North American Indigenous tribes they've been working with on climate issues at the UN for years. This is a global cause. These Sami activists travel thousands of miles every year to sound the alarm of what is happening to our climate and to the natural world. I can say in no uncertain terms, that what happens on the Hudson River will affect what happens to the future of my people in the Arctic Circle of Norway, Sweden, Finland and beyond.

<https://www.un.org/development/desa/indigenouspeoples/climate-change.html>

Climate Change | United Nations For Indigenous Peoples

"I am convinced that climate change, and what we do about it, will define us, our era, and ultimately the global legacy we leave for future generations. Today, the time for doubt has passed ...

www.un.org

You should also know that my "brother" Sven Henriksen, a well-known Sami playwright, actor and activist from Norway considers Beacon his home away from home and will be staying here with us as an artist-in-residence once again for several weeks in October. I will be very ashamed if the City of Beacon fails to vote in opposition to the Danskammer project.

We believe Danskammer has the potential to be a highly visible issue in the upcoming year as the good citizens of the Hudson Valley and beyond will not sit idly by while the extractive

industries once again attempt to profit by destroying our environment, our climate and our natural landscape so they can be enriched. We have alternatives. Please vote no.

Sincerely,

Paulette Myers-Rich
David Rich
469 Main St.
Beacon, NY 12508

Sergei Krasikov (on behalf of Green Beacon Coalition)
386 Liberty Street
Beacon NY 12508

Dear Mr Mayor and City Council members,

I want to provide feedback to the letter Mr. Mayor and City Council received prior to voting on the resolution to oppose the construction of Danskammer Plant on July 1st, 2019.

As a citizen, environmentalist and a proud resident of Beacon, I find their letter disrespectful and at times menacing. They claim that *“much of the information contained in the resolution before your is misleading, whether intentional or not, and seems to be based on talking points from opposition groups working to undermine a project that would ultimately benefit the entire region”* without citing much evidence. The *“talking points”* that helped to inform the resolution are the result of years of robust scientific research by *“opposition groups”* such as Scenic Hudson, Riverkeeper, Natural Resource Defence Council and others. And then Danskammer goes on to make a number of misleading, false or threatening assertions in their attempt to influence your vote. All 34 pages of *“talking points”* in Scenic Hudson report are available on New York State Department of Public Service Danskammer project page:

<http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={C4A75E61-447C-4152-BA86-C4F02A49C166}>

I want to point out those misstatements and inaccurate data points Danskammer used as well as provide additional information on the following subjects:

1. Air quality in surrounding communities
2. Increase of mostly fracked natural gas production necessary to fuel the plant
3. NYS existing energy generating capacity and the claimed need to increase it in lieu of the Indian Point closing
4. Use of Natural Gas as a bridge fuel towards 100% renewable energy

There are several questions that I couldn't answer not been able to obtain the necessary data (Danskammer so far stone-walled our requests). I lay those questions out in the end and urge City Council to request Danskammer or an impartial independent source to provide answers.

1. AIR QUALITY IN SURROUNDING COMMUNITIES

“D” rating for high levels of ground level ozone was given when Danskammer was a coal-fired facility”, says Michelle Cook. This is patently untrue. It is given to Dutchess County NOW by American Lung Association based on 2015-2017 data¹. It is not the result of Danskammer burning coal in the past. It is a combination of pollution that comes from power plants, the trash incinerator in Poughkeepsie, car exhausts, landscaping tools, heavy industry, etc on a daily basis. It means that adding even more pollutants into the air would further deteriorate air air quality beyond “D” rating. The high amounts of oxides of nitrogen (NOx) and volatile organic compounds (VOC) that gas power plants emit react in the presence of sunlight and form ozone.

Breathing ozone can trigger a variety of health problems including chest pain, coughing, throat irritation, and airway inflammation. It also can reduce lung function and harm lung tissue. Ozone can worsen bronchitis, emphysema, and asthma, leading to increased medical care. It is especially dangerous for little kids, pregnant women, elderly and plant workers due to higher levels of exposure.

Danskammer has so far failed to provide estimates of CO₂, NO_x, VOC and other pollutants a new plant would generate. Researchers predict at least a 10-fold increase of air pollutants generated by a new Danskammer plant compared to the one operating now as a peaker. EPA data² shows that in 2016 Danskammer plant emitted 6 tons of NO_x and 11 723 tons of CO₂. The estimated yearly emissions by a recently built 675 MW CPV Valley Energy Center, according to CPV's own materials³, will be 187 tons of NO_x and 590 000 tons of CO₂. Let these numbers sink in. 6 tons vs 187 tons. 11 723 tons vs 590 000 tons. Danskammer is a bit smaller. Technology

¹ <https://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/new-york/dutchess.html>

² https://www.epa.gov/sites/production/files/2018-02/arpcaircoal16vs17annual_0.xls

³ <https://www.cpv.com/assets/docs/valley-deis/Volume%20I/CPVValleyDEISSections1thru19.pdf>

might be a bit better. But still. We will see a drastic increase in local air pollution and there is no way Danskammer can spin this fact out of reality.

2. INCREASE OF MOSTLY FRACKED NATURAL GAS PRODUCTION NECESSARY TO FUEL THE PLANT

Danskammer is correct to point out that *“Central Hudson purchases gas from production sources based on price and availability and it is then sent to the utility via gas pipeline. We are simply a customer of Central Hudson.”* 90% of the gas, as they say, is fracked. It is, unfortunately, true. However, I ask you to look at it from a different perspective. Danskammer will be a new major natural gas consumer that will necessitate additional drilling and fracking. Anthony Ingraffea, an engineer at Cornell University whose work has tied fracking to various environmental ills, including climate change, calculated that a 650-megawatt CPV Valley Energy Center would require drilling new 130 wells⁴ each year, on average, to supply the plant with enough gas to operate. That translates into thousands of fracked wells over the 40-year lifetime typical for such a facility. Danskammer is a bit smaller at 525-575-megawatt, but not by much. Hydraulic fracking leads to toxic pollution in host communities. The fracking wastewater, highly contaminated and radioactive, is pumped into injection wells, including in New York State, which serve as permanent storage sites. The U.S. Government Accountability Office (GAO) has found a lack of protection for drinking water sources from fracking injection wells⁵. Increased gas consumption leads to expansion of gas delivery infrastructure, further binding NYS and the country in general for generations to climate degrading energy production.

But how much gas will Danskammer consume? If the plant works at 50% capacity it will produce around 6600 WMh (550 MW x 24h x 50%) of electricity a day and consume upwards of 20 million cubic feet of gas (it takes, on average, 3 cubic feet of gas to produce 1 KWh). Or 7.3 billion cubic feet a year. Average gas consumption by a household in the USA is 59 000 cubic feet per year, so the plant will need

⁴<https://stateimpact.npr.org/pennsylvania/2017/12/08/new-yorks-heralded-fracking-ban-isnt-all-its-cracked-up-to-be/>

⁵ <https://www.gao.gov/assets/680/675439.pdf>

roughly the same amount of gas as 120 000 households. Dutchess County has exactly that many households.. Please note these are conservative estimates. The plant is likely to work at higher than 50% capacity.

In 2014 New York State banned fracked gas extraction in NY because of the health and environmental impacts. It is and it will be a hypocrisy to facilitate further fracked gas production to the detriment of the health and environment of our neighbours in Pennsylvania.

I urge you to read an excellent report by Physicians for Social Responsibility (PSR) about health threats associated with methane in general and hydraulic fracking in particular: <https://www.psr.org/wp-content/uploads/2018/05/too-dirty-too-dangerous.pdf>

3. NYS EXISTING ENERGY GENERATING CAPACITY

The next big point is energy generating capacity. Danskammer claims NYS will be facing a capacity gap once Indian Point is shut down. To prove their point they are misstating important numbers, whether intentionally or not. The letter states that Indian Point provides about 2,200 megawatts of power to NYS. Indian Point nameplate capacity is 2,060 MW. Out of it, only about 1,300 MW on average is sold to NYS, and the rest - to New England⁶. As correctly stated by the Danskammer, *“Two new plants are open/under construction in the lower Hudson valley: CPV and Cricket Valley. Together these will supply about 1,500-1,700 megawatts of power to the region.”* Which covers the Indian Point “gap”, and then some.

Furthermore, to argue that reliance on natural gas is unavoidable, Danskammer states that *“Currently, there are no wind projects under construction in the state”* which is in direct contradiction to information on the DEC website: *“.. two wind power projects are under construction in New York, and one is under active review.”*⁷ On Thur July 18, 2019 Governor Cuomo awarded the largest combined offshore wind contracts by any state to date, totaling 1,700 MW⁸. Danskammer also fails

⁶https://www.nytimes.com/2013/02/16/business/electricity-costs-up-in-gas-dependent-new-england.html?pagewanted=all&_r=0

⁷ <https://www.dec.ny.gov/energy/40966.html>

⁸<https://www.governor.ny.gov/news/governor-cuomo-executes-nations-largest-offshore-wind-agreement-and-signs-historic-climate>

to mention NYPA's ongoing upgrades of electric transmission lines including Moses-Adirondack one to increase southbound transmission capacity and reliability. They also fail to mention that on April 8, 2019, the New York Independent System Operator (NYISO), which controls and operates the state's electric grid, announced the selection of two transmission projects⁹ that will enable the delivery of power from generating facilities located in upstate New York, including significant amounts of renewable energy, to downstate population centers like New York City. This selection follows approval of another project which involves providing additional transmission capacity in western New York for 2,700 MW of hydroelectric power and imports of renewable energy from Ontario which is currently going through the state permitting process for siting and constructing the project.

And then they go on threatening Beacon *"We would like to emphasize that Danskammer **will be run as more of a baseload facility** when Indian Point closes, whether we build a cleaner and more advanced plant **or keep the existing one running.**"*

On May 9, 2019 Governor Cuomo signed new pollution rules targeting older coal and gas plants. New limit is 1,800 lbs of CO₂ per MW-hr¹⁰. They go into effect on Dec 31 2020 and fully phase in by 2023. Typical new and more efficient gas powered plants produce about a 900 lb of CO₂ per MW based on what I could research. Current Danskammer plant might not be capable of meeting the 1800lb standard and would have to be shut down by 2023. Furthermore, a separate resolution "Part 227-3, Ozone Season Oxides of Nitrogen (NO_x) Emission Limits for Simple Cycle and Regenerative Combustion Turbines"¹¹ is expected to be adopted later this year specifically to force closure or expensive retrofitting of older less efficient gas burning peaker plants due to high level of ground level ozone pollution their operation results in.

⁹<https://www.nyiso.com/-/press-release-nyiso-board-selects-transmission-projects-to-meet-public-policy-needs>

¹⁰Adopted Part 251, CO₂ Performance Standards for Major Electric Generating Facilities
<http://www.dec.ny.gov/regulations/113501.html>

¹¹ Proposed Part 227-3, Ozone Season Oxides of Nitrogen (NO_x) Emission Limits for Simple Cycle and Regenerative Combustion Turbines
<http://www.dec.ny.gov/regulations/116131.html>

Plus it is most likely not financially viable to run Danskammer as a “load base” plants due to its inefficiency and high operating costs. The price paid for electricity generated by load base plants is much lower. Peakers are paid much higher rates for the electricity they produce through the NYISO capacity market.

4. NATURAL GAS AS A BRIDGE FUEL

The people behind Danskammer project have been in energy field for 20-30 years and know the ins and outs of natural gas energy production better than all of us. They, for sure, know about the natural gas industry’s contribution to Climate Change. To profess “*Danskammer believes in climate change and in making responsible choices to combat the issue.*” is quite hypocritical - methane leaks and causes enormous climate related damage. Methane, the primary component of natural gas that is 34 times stronger than CO₂ at trapping heat over a 100-year period and 86 times stronger over 20 years. As I have advised Mayor Casale and City Council earlier in this process by sharing 2015 NYS Energy Policy study by scientists at Stamford, Cornlee, UC Davis and others (p586-587)¹², accumulative contribution to Climate Change by natural gas is on par with coal. Natural gas is responsible for nearly half the warming impact of current US emissions over the next 20 years¹³. During extraction and transportation methane leaks are unavoidable, persistent and significant - on average 12 percent of the methane produced by fracking is lost by leaking into the atmosphere according to a 2016 study by Cornell University researcher Robert Howarth¹⁴. There are also accidents, explosions, pipe fractures, liquid gas storage leaks, deliberate releases of gas known as “blowdowns.” Natural Gas must be phased out if we are serious about addressing Climate Change.

¹² <https://web.stanford.edu/group/efmh/jacobson/Articles/I/NewYorkWWSEnPolicy.pdf>

¹³ http://www.eeb.cornell.edu/howarth/publications/Howarth_et_al_2012_National_Climate_Assessment.pdf

¹⁴ <https://unfccc.cloud.streamworld.de/webcast/dr-robert-howarth-is-the-global-spike-in-methane-e>

QUESTIONS TO DANSKAMMER:

I am asking Mr. Mayor and City Council to request Danskammer to provide the following information prior to July 29, 2019 workshop:

1. What are estimated emissions of CO₂, NO_x, VOC and other substances for the new plant, A) per MWh of electricity produced B) annually.
2. What are the emissions of CO₂, NO_x, VOC and other substances for the current plant, A) per MWh of electricity produced B) yearly for 2016, 2017, 2018.
3. What is the total amount of MWh / GWh the current plant produced in 2016, 2017, 2018
4. How many times the plant “fired up” in 2016, 2017, 2018.

On behalf of myself, my family and Green Beacon Coalition I urge you to carefully review the available data, think strategically about the planet our kids and grand-kids would inherit and not be misled by contrived facts and threats coming from Danskammer.

Sincerely,

Sergei Krasikov

July 1, 2019

Dear Mayor Casale and Beacon City Councilors,

Danskammer Energy is writing this letter in response to the resolution opposing the proposed repowering of the Danskammer facility in the town of Newburgh that is before the Beacon City Council for a vote on July 1, 2019. After reading the resolution it has become apparent that the Council may be lacking some of the facts about the project. Much of the information contained in the resolution before you is misleading, whether intentional or not, and seems to be based on talking points from opposition groups working to undermine a project that would ultimately benefit the entire region. For instance, to claim that the region received a D rating from the American Lung Association because of the Danskammer facility is a misrepresentation of the facts. That rating was given when Danskammer was a coal-fired facility and to compare a 1950s coal fired facility which is a far cry from a 2020 natural gas facility when it comes to air quality.

As a natural gas customer, like most people in the region, Danskammer does not frack and we don't decide where our gas comes from. Roughly 90% of the natural gas used in New York and the U.S. is fracked. We purchase our gas from Central Hudson utility – just like the homes and businesses in Orange County. So, the gas used to heat and electrify homes is the same gas we use. Central Hudson purchases gas from production sources based on price and availability and it is then sent to the utility via gas pipeline. We are simply a customer of Central Hudson. The United State is currently very dependent on natural gas, which is domestically produced, and it has helped to significantly reduce our reliance on coal and oil, both of which are much dirtier.

When Indian Point goes down, the state will need additional energy sources to keep people's lights on. Indian Point provides about 2,200 megawatts of power to NY. Two new plants are open/under construction in the lower Hudson valley: CPV and Cricket Valley. Together these will supply about 1500-1700 megawatts of power to the region. Danskammer's existing facility is 511 megawatts. When it is shut down and the new facility is turned on it would be able to go up to 600 megawatts. That would supply the needed additional power, as well as continue to fill in the gaps we do now on the hottest of hot and the coldest of cold days.

The state has just set ambitious new renewable goals, but it will take NY a while to get there. Currently, there are no wind projects under construction in the state and there isn't sufficient transmission to get the wind from rural upstate, where there is room to build it, to the downstate area, where most of the population sits. Once those renewable projects and transmission are built, Danskammer will be used less and go back to being a peaker plant. In the interim, the state needs a "bridge" to the future when renewables make up a larger portion of energy production statewide.

We would like to emphasize that Danskammer will be run as more of a baseload facility when Indian Point closes, whether we build a cleaner and more advanced plant or keep the existing one running. The new plant will offer a number of efficiencies and improvements through this

modernization. Right now, we use Hudson River water to cool our facility and then put it back in the Hudson much warmer. We would no longer need to do this with the new, air-cooled facility, so it's better for the river and all its aquatic life. Also, right now we take 11 hours to start up if the state calls on us to run. We are emitting the entire time we are powering up before we have even created one electron of energy for the grid. Our new facility would start up in minutes and be able to support the grid in a more reliable way – especially when unpredictable renewables (wind stops blowing, sun stops shining) stop working.

Danskammer believes in climate change and in making responsible choices to combat the issue. However, as unfortunate as it is, there is not enough wind and solar in New York to replace the existing energy infrastructure. We would also like to add battery power and solar on site to further support the renewable grid as it is developed.

Lastly, there is much Danskammer is still in the midst of studying about the project – noise, traffic, water and air impacts, etc. Once these studies are complete they will be submitted to the state for review as part of our application. At that time we would be happy to return and share that information with the Council and answer any additional questions you may have. But we would also request that the Council wait until that information is available so that an informed decision can be made about the Danskammer project. The project should be reviewed by all government bodies on its merits anything short of that would be irresponsible.

We appreciate your time and consideration in this matter. We look forward to speaking with you more in the future.

Sincerely,

Michelle Hook

VP of Public Affairs, Danskammer Energy

An aerial photograph of an industrial facility, likely a power plant or refinery, situated along a wide river. The facility features several large, cylindrical storage tanks, a complex network of pipes and walkways, and multiple smokestacks. Two prominent smokestacks in the foreground are emitting thick plumes of white smoke that drift upwards and across the sky. The river occupies the left side of the frame, with a small boat visible in the distance. The surrounding landscape is a mix of dense green forest and cleared industrial areas. In the bottom right corner, there is a small, irregularly shaped pond or wetland area. The overall scene suggests a juxtaposition of nature and industry.

THE NEW DANSKAMMER

THE WRONG PLACE AT THE WRONG TIME

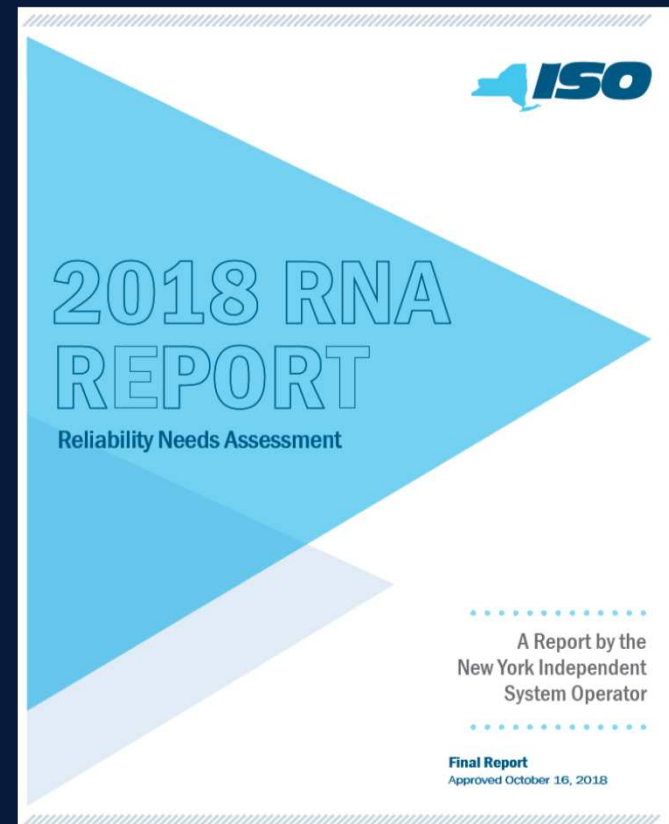
Hayley Carlock, Esq.
Scenic Hudson

Jeffrey Anzevino/Scenic Hudson

Do We Need Danskammer to Keep the Lights On?

NO!

- NYISO's 2018 Reliability Needs Assessment found that after Indian Point's closure, there will be no problems with electricity reliability for the ten-year planning horizon – WITHOUT a new Danskammer.
- Transmission projects underway and expected to be online by 2023 to bring 1450+MW of power from Western/Northern NY
- 1700MW of offshore wind contracts awarded
- Existing plant will almost certainly cease to operate within the next 10 years, with or without a new plant.



Environmental Impacts



- New plant will certainly produce more air pollutants on an annual basis than existing Danskammer facility
 - Existing Danskammer plant runs 2-3% of the time
 - New plant baseload facility expected to run >75% of the time
 - Danskammer claims new plant could be “up to” 40% more efficient “per megawatt hour”= tenfold or more increase in total air emissions, including carbon dioxide, nitrogen oxides, ozone, particulate matter
- Landmark NYS climate legislation just signed: Net zero emissions from electricity generation by 2040.

Environmental Impacts

- 3 Million+ gallons of diesel fuel stored onsite
- Sited in extremely floodprone area – will only get worse with climate change
- Continued industrialization of Hudson waterfront, including 150+’ exhaust stacks
- Lock us into 50+ years of fossil fuel infrastructure



The mid-Hudson Valley already bears more than its fair share of polluting power plants

- Already two new major natural gas plants under construction/operating within 30 miles of Beacon
- Pollution from power plants degrades air quality and ozone pollution, contributing significantly to respiratory and other health problems
- Lower Hudson Capacity Zone creates strong financial incentive for power plant developers to build here. Good for their wallets, bad for us!
- Same # of jobs or more can be created by sustainable energy projects in the Hudson Valley



NYS Public Service Law Article 10: One-Stop Shopping for Power Plants

- Any electricity-generating plant
- Over 25 megawatts in nameplate capacity
- All state and local permits and approvals reviewed through this process
- Local laws can be overridden if they are “unreasonably burdensome”
- Involves in-depth review of economic, energy system, public health and environmental impacts and consistency with NYS Energy Policy





NEW YORK
STATE OF
OPPORTUNITY.

Board on Electric Generation Siting and the Environment

Pre-Application Phase

Formal Application Phase

Formal Application
Submitted

Final Public Involvement
Program (PIP) Plan Filed
Preliminary Scoping Statement
(PSS) Submitted
Public Comment

Developer Response to
Comments

Stipulations Negotiations
Public Comment

Siting Board Review
Submit Written Comments
on Formal Application

Trial-Type Evidentiary Hearings
Public Statement Hearings

Siting Board Review
Final Decision

Key Opportunities
for Public Participation

Siting Board Decision

The Siting Board must make explicit determinations that:

- (a) the facility is **beneficial to the state's electric system**;
- (b) the construction and operation of the facility will **serve the public interest**;
- (c) the **adverse environmental effects** of the construction and operation of the facility **will be minimized or avoided** to the maximum extent practicable;
- (d) if the facility results in or contributes to a significant and adverse disproportionate environmental impact in the community in which the facility would be located, the applicant will avoid, **offset or minimize the impacts caused by the facility**;
- (e) the facility is designed to operate in compliance with applicable laws, except that the **Siting Board may elect not to apply any local law it finds to be unreasonably burdensome**.

An aerial photograph of an industrial facility, likely a power plant or refinery, situated along a wide river. The facility features several large, cylindrical storage tanks, multiple buildings, and two prominent smokestacks emitting thick white plumes of smoke that drift across the sky. The river occupies the left side of the frame, with a small boat visible in the distance. The surrounding landscape is a mix of dense green trees and cleared industrial areas. The word "QUESTIONS?" is superimposed in large, bold, black capital letters in the upper center of the image.

QUESTIONS?

Hayley Carlock, Esq.
Scenic Hudson

Jeffrey Anzevino/Scenic Hudson

City of Beacon Workshop Agenda
7/29/2019

Title:

Noise Ordinance Local Law

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from Keane and Beane Regarding the City of Beacon Noise Ordinance	Cover Memo/Letter
Proposed Local Law to Amend Chapter 149 and Chapter 223 Section 29 of the Code of the City of Beacon.DOCX	Local Law
Beacon Noise Code Time References	Backup Material

MEMORANDUM

TO: Mayor Casale and
Members of the City of Beacon City Council

FROM: Keane & Beane, P.C.

RE: Noise Ordinance

DATE: July 24, 2019

Based on the City Council's comments at the last workshop meeting and comments raised by City staff and the City's noise consultant, the following changes have been made to the local law amending Chapter 149, Noise:

1. We have removed the following definitions from the proposed local law because they are no longer used in Chapter 149 as a result of the recent changes:
 - a. Continuous Source Sound Level
 - b. Sound Level Meter Calibrator
 - c. Total Sound Level
2. Section 149-6.A(2) was amended to update how impulsive sounds shall be measured. Under the revised language, impulsive sounds are now measured in half hour increments rather than in one hour increments.
3. Section 149-6 was deleted, which stated "sound devices on public transportation: operating, playing or permitting the operation or playing of any radio, phonograph, tape player, compact disc player, cell phone, television receiver or similar device on or in any method of public transportation in such a manner that the sound from such device is audible to any other person." This section is included in the City's existing noise ordinance under Section 149-6H, however, it is very difficult to enforce this provision as drafted. In response to the City's concerns, we replaced this language with the following language: "Self-contained, portable, non-vehicular music or sound production devices shall not be operated in any public space or public right-of-way in such a manner as to be plainly audible at a distance of 25 feet in any direction from the operator."
4. Section 149-7.B. was updated to include the following language: "No commercial facility shall operate, play, or permit the operation or playing of any sound production device outdoors, without first obtaining a permit pursuant to § 149-10. Commercial facilities operating playing or permitting the operation or playing of any sound production device indoors, shall keep their doors and windows

closed at all times, except as necessary for entrance or egress.” All outdoor music is prohibited unless the property owner and/or business operator obtains a permit to allow the operation of outdoor music.

5. Section 149.7.D(2) was updated to prohibit animal noise (i.e. howling, yelping, barking, squawking) occurring intermittently for ten (10) minutes. This Section previously prohibited animal noise occurring intermittently for a period of twenty (20) minutes.
6. The last sentence of Section 149-7.E was amended to delete the phrase “as measured at the property line.” City staff believes it is clearer if this provision prohibits sound from loading and unloading that creates a noise disturbance across a residential real property line of an affected person.
7. At its workshop meeting, the City Council did not believe it was necessary to have two different standards by which to measure vehicular music. In response to the City Council’s comments, Section 149-7.F(4) was deleted in its entirety and Section 149-7.F(3) was amended as follows: “Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 25 feet in any direction from the operator ~~between the hours of 8:00 a.m. and 10:00 p.m.~~”
8. Section 149-9, Sound level measurement procedures and calculation of corrected source sound level, was deleted in its entirety and will instead be incorporated as police policy.
9. Under Section 149-10, applications for noise permits will be made to the Building Department, rather than the City Clerk. The Building Department has a better understanding of the City’s noise permit requirements and can effectively review applications to determine completeness.
10. Section 149-10, was further amended to provide a specific one year permit for commercial facilities playing or operating outdoor sound (149-10.B(1)).
11. The following three additional factors were added Section 149-10.G as factors the City should consider when reviewing an application: (a) the number of permits previously issued to the applicant and (b) the number of permits issued permitted sound source operations at the subject property, and (c) the number of previous noise complaints received in connection with the operation of any sound source at the subject property.
12. Subsection L was also added to Section 149-10, which sets forth a procedure by which the City may revoke, suspend or modify a one year permit issued to a commercial facility. The Building Department must issue written notice to the permit holder and/or property owner and provide the permit holder and/or property owner an opportunity to be heard before revoking, suspending or modifying the permit.

DRAFT LOCAL LAW NO. ____ OF 2019

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO
AMEND CHAPTER 149 AND CHAPTER 223 SECTION 29 OF THE CODE OF THE
CITY OF BEACON**

A LOCAL LAW to amend Chapter 149 and Chapter 223 Section 29 of Code of the City of Beacon, concerning noise regulations.

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

Section 1. Chapter 149 of the Code of the City of Beacon entitled “Noise” is hereby amended as follows:

§ 149-1 Title.

This ~~chapter~~Chapter shall be known and cited as the "City of Beacon Noise Control Law."

§ 149-2 Legislative Intent.

The intent of this ~~chapter~~Chapter is to supersede the present Noise Control Law of the City of Beacon by the enactment of the following provisions, definitions and standards for noise elimination or abatement in the City of Beacon.

§ 149-3 Findings and declarations.

It is hereby found and declared that:

- A. The making, creation or maintenance of loud, unnatural or unusual noises, which are prolonged and unnatural in their time, place and use, affect and are a detriment to the public health, comfort, convenience, safety and welfare of the residents of the City of Beacon.
- B. The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are for the purpose of securing and promoting the public health, comfort, convenience, safety and welfare, and the peace and quiet of the City of Beacon and its inhabitants.

§ 149-4 Definitions.

As used in this ~~chapter~~Chapter, the following terms shall have the meanings as indicated:

AFFECTED PERSON

Any person who has lodged a Noise complaint with the Building Department or Police Department that he or she is the receptor of Noise on property within the City, and said

Affected Person has an interest in the property as an owner, tenant, or employee.

AMBIENT SOUND

The sound level at a given location that exists as a result of the combined contribution in that location of all sound sources, excluding the contribution of the source or sources under investigation for potential violation of this eChapter and excluding the contribution of extraneous sound sources. Ambient sounds are differentiated from extraneous sounds by the fact that ambient sounds are being emitted the majority of the time although they may not be continuous. Examples of ambient sounds may include steady traffic of properly muffled vehicles, summer insects in the distance, pedestrians talking, and adjacent commercial/industrial operations or mechanical equipment.

BOOMBOX

~~Self-contained, portable, hand-held music or sound amplification or reproduction equipment capable of emitting sound that is audible at distances exceeding the permissible limits established within this chapter.~~

COMMERCIAL DISTRICT

All commercial districts as defined § 223-2 of the Code of the City of Beacon.

COMMON WALL BUILDING

Any building wherein there are two or more dwelling units.

COMMERCIAL AREA

~~A group of commercial facilities and the abutting public rights-of-way and public spaces.~~

COMMERCIAL FACILITY

Any premises, property or facility involving traffic in goods or furnishing of services for sale or profit, including but not limited to:

- A. Banking or other financial institutions.
- B. Dining establishments.
- C. Establishments providing retail services.
- D. Establishments providing wholesale services.
- E. Establishments for recreation and entertainment, including the serving of alcohol.
- F. Office buildings.
- G. Transportation.
- H. Warehouses.
- I. Establishments providing commercial living accommodations and commercial property used for human habitation, when such is the source of the sound under investigation.

COMMERCIAL SCHOOL

~~An educational or training establishment operated for a business, including the instruction of~~

~~language, dance, fine or applied arts, martial arts, business computers, trades, vocations or similar activity.~~

CONSTRUCTION

Any site preparation, assembly, erection, repair, alteration or similar action, but excluding demolition of buildings or structures.

CONTINUOUS SOUND

Sound with a duration of one second or longer measured by the slow response of a sound level meter. Impulsive sounds that are rapidly repetitive and occur over a period of time with a duration of one second or longer shall be measured as continuous sound.

DAYTIME HOURS

The hours between 7:00 a.m. and 8:00 p.m., Monday through Friday, the hours between 8:00 a.m. and 8:00 p.m. on Saturday and the hours 9:00 a.m. through 8:00 p.m. on Sundays and federal and state holidays.

dba

The sound level as measured using the "A" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(A). The "A" weighting network discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear.

DECIBEL

The practical unit of measurement for sound pressure level. The number of decibels of a measured sound is equal to 20 times the logarithm to the base of 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (20 micropascals); abbreviated as "dB."

DEMOLITION

Any dismantling, intentional destruction or removal of buildings or structures.

EMERGENCY WORK

Any work or action necessary to deliver essential services, including but not limited to repairing water, gas, electricity, telephone or sewer facilities or public transportation facilities, removing fallen trees on public rights-of-way or abating life-threatening conditions.

EXTRANEIOUS SOUND

Any sound that is intense and intermittent, and is neither ambient sound nor sound attributable to a source or sources under investigation for a potential violation of this chapter. Such sound includes but is not limited to sirens of emergency vehicles, unusually loud motor vehicle exhaust or braking, people shouting or talking next to the sound level meter, animal vocalizations, aircraft or trains passing, car door slams, etc. When conducting compliance measurements, such extraneous sound sources may be noted but their sound levels are excluded.

INDUSTRIAL DISTRICT

All industrial districts as defined in § 223-2 of the Code of the City of Beacon.

IMPULSE SOUND

Any sound with a rapid onset and rapid decay with either a single pressure peak or a single burst (multiple pressure peaks) having a duration of less than one second.

~~INDUSTRIAL FACILITY~~

~~Any activity and its related premises, property, facilities or equipment involving the fabrication, manufacture or production of durable or nondurable goods.~~

LEGAL HOLIDAYS

New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

MOTORIZED EQUIPMENT

Any power equipment utilizing an electric or internal-combustion engine.

MOTOR VEHICLE

Any vehicle that is propelled or drawn on land by an engine or motor.

MUFFLER

A sound-dissipative device or system for abating the sounds of escaping gasses of an internal-combustion engine.

~~MULTI DWELLING-UNIT BUILDING~~

~~Any building wherein there are two or more dwelling units.~~

MULTI-USE PROPERTY

Any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

- A. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or
- B. A building which is both commercial (usually on the ground floor) and residential property located above, behind, below or adjacent thereto.

~~MUSIC AMPLIFIED CARS~~

~~A personal or commercial vehicle with music amplification or reproduction equipment capable of emitting sound that is audible at distances exceeding the permissible limits established within this chapter.~~

NIGHTTIME HOURS

The hours between 8:00 p.m. and 7:00 a.m., Sunday evening through Friday morning, Friday evening 8:00 p.m. through 8:00 a.m. Saturday morning and Saturday evening 8:00 p.m. through 9:00 a.m. Sunday morning. Saturday nighttime hours apply to state and federal holidays.

NOISE CONTROL ADMINISTRATOR

The Code Enforcement Officer, the Building Inspector of the City of Beacon or the City of Beacon Police Department.

NOISE DISTURBANCE

Any sound that ~~exceeds the permissible levels of this chapter, and:~~

- A. Endangers the safety or health of any person.
- B. Disturbs a reasonable person of normal sensitivities, or.
- C. Endangers personal or real property.
- ~~D. Affects persons in the City of Beacon under subsection A, B, or C and is from a sound source located outside the City of Beacon city limits.~~

OUTDOOR SOUND

Sound or noise originating or emanating from outside a building or structure.

PERSON

Any individual, corporation, company, association, society, firm, partnership or joint-stock company.

PLAINLY AUDIBLE

Any sound that can be detected by an investigator using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a sound production device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The investigator need not determine the title, specific words, or the artist performing the song.

PUBLIC RIGHT-OF-WAY

Any street, avenue, boulevard, road, highway, sidewalk, alley or parking lot used by members of the general public.

PUBLIC SPACE

Any real property or structures therein that are either owned, leased or controlled by a governmental entity or used by members of the general public. Public space includes but is not limited to parks, sports fields or lots.

REAL PROPERTY LINE

Either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a common wall building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit).

~~Either the imaginary line, including its vertical extension, that separates one parcel of real property from another or the vertical and horizontal boundaries of a dwelling unit that is one in a multi-dwelling-unit building.~~

RESIDENTIAL AREA

~~A group of residential properties and the abutting public rights-of-way and public spaces.~~

RESIDENTIAL PROPERTY

Property used for human habitation, including but not limited to:

- A. Private property used for human habitation.
- B. Commercial living accommodations and commercial property used for human habitation.
- C. Recreational and entertainment property used for human habitation.
- D. Community service property used for human habitation.
- E. Hospitals, long-term medical or residential care facilities.

SCHOOL

~~Other than a commercial school, any place of education or instruction, college, university, theological seminary, convent, monastery, day-care center, children's day camp and religious retreat.~~

SOUND LEVEL

Unless otherwise stated, ~~T~~he sound pressure level measured in decibels with a sound level meter set for A-weighting; sound level is expressed in dBA.

SOUND-LEVEL METER

An instrument used to measure sound level which conforms to Type 1 or Type 2 standards specified by ~~ANSI Specifications S1.4-1974~~ the American National Standards Institute "Specifications for Sound Level Meters" S1.4-1984 (or subsequent revisions).

SOUND PRODUCTION DEVICE

Any device whose primary function is the production of sound, including, but not limited to any musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

WEEKDAY

Any day that is not a legal holiday, beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

WEEKDAY NIGHT

Sunday night through Thursday night, excluding nights preceding legal holidays.

WEEKEND

Begins on Friday at 6:00 p.m. and ends on the following Monday at 7:00 a.m.

WEEKEND NIGHT

Friday and Saturday nights and the nights preceding legal holidays

§ 149-5 Noise disturbance prohibited.

It shall be unlawful for any person to make, continue, cause or allow, orally or mechanically, any noise disturbance affecting persons in the City of Beacon.

- A. The general standards to be considered in determining whether such noise disturbance exists include, but are not limited to, the following:

- (1) The intensity of the noise under investigation for violation of this Chapter.
- (2) Whether the nature of the noise is usual or unusual.
- (3) Whether the origin of the noise is natural or unnatural.
- (4) The volume and intensity of the ambient noise, if any.
- (5) The proximity of the noise to parks or other public places, hospitals, nursing homes, day-care centers or schools, and houses of worship.
- (6) The nature and the zoning district of the area within which the noise emanates.
- (7) Whether the noise trespasses into a residential dwelling and infringes on the ability of an affected person to repose or sleep, or trespasses into a commercial establishment and infringes on the ability of an affected person to conduct normal business activities.
- (8) The time of day or night the noise occurs.
- (9) The duration of the noise.
- (10) Whether the sound source is temporary.
- (11) Whether the noise is continuous or impulsive.
- (12) The presence of discrete tones
- (13) Whether the emission of the noise is purposeful or unnecessary and serves no legitimate purpose.

§ 149-6 Sound level limits.

A. No person shall operate or cause to be operated any source of sound from any use occupancy in such a manner as to create a sound level which exceeds the limits set forth in the use occupancy category in Table 1, when measured at or within the property line of an affected person.

- (1) Continuous Sound. The limit in Table 1 may not be exceeded in three or more measurement periods within any one-hour period. Each measurement period must be no less than one half minute. If the total duration of the sound under investigation is less than one and one half minute, the requirement for a minimum of three measurements shall be waived.

TABLE 1
MAXIMUM PERMISSIBLE SOUND LEVEL LIMITS
BY RECEIVING LAND USE
dB(A)

<u>Residential¹</u> <u>7:00 AM – 10:00 PM</u>	<u>Residential</u> <u>10:00 PM – 7 AM</u>	<u>Commercial</u> <u>24 hours</u>	<u>Industrial</u> <u>24 hours</u>
<u>OUTDOORS</u>			

<u>60</u>	<u>50</u>	<u>65</u>	<u>70</u>
<u>INDOORS²</u>			
<u>50</u>	<u>40</u>	<u>55</u>	<u>60</u>

1. If the residential receptor is within a commercial or industrial district, or within 200 feet of such a district, the permissible sound level limits in Table 1 are increased by 5 dB(A) during daytime hours. This increase in limit shall not apply to the sound emissions of a Sound Production Device operated by a commercial facility after 8:00 PM on nights before days that the Beacon City School District is in session (i.e. “a school night”).
2. Indoor measurements for compliance with Table 1 shall only be taken if the sound source is on or within the same property as the receiving property, as in the case of a common wall building or a multi-use property (e.g., sound generated within a commercial unit of a multi-use property building and received within a residential unit of the same building). In addition, indoor measurements shall be taken if the property line between the receiving property and the source property is a common wall, floor or ceiling

(2) Impulsive Sound:

- (a) No person shall make, cause, allow or permit the operation of any impulsive source of sound that has a maximum sound level in excess of eighty (80) dBA, when measured at or within the real property line of an affected person. If an impulsive sound occurs more frequently than ten (10) times in any half hour the levels set forth in Table 1 shall apply. At nighttime, if an impulsive sound occurs more frequently than four (4) times in any half hour the levels set forth in Table 1 shall apply.
- (b) If measurements of impulsive sound are conducted indoors, the permissible limit is sixty (60) dBA. If an impulsive sound occurs more frequently than ten (10) times in any half hour the levels set forth in Table 1 shall apply. At nighttime, if an impulsive sound occurs more frequently than four (4) times in any half hour the levels set forth in Table 1 shall apply.

§ 149-6-7 Specific prohibited acts, restricted uses and activities:-

In addition to the general prohibitions set out above and the maximum permissible sound levels set out in Tables 1, and unless otherwise exempted in this eChapter, the following specific acts are hereby declared to be in violation of this eChapter. The following acts are declared to be a violation of § 149-5 when exceeding the sound limits in Table I of this chapter. This enumeration shall not be deemed to be exclusive.

- A. Sound ~~production devices-reproduction systems~~: operating, playing or permitting the operation or playing of any ~~radio, phonograph, tape player, compact disc player, television, receiver or similar device that reproduces or amplifies sound, or sound produced orally~~ sound production device, in such a manner as to create a noise disturbance ~~as measured at or within~~ the property line ~~of for any affected person other than the operator of the device. The owner of the establishment from which the sound is released and the person transmitting the sound are separately liable for a violation of this chapter. Commercial facilities, such as dining, recreation or entertainment facilities keep their doors and windows closed during hours of operation except as necessary for entrance or egress.~~

- (1) Prima facie evidence of a violation of this section and the creation of a noise disturbance shall include but not be limited to the operation of such a device between the hours of 10:00 PM and 7:00 AM in such a manner that it is plainly audible inside the dwelling of an affected person.
- (4)(2) The limits in Table I shall also apply at all times. -
- B. No commercial facility shall operate, play, or permit the operation or playing of any sound production device outdoors, without first obtaining a permit pursuant to § 149-10. Commercial facilities operating playing or permitting the operation or playing of any sound production device indoors, shall keep their doors and windows closed- at all times , except as necessary for entrance or egress
- C. Loudspeakers and public-address systems mounted outdoors or indoors within 10 feet of an open door or window: using or operating any loudspeaker, public-address system or similar device is prohibited between the hours of 10:00 p.m. and 7:00 a.m. of the following day, such that the sound therefrom creates a noise disturbance across a residential real property line as measured at the property line.
- ~~C. Animals and birds: owning, possessing or harboring any animal or bird that frequently or for a continued duration makes or creates a noise disturbance across a residential real property line as measured at the property line. A noise disturbance includes an animal or bird emitting a noise disturbance continually for 10 minutes or intermittently for 30 minutes.~~
- GD. Animals: it shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which creates a noise disturbance or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the noise disturbance when ordered to do so by a -Noise Control Officer or Noise Control Investigator Administrator. Prima facie evidence of a violation of this section shall include but not be limited to:
- (1) Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
- (4)(2) Vocalizing for ten (10) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.
- (3) It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.
- ~~DE. Loading and unloading: loading, unloading, opening, closing or other handling of boxes, crates, containers, bales, cans, drums, refuse or similar objects or the pumped loading or unloading of materials in liquid, gaseous, powder or pellet form between the hours of 10:00 p.m. and 7:00 a.m. the following day when the sound therefrom creates a noise disturbance across a residential real property line as measured at the property line of an affected person.~~
- EF. Motor vehicles: The registered owner of the vehicle, if present when the violation occurs, is in violation of this section. If the owner of the vehicle is not present, the violation will be served upon the person in charge or control of the vehicle, or anyone who assists in the production of the sound that is found to be in violation.

- (1) ~~Operating or permitting the operation of any motor vehicle, or any auxiliary equipment attached to such a vehicle, for a period longer than five minutes in any sixty-minute period- while the vehicle is stationary for reasons other than traffic congestion or emergency work on a public right-of-way or public space within 150 feet of a residential area, or operating or permitting the operation of any motor vehicle~~ so out of repair or in such a condition as to create a noise disturbance.
- (42) No motor vehicle may be operated without a properly functioning muffler on a public right-of-way. ~~Ty.~~
- (2) ~~The operation of a vehicle which is unmuffled or is equipped with straight pipes is a violation of this chapter.~~Chapter.
- ~~It shall be unlawful to operate a car radio or car stereo so that the sound produced exceeds the sound level limits in Table I at a distance of 25 or more feet from the vehicle.~~
- (3) ~~Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.~~
- (4) ~~Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.~~
- (35) ~~The registered owner of the vehicle, if present when the violation occurs, is in violation of this section. If the owner of the vehicle is not present, the violation will be served upon the person in charge or control of the vehicle, or anyone who assists in the production of the sound that is found to be in violation.~~
- (46) The horn or signaling device on any motor vehicle may not be operated, except when used as a danger or traffic warning signal, and such operation must terminate when the danger has passed.
- (57) ~~It shall be unlawful for a motor vehicle to audibly sound a false alarm.~~
- (67) An exterior alarm of a motor vehicle must not audibly sound for more than five minutes continuously or 10 minutes intermittently. While operating within these parameters, the limits in Table 1 do not apply.
- (8) It shall be unlawful to create a noise or disturbance or operate a motor vehicle in such a manner as to cause excessive squealing or other excessive noise of the tires.

~~FG.~~ Construction, repair and demolition: excluding emergency work, operating or permitting the operation of any tool or equipment used in construction, repair, demolition or excavation shall not be permitted between the hours of ~~7~~8:00 p.m. and ~~7~~8:00 a.m. on any day unless it can meet the limits in Table 1. At all other times the limits set forth in Table 1 do not apply. ~~Such operation does not constitute a violation if the tool or equipment is used in an emergency situation.~~ This section shall not apply to ~~the following activities so long as they are operating within the time and volume parameters set forth by this chapter:~~ road maintenance/ improvement on preexisting roads or preventative maintenance on the sewer mains and pipes, on which daytime construction would prove disruptive to traffic flow. All motorized equipment

used in construction and demolition activity shall be operated with a muffler.

- ~~GH.~~ Power tools: operating power tools used for landscaping and yard maintenance, excluding emergency work, within 200 feet of a residential property line shall not be permitted between the hours of 7:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or legal holidays, unless such activities can meet the limits set forth in Table I. All motorized equipment used in these activities shall be operated with a muffler. ~~The limits set forth in Table I notwithstanding, the sound levels from these power tools may not exceed 70 dBA when measured at the property line of an affected person, for a duration exceeding, at or within the property line of an affected person, 15 minutes continuously or 30 minutes intermittently in any single day, between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, or between the hours of 8:00 a.m. and 9:00 p.m. on weekends or legal holidays. At all other times, the limits in Table 1 do not apply.~~
- ~~HI.~~ Self-contained, portable, non-vehicular music or sound production devices shall not be operated in any public space or public right-of-way in such a manner as to be plainly audible at a distance of 25 feet in any direction from the operator. ~~Sound devices on public transportation: operating, playing or permitting the operation or playing of any radio, phonograph, tape player, compact disc player, cell phone, television receiver or similar device on or in any method of public transportation in such a manner that the sound from such device is audible to any other person.~~
- ~~IJ.~~ Miscellaneous sound producers: creating or emitting a noise which constitutes a noise disturbance by any manner, including but not limited to a horn, siren, whistle, shout, bell, musical instrument, tool or engine.
- ~~KJ.~~ The operation of a standby or portable generator is exempt from the limits in this eChapter when there is a power outage. The regular testing/exercising of a generator must be conducted during weekdays between the hours of 8:00 AM and 4:00 PM and for the minimum duration suggested by the manufacturer. During such testing the sound level limit shall be 70 dBA at the property line of any affected person. The permissible limits in Table 1 apply to the operation of generators tested outside of the prescribed hours or operated when there is no power outage. No person shall at any time operate a generator during nighttime hours in a Residential District unless there is a power outage. Generators used on a permitted construction site may not exceed 65 dBA at the property line of any affected person.
- ~~LK.~~ Repairing, rebuilding, modifying or testing any motor vehicle, motorcycle or motorboat in such a manner as to cause a frequent, repetitive or continuous noise disturbance across the real property line of an affected person or between the hours of 10:00 PM and 8:00 AM. When these activities are conducted between 8:00 AM and 10:00 PM, and do not cause a noise disturbance, the limits in Table 1 do not apply.

~~§ 149-7 Prima facie evidence of noise disturbance.~~

~~The following shall be considered prima facie evidence of a noise disturbance:~~

- ~~A. A sound level reading taken at a dwelling within a multi-dwelling-unit building, arising from any location within a multi-dwelling-unit building, above 55 dBA during the time period commencing at 7:00 a.m. and ending at 10:00 p.m.~~
- ~~B. A sound level reading taken at a dwelling within a multi-dwelling-unit building, arising from any location within a multi-dwelling-unit building, above 45 dBA during the time period~~

~~commencing at 10:00 p.m. and ending at 7:00 a.m. the next day.~~

- ~~C. A sound level reading taken at a residential property line, arising from another residential property, above 70 dBA during the time period commencing at 7:00 a.m. and ending at 10:00 p.m.~~
- ~~D. A sound level reading taken at a residential property line, arising from another residential property, above 50 dBA during the time period commencing at 10:00 p.m. and ending at 7:00 a.m. the next day.~~
- ~~E. A sound level reading taken at a residential property line, arising from a commercial property, an industrial property, a public space or a public right-of-way, above 70 dBA during the time period commencing at 7:00 a.m. and ending at 10:00 p.m.~~
- ~~F. A sound level reading taken at a residential property line, arising from a commercial property, an industrial property, a public space or a public right-of-way, above 50 dBA during the time period commencing at 10:00 p.m. and ending at 7:00 a.m. the next day.~~
- ~~G. A sound level reading taken at a commercial property line at any time, arising from any property source, above 70 dBA.~~
- ~~H. A sound level reading taken at an industrial property line at any time, arising from any property source, above 70 dBA.~~

§ 149-8 Exemptions.

The following sounds are exempt from the restrictions of this ~~chapter~~Chapter:

- A. Sounds from motorized equipment such as power tools, lawn mowers and garden equipment when operated ~~between the hours of 9:00 a.m. and 8:00 p.m.~~between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, or between the hours of 8:00 a.m. and 9:00 p.m. on weekends or legal holidays., ~~provided that they produce less than 70 dBA at any property line of a residential property.~~
- B. Sound from ~~the~~ bells or chimes, which may include electronic devices that imitate the sound of bells or chimes of a church, synagogue or other house of worship, while being used in conjunction with religious services.
- C. Sound from a snow blower, snow thrower, electric snow shovel or snowplow used for the purpose of snow removal.
- D. Sound from an exterior burglar alarm of any building ~~or motor vehicle~~, provided that such alarm shall terminate within 15 minutes after it has been activated.
- E. Sound used for the purposes of alerting a person of an emergency.
- F. Sound from the performance of emergency work.
- G. Sound from a municipally sponsored ~~or approved celebration or event~~or one for which a permit has been issued by the city. Permitted events are subject to the conditions of the permit, which may include restrictions on the hours of operation and alternative sound level limits.

~~G.H.~~ National warning system (NAWAS); systems used to warn the community of attack or imminent public danger such as flooding, explosion or hurricane.

~~H.I.~~ Sounds from municipal-sponsored projects, work or repairs as ordered by the ~~City Engineer or City Highway Superintendent~~ City Administrator, or his or her designee.

~~J.~~ ~~Emergency generators which may be used during a power failure.~~ J. Motor vehicles on public roadways otherwise in compliance with §149-7F.

K. The unamplified human voice is exempt from the sound level limits of this eChapter, however, it may be determined that an individual is creating a noise disturbance pursuant to § 149-5.

L. Surface carriers engaged in commerce by railroad.

M. Noise of aircraft flight operations.

§ 149-9 Sound level measurement procedures and calculation of corrected source sound level.

For the purpose of determining sound level as set forth in this eChapter, the following guidelines shall be applicable:

A. All personnel conducting sound measurements shall be trained in the current techniques and principles of sound measuring equipment and instrumentation. Provisions of this eChapter that do not require sound measurements may be enforced by any officer of the City of Beacon Building Department and Beacon Police Department.

B. Sound level meters and calibrators used to conduct measurements shall conform to the definitions of this eChapter.

C. The sound level meter and calibrator shall be recertified annually by the manufacturer or at a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology.

D. The general steps listed below shall be followed when conducting sound level measurements:

(1) A field calibration check of the sound level meter shall be conducted before and after each set of measurements. If the meter drifts by more than 0.5 dB between calibrations, all measurements taken since the last valid calibration shall be voided.

(2) When measurements are taken out of doors, a wind screen shall be placed over the microphone of the sound level meter as per the manufacturer's instructions. Wind speed measurements shall be taken at the sound measurement location, and sound measurements shall not be conducted when the wind speed exceeds 12 MPH. Measurements may be taken in a location where the microphone is shielded from excess wind speeds.

(3) The sound level meter shall be placed at an angle to the sound source as specified by the manufacturer's instructions and at least four feet above the ground.

- ~~(4) Unless otherwise specified in this Chapter, sound level measurements or observations shall be conducted at or within the property line of an Affected Person, at any location or elevation on their property or within their premises that reasonably represents a location at which they may be exposed to the noise. This may include but is not limited to conducting measurements at an elevated balcony or bedroom window.~~
- ~~(5) The investigator shall survey the immediate vicinity of the source under investigation, in order to confirm the identity of the source, and to select suitable locations for the measurement of the Total Sound Level and the Ambient Sound Level.~~
- ~~(6) Total Sound Level measurements shall be conducted at or within the property lines of the affected person, unless otherwise specified in this Chapter. The location of outdoor measurements, at the discretion of the investigator, should represent a location on that property which would see regular use by the affected person during the day, or be within 25 feet of the residential structure at night. The maximum sound level meter reading shall be noted during each period of observation, which is observably resulting from sound emissions of the source under investigation. The reported levels shall exclude extraneous sounds.~~
- ~~(7) When conducting indoor sound level measurements, the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be open or closed. The configuration of the windows and doors shall be the same when measuring Total and Ambient Sound Levels, and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas that receive only casual use such as hallways, closets and bathrooms.~~
- ~~(8) Ambient Sound Level measurements shall be conducted in such a manner as to quantify the contribution of the ambient sound sources to the location at which the Total Sound Measurements were conducted. If sound from the source under investigation can reasonably be discontinued, these measurements shall be conducted at the same location at which the Total Sound Level measurements were conducted, while the source under investigation is not operating. If sound from the source under investigation can not reasonably be discontinued (per § 149-10 B) then for purposes of enforcement of this code, the ambient sound level of a given location may be determined based upon measurements taken at a comparable site (which includes but is not limited to comparable physical locations and time of day) in the nearby area. The choice of an alternate location or time for these measurements must take into consideration the primary source(s) of ambient sound (e.g., a major roadway), and remain the same relative distance from that ambient sound source at the new measurement location when compared to the distance between the ambient source and the location at which the Total Sound Level measurements were conducted, with traffic patterns relatively the same. The maximum sound level meter reading shall be noted during the periods of observation, excluding extraneous sounds.~~
- ~~(9) Measurements of continuous sound are conducted with the meter set for slow response and measurements of impulse sound are conducted with the meter set for fast or impulse response.~~

~~E. The Corrected Source Sound Level shall be calculated by subtracting the Ambient Sound Level from the Total Sound Level, as per Table 2, below. This procedure is utilized to determine compliance with the limits in Table 1.~~

TABLE 2
CORRECTION FOR
AMBIENT SOUND LEVELS
dB

<u>Difference between Total Sound Level and Ambient Sound Level (TSL-ASL) in dB</u>	<u>Correction Factor to be Subtracted from Total Sound Level to Calculate Corrected Source Sound Level</u>
<u>0-3</u>	<u>Source Level < Ambient Sound Level</u>
<u>4,5</u>	<u>2</u>
<u>6-9</u>	<u>1</u>
<u>10 or more</u>	<u>0</u>

Procedure for Using Table 2

Step 1: Subtract the Ambient Sound Level from the Total Sound Level.

Step 2: Refer to Table 2 to determine the correction factor for the difference calculated in Step 1.

Step 3: Subtract the correction factor from the Total Sound Level. The resultant number is the Corrected Source Sound Level.

~~EE. Compliance determination shall be based upon the Corrected Source Sound Level.~~

~~(1) No violation shall be based upon any exceedance that is the result of numerical rounding.~~

~~(2) A violation shall only be confirmed if the Corrected Source Sound Level exceeds both the permissible sound level limits in Table 1 and the measured Ambient Sound Levels.~~

~~§ 149-9 Sound level limits.~~

Table I

Maximum Permissible Sound Level Limits

	<u>Residential</u> <u>(7:00 a.m. to 10:00 p.m.)</u>	<u>Residential</u> <u>(10:00 p.m. to 7:00 a.m.)</u>	<u>Commercial</u> <u>(24 hours)</u>	<u>Industrial</u> <u>(24 hours)</u>
<u>Outdoors</u>	<u>70</u>	<u>50</u>	<u>70*</u>	<u>70*</u>

Table I-

Maximum Permissible Sound Level Limits

	Residential- (7:00 a.m. to 10:00 p.m.)-	Residential- (10:00 p.m. to 7:00 a.m.)-	Commercial- (24 hours)-	Industrial- (24 hours)-
(dBA)				
Indoors	55	45	55*	65*

(dBA)

NOTES:

* Does not pertain to levels identified in § 149-7E and F

§ 149-109 Inspections.

- A. For the purpose of determining compliance with the provisions of this eChapter, the Noise Control Administrator or his or her designated representative is hereby authorized to make inspections of all noise sources and to take measurements and make tests whenever necessary to determine the quantity and character of noise.
- B. No person shall refuse to allow the Noise Control Administrator or his or her designated representative to perform reasonable sound testing on any device or devices, including but not limited to requiring the temporary shutting down of said device or devices for the purposes of such testing except that upon showing that the inspection would produce a noticeable interruption of services that would cause discomfort to employees or customers or require a building engineer or other professional to work with the equipment, such authorized employee shall reschedule the inspection for a more convenient time.
- C. In the event that any person refuses or restricts entry and free access to any part of a premises or refuses inspection, testing or noise measurement of any activity, device, facility or process where inspection is sought, the Noise Control Administrator and/or designated representative may seek from the appropriate court a warrant without interference, restriction or obstruction, at a reasonable time, for the purpose of inspecting, testing or measuring noise.
- D. No person shall hinder, obstruct, delay, resist, prevent in any way, interfere or attempt to interfere with any authorized person while in the performance of his/her duties under this eChapter.

§ 149-10 Application for noise permitsvariance:

- A. A. No person shall own, operate, or create a sound source as described in this section without having first obtained a noise permit from the City of Beacon, covering outdoor music operations

at commercial facilities or ~~the~~ specific celebrations or operations described herein. Applications for permits shall be made to the Building Department, on a form provided by the Building Department of the City of Beacon, and shall be reviewed and approved by the City Administrator, Chief of Police and Building Inspector. The City shall have the power to impose restrictions and conditions upon any sound source site.

B. For purposes of this section, the following sound sources shall require permit approval from the City of Beacon:

- (1) Any commercial facility operating, playing or permitting the operation or playing of any sound production device outdoors.
- (2) Private or public celebrations. Any person seeking to hold a public or private celebration which may violate provisions of this Chapter shall require a permit from the City of Beacon. The permit shall enumerate the specific date(s) and times for which the permit is valid and may establish specific sound level limits that apply during the period of the permit which may not be exceeded at the nearest affected residential or noise sensitive property. A private or public celebration in a public space may require additional approval from the City of Beacon Recreation Department. A noise permit shall be required, except where such noise permit is required in connection with any special event permit defined in § 211-13.2, in which case a separate noise permit shall not be required.
- (3) Construction projects outside of permissible hours. Applications for after-hours construction permits shall include an explanation as to why the construction could not be completed during regular hours, as well as a presentation of adequate proof that compliance with this Chapter would impose an arbitrary or unreasonable hardship upon the applicant without equal or greater benefit to the public.

C. ~~-~~Applicants for permits under § 149-10B(1) above, must file for a permit with the Building Department prior to January 1. The City may, in its sole discretion, accept applications submitted after January 1 upon good cause shown for not timely submitting Said permit shall be valid for one year unless or until suspended or revoked. The permit year shall run from January 1 to December 31 of each calendar year. Every permit holder shall post the permit conspicuously within the facility. No permit issued under the provisions of this Chapter may be transferred or assigned from one owner to another owner or from one establishment to another establishment.

D. ~~-~~Applicants for permits under § 149-10B(2) and § 149-10B(3) above, shall submit an application to the Building Department at least 30 days prior to the proposed occurrence/event, which shall include the information set forth in § 149-10.E. Additional information may be required in order for the application to be considered complete and ready for review. The City may, in its sole discretion, accept applications on less than 30 days notice upon good cause shown for not timely submitting

~~Any sound producer adversely affected by a provision of this chapter may apply to the Building Inspector for a variance from such provision.~~

~~A.E.~~ B. In addition to any requirements set forth in § 149-10B, Applications for a variance-noise permit shall set forth the following information: The applicant's failure to supply the foregoing information shall be cause for rejection of the application.

- (1) The name and address of the applicant.

- (2) The name and location of the noise source for which such application is made.
- (3) The reason for which the ~~permit~~variance is requested, including the hardship that will result to the applicant or the public if the ~~variance~~permit is not granted.
- (4) The nature and intensity of noise that will occur during the period of the ~~variance~~permit.
- (5) The section or sections of this ~~chapter~~Chapter to which the ~~variance~~permit shall apply.
- ~~(6) A description of interim noise control measures to be taken by the applicant to minimize noise and the impact occurring from the noise.~~
- ~~(7) A specific time schedule of noise control measures.~~
- ~~(8) A presentation of adequate proof that noise levels occurring during the period of the variance will not constitute a danger to public health.~~
- ~~(9) A presentation of adequate proof that compliance with this chapter would impose an arbitrary or unreasonable hardship upon the applicant without equal or greater benefit to the public.~~

~~DC. The applicant's failure to supply the foregoing information shall be cause for rejection of the application.~~

F. Notice requirements. Notice of any application under § 149-10.B(2) and § 149-10.B(3) shall be mailed by the applicant, on a form provided by the City, by certified mail, return receipt requested, to all property owners of record within 200 feet of the boundaries of the property on which the proposed activity/event will be conducted. A list of the names to whom notice of the application was sent and proof of such mailing shall be submitted to the Building Department as part of the application prior to issuance of any permit under this Section.

G. ~~E.~~ Permit Fee. A permit fee as set forth on the City of Beacon fee schedule shall be required.

H. —The following factors shall be taken into consideration when determining said noise permit application:

- (1) The character and degree of injury to, or interference with, the health and welfare of the reasonable use of property which is caused or threatened to be caused by the sound to result from the permit.
- (2) The social and economic value of the activity for which the permit is sought.
- ~~(4)~~(3) The ability of the applicant to apply best practical noise control measures, if appropriate.
- (4) The number of permits issued to the applicant.
- (5) The number of permits issued permitting sound source operations at the subject property.
- (6) The number of previous noise complaints received in connection with the operation of any sound source at the subject property.

- ~~I. F.—The permit shall enumerate the specific dates and times for which the permit is valid and may establish specific sound level limits which may not be exceeded at the nearest affected residential or noise sensitive property, that apply during the period of the permit.~~
- ~~J. G.—If the noise permit is denied, the reasons for the denial shall be provided to the applicant in writing.~~
- ~~K. —A permit issued pursuant to § 149-10B(2) and § 149-10B(3), may be revoked by the Building Inspector, Chief of Police and/or City Administrator if:~~
- ~~(1) There is a violation of one or more conditions of the permit, including but not limited to sound level limits specified in the permit; or~~
 - ~~(2) There is a material misrepresentation of fact in the permit application; or~~
 - ~~(3) There is a material change in any of the circumstances relied upon in granting the permit.~~
- ~~L. Any permit issued to any commercial establishment may be revoked, suspended or modified by the Building Department of the City of Beacon for cause, after written notice to the permit holder and/or property owner, and after an opportunity for the permit holder and/or property owner to be heard by the Building Department, upon a finding by the Building Department that any provision of this Chapter or the permit has been violated.~~

~~§ 149-11 Fee; duration of variance; filing and availability of variance.~~

- ~~A. The Building Inspector shall charge the applicant for the variance a fee as set forth in the City of Beacon fee schedule. [Amended 7-6-2010 by L.L. No. 10-2010]~~
- ~~B. The duration of the variance shall not exceed one year and may be limited by the Building Inspector to any period of time up to one year.~~
- ~~C. A copy of the variance shall be on file with the City of Beacon Building Department and available to the public.~~

~~§ 149-12 Factors considered in approval of variance.~~

~~In granting the application for a variance, the Building Inspector shall consider:~~

- ~~A. The character and degree of injury to or interference with the health and welfare or use of the property which is affected.~~
- ~~B. The social and economic value of the activity for which the variance is sought.~~
- ~~C. The ability of the applicant to apply the best practical noise control measures.~~

~~§ 149-13 Revocation of variance.~~

~~The variance may be revoked by the Building Inspector if:~~

- ~~A. There is a violation of one or more conditions of the variance; or~~
- ~~B. There is a material misrepresentation of fact in the variance application; or~~
- ~~C. There is a material change in any of the circumstances relied upon by the Building Inspector in~~

~~granting the variance.~~

~~§ 149-14-12 Permit required for sound-producing devices in public areas.~~

~~No person shall operate, use or permit operation of any sound-producing device on or in front of any public right-of-way or public space without a permit from the Police Chief of the City of Beacon Police Department. Such permit shall be issued in accordance with such rules and conditions as the Chief may prescribe, including restrictions on the hours of operation and alternative sound level limits.~~

~~§ 149-131 Revocation of permit.~~

~~The permit may be revoked by the Building Inspector, Chief of Police and/or City Administrator if:~~

- ~~A. There is a violation of one or more conditions of the permit, including but not limited to sound level limits specified in the permit; or~~
- ~~B. There is a material misrepresentation of fact in the permit application; or~~
- ~~C. There is a material change in any of the circumstances relied upon in granting the permit.~~

~~§ 149-15 Revocation of permit.~~

~~A variance issued pursuant to § 149-10 of this chapter may be revoked by the Police Chief of the City of Beacon Police Department for persistent violations of this chapter or a single violation of this chapter exceeding the permitted decibel level by 10 or greater dBA.~~

§ 149-11. Enforcement

The Code Enforcement Officer, or the Building Inspector of the City of Beacon or any police agency with jurisdiction in the City of Beacon the City of Beacon Police Department is hereby empowered and authorized to exercise such powers as may be necessary or convenient to carry out the and effectuate the purposes and provisions of this Chapter.

~~§ 149-16 Abatement orders.~~

- ~~A. A police officer of the City of Beacon may issue an order requiring abatement of any source of sound in violation of this chapter.~~
- ~~B. Such directed abatement must be made within a reasonable time period and in accordance with the conditions prescribed by the officer.~~

~~§ 149-17 Issuance of appearance ticket.~~

~~Violation of any provision of this chapter or of an abatement order shall be cause for an appearance ticket to be issued by a police officer of the City of Beacon.~~

~~§ 149-18-12 Penalties for offenses.~~

- A. Any violation of this chapter shall be punished as prescribed in § 1-3.

~~Any violation of any provision of this chapter or violation of a lawful abatement order shall constitute an offense.~~

- ~~A. For a first offense, a fine of \$50 shall be imposed.~~
 - ~~B. For a second offense occurring within one year of the first offense, a fine of up to \$150 may be imposed for each such additional violation.~~
 - ~~C. For a third or further violation, imprisonment for up to 320 days may be imposed in addition to a fine of up to \$150.~~
 - A. B. If the sound source found to be in violation is a sound production device, each separate hour in which a violation of this eChapter exists may shall constitute a separate violation.
 - C. The owner of the property and/or the owner of the a commercial establishment from which sound is emitted and the person causing the generation of the sound are separately liable for a violation of this eChapter.
-

Section 2. Chapter 223, Section 29 of the Code of the City of Beacon entitled “Noise” is hereby deleted in its entirety as follows:

~~§ 223-29 Noise~~

- ~~A. Method of measurement. For the purpose of measuring the intensity and frequencies of sound sound-level meters and octave-band filters shall be employed. Octave-band analyzers calibrated with pre-1960 octave bands (American Standards Association 224.10 — 1953 Octave Band Filter Set) shall be used. Sounds of short duration which cannot be measured accurately with the sound-level meter shall be measured with an impact noise filter in order to determine the peak value of the impact.~~
- ~~B. Maximum permitted sound-pressure level. The decibels resulting from any use activity, whether open or enclosed, shall not exceed, at any point on or beyond any lot line, the maximum decibel level for the designated octave band as set forth in the following table, except that, where the lot lies within 200 feet of a residence district, whether within or without the City, the maximum permitted decibel level at any point on or beyond the district boundary shall be reduced by six decibels from the maximum permitted level set forth in the table and further except that such reduction shall also apply to any sound emitted between the hours of 9:00 p.m. and 7:00 a.m. and all day Sundays.~~

Octave Band (cycles per second)	Sound Pressure Level (decibels)
0 to 74	66
75 to 149	58
150 to 299	55
300 to 599	50
600 to 1,199	45
1,200 to 2,399	42
2,400 to 4,799	38
4,800 to 20,000	35

- ~~C. Exemptions. The following uses and activities shall be exempt from the noise level regulations:~~
- ~~(1) Noises not directly under the control of the property user.~~
 - ~~(2) Noises emanating from construction and maintenance activities between 8:00 a.m. and sunset.~~
 - ~~(3) The noises of safety signals, warning devices, emergency pressure-relief valves or other emergency warning signals.~~
 - ~~(4) Transient noises of moving sources, such as automobiles, trucks, airplanes and railroads.~~

Section 3. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 149 and Chapter 223 of the Code of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. 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 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.

July 24, 2019

BEACON NOISE CODE – TIMES REFERENCES

§ 149-4 Definitions.

DAYTIME HOURS

The hours between 7:00 a.m. and 8:00 p.m., Monday through Friday, the hours between 8:00 a.m. and 8:00 p.m. on Saturday and the hours 9:00 a.m. through 8:00 p.m. on Sundays and federal and state holidays.

LEGAL HOLIDAYS

New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

NIGHTTIME HOURS

The hours between 8:00 p.m. and 7:00 a.m., Sunday evening through Friday morning, Friday evening 8:00 p.m. through 8:00 a.m. Saturday morning and Saturday evening 8:00 p.m. through 9:00 a.m. Sunday morning. Saturday nighttime hours apply to state and federal holidays

WEEKDAY

Any day that is not a legal holiday, beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

WEEKDAY NIGHT

Sunday night through Thursday night, excluding nights preceding legal holidays.

WEEKEND

Begins on Friday at 6:00 p.m. and ends on the following Monday at 7:00 a.m.

WEEKEND NIGHT

Friday and Saturday nights and the nights preceding legal holidays

RELEVANT SECTIONS

§ 149-6 Sound level limits.

TABLE 1
MAXIMUM PERMISSIBLE SOUND LEVEL LIMITS
BY RECEIVING LAND USE
dB(A)

Residential ¹ 7:00 AM – 10:00 PM	Residential 10:00 PM – 7 AM	Commercial 24 hours	Industrial 24 hours
--	--------------------------------	------------------------	------------------------

1. If the residential receptor is within a commercial or industrial district, or within 200 feet of such a district, the permissible sound level limits in Table 1 are increased by 5 dB(A) during daytime hours. This increase in limit shall not apply to the sound emissions of a Sound Production Device operated by a commercial facility after 8:00 PM on nights before days that the Beacon City School District is in session (i.e.. “a school night”).

(2) Impulsive Sound:

- (a) No person shall make, cause, allow or permit the operation of any impulsive source of sound that has a maximum sound level in excess of eighty (80) dBA, when measured at or within the real property line of an affected person. If an impulsive sound occurs more frequently than ten (10) times in any half hour the levels set forth in Table_1 shall apply. At nighttime, if an impulsive sound occurs more frequently than four (4) times in any half hour the levels set forth in Table_1 shall apply.
- (b) If measurements of impulsive sound are conducted indoors, the permissible limit is sixty (60) dBA. If an impulsive sound occurs more frequently than ten (10) times in any half hour the levels set forth in Table_1 shall apply. At nighttime, if an impulsive sound occurs more frequently than four (4) times in any half hour the levels set forth in Table_1 shall apply.

§ 149-7 Specific prohibited acts, restricted uses and activities

- A. Sound production devices: operating, playing or permitting the operation or playing of any sound production device, in such a manner as to create a noise disturbance at or within the property line of any affected person.

- (1) Prima facie evidence of a violation of this section and the creation of a

July 24, 2019

noise disturbance shall include but not be limited to the operation of such a device between the hours of 10:00 PM and 7:00 AM in such a manner that it is plainly audible inside the dwelling of an affected person.

- C. Loudspeakers and public-address systems mounted outdoors or indoors within 10 feet of an open door or window: using or operating any loudspeaker, public-address system or similar device is prohibited between the hours of 10:00 p.m. and 7:00 a.m. of the following day.
- E. Loading and unloading: loading, unloading, opening, closing or other handling of boxes, crates, containers, bales, cans, drums, refuse or similar objects or the pumped loading or unloading of materials in liquid, gaseous, powder or pellet form between the hours of 10:00 p.m. and 7:00 a.m. the following day when the sound therefrom creates a noise disturbance across a residential real property line of an affected person.
- G. Construction, repair and demolition: excluding emergency work, operating or permitting the operation of any tool or equipment used in construction, repair, demolition or excavation shall not be permitted between the hours of 8:00 p.m. and 8:00 a.m. on any day unless it can meet the limits in Table 1. At all other times the limits set forth in Table 1 do not apply. This section shall not apply to road maintenance/ improvement on preexisting roads or preventative maintenance on the sewer mains and pipes, on which daytime construction would prove disruptive to traffic flow. All motorized equipment used in construction and demolition activity shall be operated with a muffler.
- H. Power tools: operating power tools used for landscaping and yard maintenance, excluding emergency work, within 200 feet of a residential property line shall not be permitted between the hours of 7:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or legal holidays, unless such activities can meet the limits set forth in Table I. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits in Table 1 do not apply.
- K. The operation of a standby or portable generator is exempt from the limits in this Chapter when there is a power outage. The regular testing/exercising of a generator must be conducted during weekdays between the hours of 8:00 AM and 4:00 PM and for the minimum duration suggested by the manufacturer. During such testing the sound level limit shall be 70 dBA at the property line of any affected person. The permissible limits in Table 1 apply to the operation of generators tested outside of the prescribed hours or operated when there is no power outage. No person shall at any time operate a generator during nighttime hours in a Residential District unless there is a power outage. Generators used on a permitted construction site may not exceed 65 dBA at the property line of any affected person.

July 24, 2019

- L. Repairing, rebuilding, modifying or testing any motor vehicle, motorcycle or motorboat in such a manner as to cause a frequent, repetitive or continuous noise disturbance across the real property line of an affected person or between the hours of 10:00 PM and 8:00 AM. When these activities are conducted between 8:00 AM and 10:00 PM, and do not cause a noise disturbance, the limits in Table 1 do not apply.

§ 149-8 Exemptions.

The following sounds are exempt from the restrictions of this Chapter:

- A. Sounds from motorized equipment such as power tools, lawn mowers and garden equipment when operated between the hours of 8:00 a.m. and 7:00 p.m. on weekdays, or between the hours of 8:00 a.m. and 9:00 p.m. on weekends or legal holidays

City of Beacon Workshop Agenda
7/29/2019

Title:

Historic District Landmark Overlay

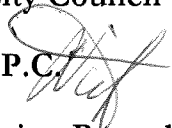
Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from Keane and Beane Regarding HDLO Expansion	Cover Memo/Letter
HDLO Expansion List of Properties	Cover Memo/Letter
HDLO Potential Nominations	Backup Material
HDLO Properties Not Nominated	Cover Memo/Letter
Historic District Landmark Overlay Expansion Part 1/3	Backup Material
Historic District Landmark Overlay Expansion Part 2/3	Backup Material
Historic District Landmark Overlay Expansion Part 3/3	Backup Material

MEMORANDUM

TO: City of Beacon City Council
FROM: Keane & Beane, P.C. 
RE: Historic Designation Procedure
DATE: July 18, 2019

At its July 29th work session meeting, the Council will review the Historic Resource Inventory form for a number of properties. The forms were completed by John Clarke and are being reviewed by Mr. Murphy of the Historical Society. The Council is reviewing each form to determine if the property or structure should be landmarked and added to the Historic District and Landmark Overlay Zone. Section 134-4 of the Code of the City of Beacon sets forth criteria by which the City Council may review and designate properties as historic landmarks. This memorandum outlines the steps the City Council must take to officially designate a property as a historic landmark. All designated historic districts and landmarks shall be included in the Historic District Landmark Overlay (HDLO) Zone

1. The City must review the property and make a determination that the property has characteristics to be considered for designation.

The City Council shall, upon investigation as it deems necessary, make a determination as to whether a proposed district or landmark meets one or more of the following factors:

- (1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the City, county, state or nation;
- (2) Is identified with historic personages or with important events in national, state or local history;
- (3) Embodies distinguishing characteristics of an architectural-type specimen, inherently valuable for a study of a period, style, method of construction or of indigenous materials or craftsmanship;
- (4) Is the work of a designer whose work has significantly influenced an age; or
- (5) Qualifies for inclusion on the State or National Registers of Historic Places.

- 2. Once the City Council has made a determination that the property meets one or more of the factors previously set forth, notice must be sent to the property owner by certified mail or personal delivery.**

Notice of a proposed designation shall be sent by certified mail or personal delivery to the owner of the property proposed for designation. The notice must describe the property proposed and explain why the City Council is considering it for designation. The notice must also set forth the public hearing date on which the City Council will consider the designation. Once the City Council has issued notice of a proposed designation, no building permits shall be issued by the Building Inspector until the Council has made its decision.

- 3. The City Council must hold a public hearing on at least 14 days' notice, prior to designating the property.**

The City Council, owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain reports, public comments or other evidence offered outside of the hearing.

In making its determination, the City Council must consider the factors previously set forth and any testimony or evidence presented during the public hearing.

- 4. The City Council must make a decision within 60 days of the conclusion of the public hearing.**

If the City Council fails to act within 60 days, or fails to extend the period in which to act, the designation shall be deemed to have been denied.

A super majority vote of five Council members is necessary to designate a new historic landmark if the property owner objects to such designation.

- 5. The City Council shall forward notice of each property designated as a landmark and the boundaries of each designated historic district to the property owner, the City Clerk, the Planning Board, the Zoning Board, and the offices of the Dutchess County Clerk for recordation.**

Please let us know if you have any questions.

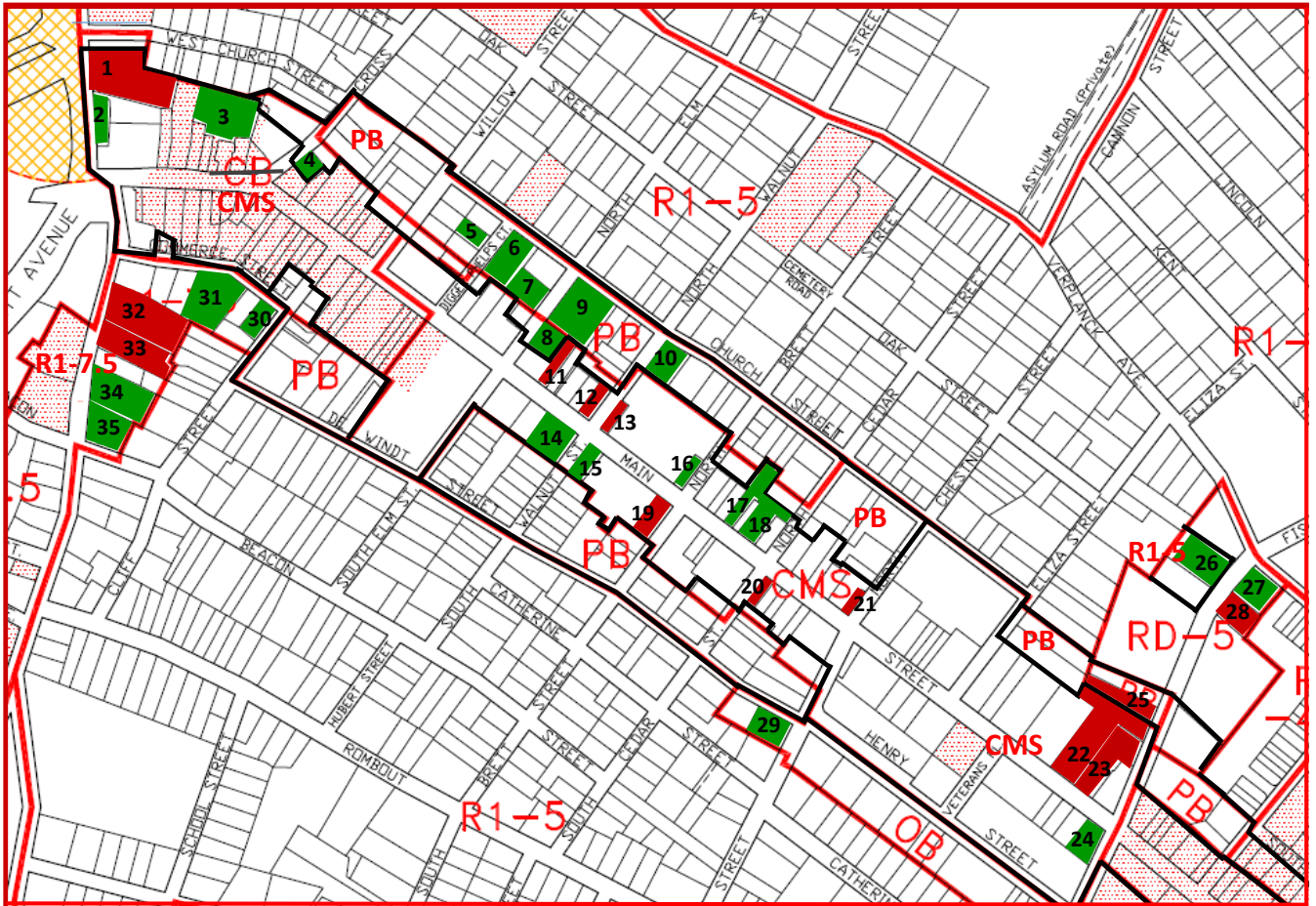
Historic District and Landmark Overlay (HDLO) Zone

Proposed HDLO Nominations:

1. 1158 North Avenue 5954-26-744995 Hibernation Auto Storage Inc., 1158 North Ave. Beacon, NY 12508
2. 1154 North Avenue 5954-26-740983 Lindley LLC, 4 Cross St. Beacon, NY 12508
3. 152 Main Street 5954-27-774986 Lindley Todd LLC, 4 Cross St. Beacon, NY 12508
4. 4 Cross Street 5954-27-798971 Hudson Todd LLC, 4 Cross St. Beacon, NY 12508
5. 11 Digger Phelps Ct. 5954-27-843954 Jonathan Bailey/Gemma Simon, 11 Digger Phelps Ct. Beacon, NY 12508
6. 9 Mattie Cooper Sq. 5954-27-853946 Erich Hess/Hattie Hess, 9 Mattie Cooper Sq. Beacon, NY 12508
7. 11 N. Elm Street 5954-27-858938 Daniel Aubry, 196 Bowery, New York, NY 10012
8. 4 N. Elm Street 5954-27-864924 4 Elm Holdings LLC, 15 Sumter Rd. Airmont, NY 10952
9. 17 Church Street 5954-27-873931 Brenda Belladone Edwards, 17 Church St. Beacon, NY 12508
10. 27 Church Street 5954-28-897918 Christopher Brown/Babette Brown, 27 Church St. Beacon, NY 12508
11. 232 Main Street 5954-27-867918 Stephen Bock/Ricann Bock, 11540 NE Wing Pt Way, Bainbridge, Island, WA 98110
12. 246 Main Street 5954-28-877907 J & J 246 LLC, P.O. Box 548, Beacon, NY 12508
13. 250 Main Street 5954-28-883903 Fa Tuan Ni/Ming Fang Chen, 250 Main St. Beacon, NY 12508
14. 257 Main Street 5954-28-865897 Marin Equities Inc., P.O. Box 9136, Bardonia, NY 10954
15. 269 Main Street 5954-27-875890 Tersal Inc., 269 Main St. Beacon, NY 12508
16. 274 Main Street 5954-28-903888 Michael Pomarico/Tina Pomarico, 274 Main St. Beacon, NY 12508
17. 284 Main Street 5954-28-921882 Movil Development Corp., 284 Main St. Beacon, NY 12508
18. 288 Main Street 5954-36-923874 Movil Development Corp., 284 Main St. Beacon, NY 12508
19. 291 Main Street 5954-36-893875 291 Main Street LLC, 55B Heritage Hills, Somers, NY 10589
20. 315 Main Street 5954-36-924855 315 Beacon Realty LLC, 278 Mil St. Poughkeepsie, NY 12601
21. 314 Main Street 5954-36-949852 Sunshine Boy LLC, 20 Harvest Rd. Bloomingburg, NY 12721
22. 372 Main Street 6054-29-018818 The Salvation Army, 120-130 W. 14th St. New York, NY 10011
23. 378-382 Main Street 6054-29-020808 Dutchess Point II LLC, P.O. Box 229, Beacon, NY 12508
24. 403 Main Street 6054-29-015786 Erik Allgauer/Patrick Malouf, 403 Main St. Beacon, NY 12508
25. 159 Fishkill Avenue 6054-29-024827 Kimberly Garcia/James Halstead, 159 Fishkill Av. Beacon, NY 12508
26. 189 Fishkill Avenue 6054-29-047864 Emily De Cordova, 189 Fishkill Av. Beacon, NY 12508
27. 194 Fishkill Avenue 6054-29-062856 Jessica Jelliffe/Jason Craig, 194 Fishkill Av. Beacon, NY 12508
28. 331 Verplanck Avenue 6054-29-056850 Beacon Hebrew Alliance, 55 Fishkill Av. Beacon, NY 12508
29. 26 S. Chestnut Street 5954-36-926817 St. Rocco Society, 26 S. Chestnut St. Beacon, NY 12508
30. 19 Commerce Street 5954-27-783929 June C. Crilly, 19 Commerce St. Beacon, NY 12508
31. 11 Commerce Street 5954-27-771935 Jianmao Deng, 11 Commerce St. Beacon, NY 12508
32. 20 South Avenue 5954-27-753929 Barbara Sims/Brenda Sims, 5 Kitteridge Pl. Beacon, NY 12508
33. 22 South Avenue 5954-26-750920 Shirish Chitanvis/Jacqueline Paris-Chitanvis, 22 South Av. Beacon, NY 12508
34. 26 South Avenue 5954-26-745908 Matthew Yarnis/Maggie Garrido-Yarnis, 26 South Av. Beacon, NY 12508
35. 30 South Avenue 5954-26-743898 Matthew Healey/Jacqueline Rubin, 255 W. 90th St. New York, NY 12508

Historic District and Landmark Overlay Zone Expansion in the Central Main Street Area

- **Buildings Proposed for Nomination;**
- **Covers only the CMS, PB, OB, R1-7.5, and RD-5 districts in the vicinity of Main Street;**
- **Updated supplement to 1979 Historic Survey;**
- **Proposed nominations are subject to the criteria in the Historic Preservation Chapter, 134-4 B, Designation of Landmarks or Historic Districts.**



Color Code:



Existing Historic District and Landmark Overlay (HDLO) Zone

Red



Excellent historic example, strong candidate for addition to the HDLO.

Green



Good historic condition, possible candidate for addition to the HDLO.

1

1158 North Ave.

- Brick commercial building
- Façade piers and parapet
- Newer windows?

Red



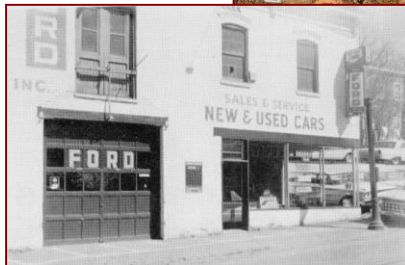
1154 North Ave.

2

- Brick commercial garage
- Cornice brackets
- Arched brick lintels
- Replacement garage door
- Closed southwest storefront
- New windows

Green

1963



152 Main St.

3

- 2-story brick buildings
- Converted factory
- Loss of details
- Newer windows

Green

c.1930s



4

4 Cross St.

- 2-story brick building
- Arched brick lintels
- Stone sills
- Two bricked-in windows
- Newer windows

Green



5

11 Digger Phelps Ct.

- Wood frame building
- Original porch
- Scalloped details
- Newer windows

Green



6

9 Mattie Cooper Sq.

- Wood frame building
- Original porch
- Bay windows
- Replacement vinyl siding
- Newer windows

Green



7

11 North Elm St.

- Wood frame building
- Intact Arts & Crafts house
- Chain link fencing

Green



8

4 North Elm St.

- Brick and stucco building
- Intact Second Empire
- Added front awnings

Green



17 Church St.

- Wood frame building
- 4-story tower
- Intact porches
- Bay window
- Replacement vinyl siding
- Newer windows

Green

9



c. 1900



10

27 Church St.

- Wood frame building
- Intact wraparound porch
- Replacement asbestos siding
- Newer windows

Green

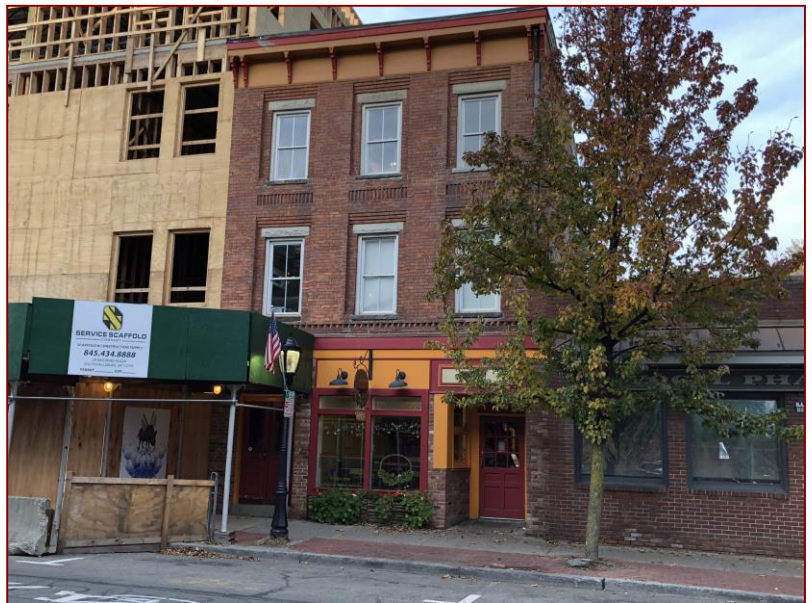


11

232 Main St.

- 3-story brick building
- Bracketed cornice
- Historic-quality storefront

Red



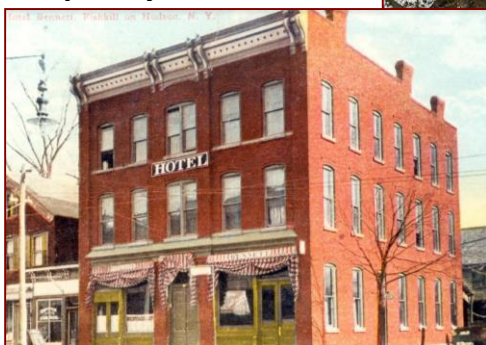
246 Main St.

12

- 3-story brick building
- Elaborate cornice
- Arched brick lintels
- Historic-quality storefronts

Red

Early
1900s



13

250 Main St.

- 3-story brick building
- Bracketed cornice
- Arched brick lintels
- Historic-quality storefront
- Bricked-up side windows

Red



14

257 Main St.

- 2-story brick building
- Brick projecting cornice
- Stone sills
- Historic-quality storefronts

Green



15

269 Main St.

- 1-story brick building
- Brick piers
- Historic-quality storefront

Green



16

274 Main St.

- 3-story brick building
- Bracketed cornice
- Stone sills and lintels
- Side bay window
- Non-historic storefront

Green



17

284 Main St.

- 3-story brick building
- Broad cornice with dentils
- Non-historic storefront

Green



18

288 Main St.

- 2-story brick building
- Shaped parapet roof line
- Art Deco elements
- Non-historic front windows

Green



19

291 Main St.

- 2-story brick building
- Broad cornice with dentils
- Façade piers
- Patterned brick

Red



20

315 Main St.

- 3-story brick building
- Elaborate cornice
- Arched brick lintels
- Side bay windows
- Historic-quality storefront

Red



21

314 Main St.

- 3-story brick building 1889
- Broad bracketed cornice
- Stone lintels and sills
- Historic-quality storefront

Red



22

372 Main St.

- Brick church with tower
- 1st Baptist Church Matteawan
1854, Tower added 1911
- Intact appearance
- Rear addition 1961

Red



23

378-382 Main St.

- 3-story brick building
- Broad bracketed cornice
- Arched brick lintels
- Historic-quality storefronts

Red



24

403 Main St.

- 3-story brick building
- Mansard roof with dormers
- Arched façade lintels
- Cornices with dentils
- Compatible 1st floor changes
- Newer windows upper floors
- Recent addition west side

Green



25

159 Fishkill Ave.

- Wood frame building
- Complex roof, arched dormers
- Corner bay, bracketed cornice
- Elaborately ornamented porch

Red



189 Fishkill Ave.

26

- Wood frame building
- Front bay window
- Birthplace of James Forrestal
Sec. of Navy and Defense
- Loss of all original details
- Replacement vinyl siding

Green



27

194 Fishkill Ave.

- Wood frame building
- Multiple porches
- Replacement vinyl siding
- Newer windows

Green



28

331 Verplanck Ave.

- 2-story brick building
- Synagogue built 1929
- Arched stained-glass windows
- 1-story brick newer addition

Red



29

26 South Chestnut St.

- Brick building
- St. Rocco Society built 1926
- Patterned brick facade
- More recent front stairs
- Newer windows

Green



30

19 Commerce St.

- Wood frame building
- Decorated verge board
- Detailed front porch
- Side bay window
- Asphalt and vinyl siding

Green



31

11 Commerce St.

- 2-story brick building
- Wide frieze cornice
- Stone lintels and sills
- Side bay window
- Porch looks newer

Green



32

20 South Ave.

- 2½-story brick building
- Mansard roof with dormers
- Bracketed cornices
- Richly detailed wraparound front porch

Red



22 South Ave.

33

- Brick and stucco building
- Elaborate verge board
- Highly detailed dormers and wraparound porch
- Complementary board and batten carriage house

Red



26 South Ave.

34

- Wood frame building
- Elaborate verge board
- Front bay window
- Detailed wraparound front porch
- Replacement vinyl siding
- Frontage chain link fence

Green



30 South Ave.

35

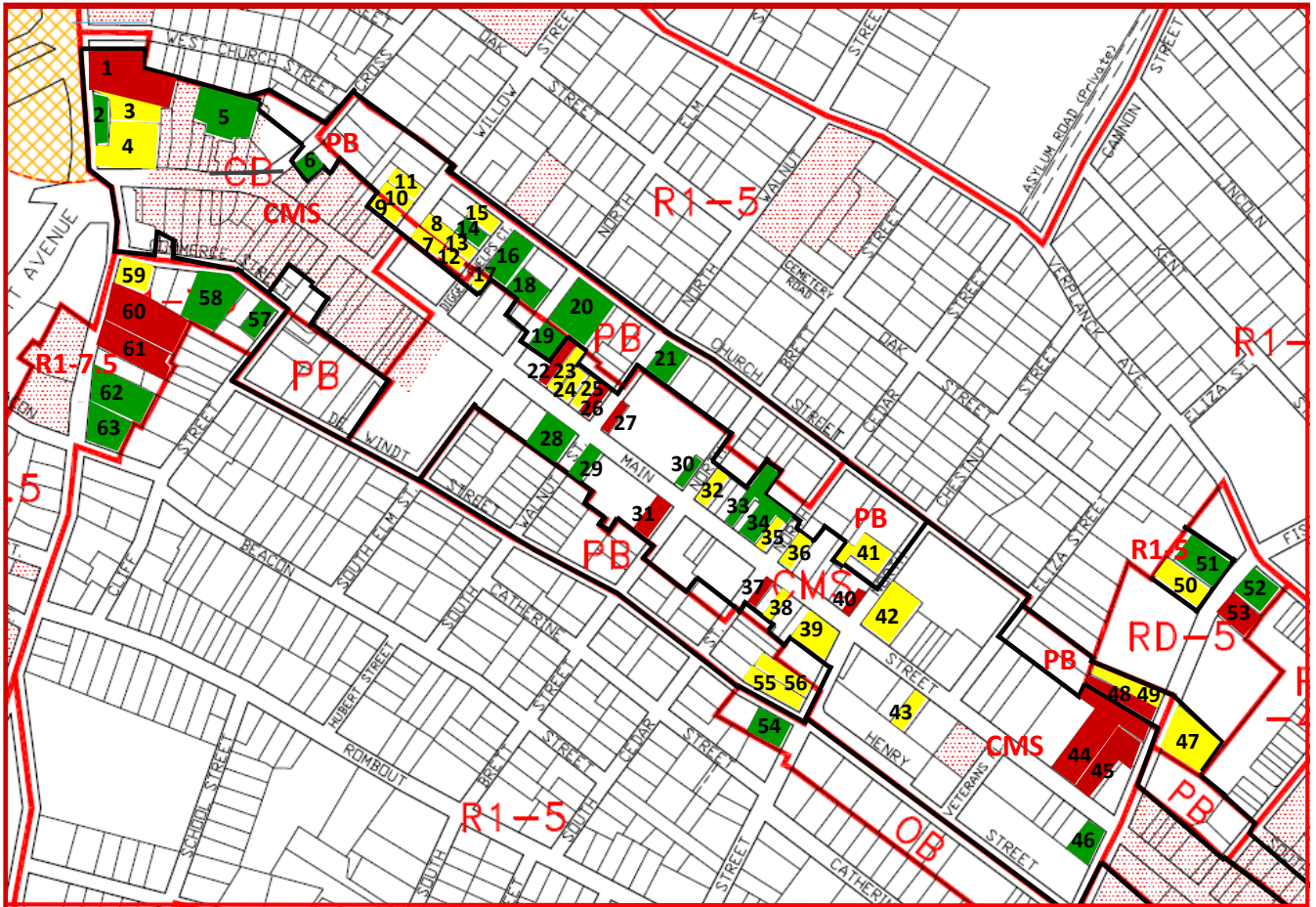
- 2-story brick building
- Bracketed cornices
- South bay window
- Newer side addition
- Frontage chain link fence

Green

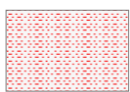


Historic District and Landmark Overlay Zone Expansion in the Central Main Street Area

- **Buildings considered but not nominated;**
- **Covers only the CMS, PB, OB, R1-7.5, and RD-5 districts in the vicinity of Main Street;**
- **Based on a street survey, not historic research;**
- **Refer to the criteria in the Historic Preservation Chapter, 134-4 B, Designation of Landmarks or Historic Districts.**



Color Code:



Existing Historic District and Landmark Overlay (HDLO) Zone

Red



Excellent historic example, strong candidate for addition to the HDLO;

Green



Good historic condition, possible candidate for addition to the HDLO;

Yellow



Old enough, but too many changes, such as loss of details, modern siding, or inappropriate addition.

3

1156 North Ave.

- Replacement siding
- New steel-framed porch
- Newer windows

Yellow



4

134 Main St.

- Replacement vinyl siding
- Newer windows
- Remodeled storefront

Yellow



7

6 Willow St.

- 2-story brick building
- Replacement cornice
- Newer windows
- New porch

Yellow



8 Willow St.

8

- Wood frame building
- Original porch
- Replacement asbestos siding
- Newer windows
- Chain link fence

Yellow



5 Willow St.

9

- Wood frame building
- Replacement vinyl siding

Yellow



9 Willow St.

10

- Wood frame building
- Replacement vinyl siding
- Newer windows

Yellow



11

11 Willow St.

- Wood frame building
- Replacement vinyl siding
- New porch
- Newer windows

Yellow



12

5 Digger Phelps Ct.

- Wood frame building
- Modern siding
- New porch
- Newer windows

Yellow



13

7 Digger Phelps Ct.

- Wood frame building
- Decorated verge board
- Replacement asbestos siding
- New porch
- Newer windows

Yellow



15

13 Digger Phelps Ct.

- Wood frame building
- Replacement vinyl siding
- New porch

Yellow



17

6 Digger Phelps Ct.

- Wood frame building
- Modern siding
- New windows

Yellow



23

234 Main St.

- 1-story brick building
- Non-historic storefront

Yellow



24

236-240 Main St.

- 1-story brick building
- Parapet facade
- Modern storefront

Yellow



25

242 Main St.

- 2-story brick building
- Decorated verge board
- Arched brick lintels
- Extended modern storefront

Yellow



35

294 Main St.

- 2-story brick building
- Former Post Office
- Non-historic stucco façade

Yellow



36

296 Main St.

- 2-story wood-frame building
- Historic-quality storefront
- Replacement siding
- Newer windows

Yellow



36

296 Main St. (Rear)

- 1928 brick garage
- Parapet roof line
- Modern doors
- New windows

Yellow



38

319 Main St.

- 3-story brick building
- Elaborate cornice
- Stone lintels and sills
- Extended modern storefront

Yellow



327-333 Main St.

39

- 2-story brick building
- 3-story brick building to rear
- Mixed-quality storefronts

Yellow



14 North Chestnut St.

41

- 1-story brick building
- Not visible from street

Yellow



320 Main St.

42

- 1-story brick building
- Decorative dentils
- Central ornamental shield
- New storefront entrance
- New windows

Yellow



43

355 Main St.

- 1-story building
- Composite stone facade
- Intact frontage
- Newer windows on side

Yellow



47

152 Fishkill Ave.

- Wood frame building
- Second Empire roof forms
- Replacement vinyl siding
- New and smaller windows
- New front porch

Yellow



49

163 Fishkill Ave.

- Wood frame building
- Scalloped shingle gable
- New garage addition up front
- Newer porch supports

Yellow



50

183 Fishkill Ave.

- Wood frame building
- Bracketed cornice
- Wraparound porch
- Replacement asbestos siding

Yellow



55

20 South Chestnut St.

- Wood frame building
- Decorated verge board
- Newer shutters
- Now New Vinyl Siding

Yellow



56

18 South Chestnut St.

- Wood frame building
- Scalloped shingle gable
- Replacement vinyl siding
- Newer windows

Yellow



18 South Ave.

- Wood frame building
- Replacement vinyl siding
- Loss of details
- Enclosed porch
- Frontage chain link fence

Yellow





HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) Former Hoffman Motors
Address or Street Location 1154 North Avenue
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Lindley, LLC. Address 4 Cross Street, Beacon, NY 12508
Original use Commercial Current use Commercial
Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: Former storefront on southwest corner cemented over Date: After 1979

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

(See Reverse)

DRAFT

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is built into a hillside just north of Main Street on an 0.10-acre parcel along North Avenue. It is a two-story brick building with a flat roof. The most distinctive architectural detail is a wood Italianate bracketed and dentillated cornice along the western façade.

The window openings have arched brick lintels and stone sills. The windows appear to be more modern replacements, as is the front garage door and the door in the former storefront area. The storefront display windows on the southwest corner were boarded up in 1979, and have since been covered over with cement. The second story has older wood double doors with windows and panels and an overhead projecting beam to lift goods to the second floor.

The brick façade facing North Avenue has been cleaned, but there are faded painted signs on the north and south walls.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

The 1979 Beacon Historic Survey lists the parcel as Hoffman Motors, a Ford dealer with new and used cars. It estimated the original construction date as around 1900, but a two-story brick hotel building with the same configuration existed on the site as early as 1884, according to early Sanborn maps. On the 1867 Beer's Atlas Map a building at this location appears to be part of the Eagle Hotel complex on the corner of Main Street. The building changed from a hotel to the North Avenue Garage between 1904 and 1912.

Other than the covered-over corner storefront and garage door, the building retains much of its original character, in particular its decorative cornice. This commercial structure in a prominent location, close to the Lower Main Street Historic District and the City's Historic District and Landmark Overlay Zone, is an intact example of its type, scale, and period in the City. It possesses a special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



1154 North Avenue

Front View
Office of Parks, Recreation and Historic Preservation
An Equal Opportunity/Affirmative Action Agency



View from South

DRAFT



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 1158 North Avenue
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Hibernation Auto Storage, Inc. Address 1158 North Avenue, Beacon, NY 12508
Original use Commercial Current use Commercial
Architect/Builder, if known _____ Date of construction, if known c. 1915

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on North Avenue, built into a hillside north of Main Street. It is a two-story brick building with a flat roof. The front yellowish brick façade has raised parapet wall with a central pediment shape.

The most distinctive architectural details are the historically compatible double glass and paneled front doors with large overhead transom windows and side lights. The central doors are flanked by two storefront windows, four period lighting fixtures, and four raised one-story brick pilasters.

The window openings have brick lintels and stone sills. The windows appear to be more modern replacements. Some of the side windows are paired.

There are faded painted signs on the north and south walls.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building along the site frontage on the 1912 Sanborn Map, but the building is evident on the 1919 version, listed as the North Avenue Garage. It was apparently built as an enlarged showroom for the earlier vehicle sales and service building under the same name at 1154 North Avenue.

The building retains its original character. This commercial storefront structure in a prominent location, close to the Lower Main Street Historic District and the City's Historic District and Landmark Overlay Zone, is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



1158 North Avenue

View of North Side



View of South Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 152 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Lindley Todd, LLC. Address 4 Cross Street, Beacon, NY 12508
Original use Warehouse Current use Apartments
Architect/Builder, if known _____ Date of construction, if known Eastern Section c. 1880
Western Section c. 1910

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input checked="" type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

This building is located in the middle of the block north of Main Street on a 0.64-acre parcel that extends to West Church Street. It is a two-story, painted brick building with a gable roof. The L-shaped structure is utilitarian in character with few distinctive architectural details. Much of the surrounding lot is paved over for residential parking. There is a modern, one-story storage building on east side.

The original windows and doors had arched brick lintels, so it is apparent that the current irregular pattern of windows and doors features many newer window and doors. Several larger commercial doors have been closed-in with brick or block. The existing windows and surrounding wood trim appear to be modern replacements.

The eastern wing has two brick end-wall chimneys and the western wing has a taller brick chimney on the southwest corner.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

According to early Sanborn maps, the eastern wing of the current building dates back to at least 1884. There is no evidence of this building on the 1876 Gray and Davis Illustrative Atlas maps. In 1884 it is listed as a flour and feed warehouse and, in 1904, as a general warehouse. By 1912 the western wing was constructed for a livery business and the eastern wing had been converted to a carriage repair shop with a printing business on the second floor. In 1927 the eastern wing was an auto repair business and the western section was a warehouse. In 1946 the building was listed as a leather coat factory.

Other than the brick walls and chimneys, most of the building details are modern replacements from when the building was converted to apartments after 1980. However, this early commercial warehouse structure, adjacent to the Lower Main Street Historic District and the City's Historic District and Landmark Overlay Zone, is a surviving example of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



152 Main Street

View from South
Office of Parks, Recreation and Historic Preservation
An Equal Opportunity/Affirmative Action Agency



View from North

DRAFT



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 4 Cross Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Hudson Todd, LLC. Address 4 Cross Street, Beacon, NY 12508
Original use Residential Current use Apartments, Two-Family
Architect/Builder, if known _____ Date of construction, if known c. 1915

DESCRIPTION

Materials -- please check those materials that are visible

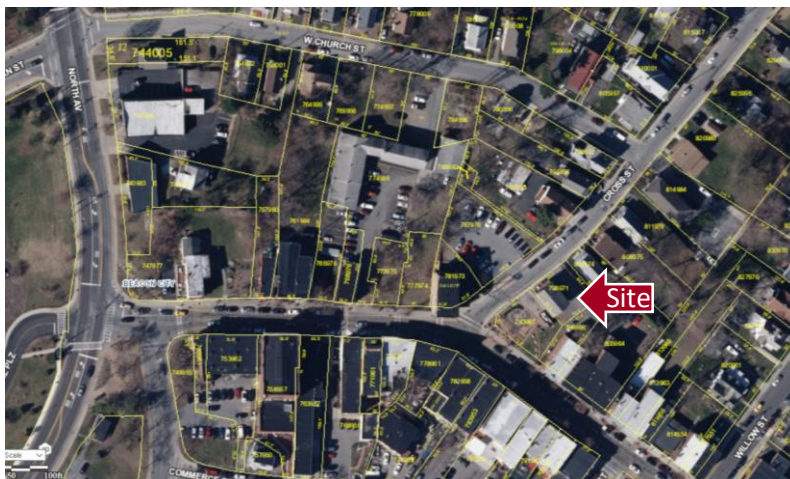
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is just north of Main Street on an 0.10-acre Cross Street parcel. It is a 2½-story vernacular brick structure with a gable roof. It is raised ½-story with stone course across the façade and stone steps up to a recessed doorway, featuring wood side paneling and a paneled door. The hand railings flanking the steps are modern metal.

The window openings have arched projecting brick lintels and stone sills, although two of the windows have been bricked-in on the south side. There is an arched window opening with wood shutters under the front gable, but the rest of the window sashes appear to be more modern replacements.

The brick is in generally good condition, although some areas have been obviously repointed, especially along the lower level of the building. The brick chimney is to the rear, projecting out from the rear wall.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

According to early Sanborn maps, a 2-story feed and flour store, then a dwelling occupied the site through the late 1800s and early 1900s maps. The current 2½-story building configuration with a rear chimney shows up between the 1912 and 1919 maps.

Other than the two bricked-in windows, the building retains much of its original character, in particular its recessed, paneled doorway. This brick residential structure in a prominent location directly adjacent to the Lower Main Street Historic District and the City's Historic District and Landmark Overlay Zone is an intact example of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



4 Cross Street

View of South Side



View of North Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 11 Diggers Phelps Court
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Jonathan Bailey/Gemma Simon Address 11 Digger Phelps Ct., Beacon, NY 12508
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known c. 1880

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input checked="" type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

(See Reverse)

DRAFT

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is north of Main Street on an 0.10-acre parcel along Digger Phelps Court. It is a 2-story Italianate wood structure with a flat roof. It features a broad cornice and a wide frieze with a pointed cut-out pattern, along with a narrow course of matching cut-outs at the top of the first floor.

The front porch extends around the north side of the building. The decorative corbeled porch posts, detailed railing, and paneled door all appear original, as does the bay window with dentiled cornice on the south side. There is a one-story section to the rear.

The window sashes and the chimney near the south roof line appear to be more modern replacements. Based on changes in wood pattern, paired brackets may have been originally under the roof cornice.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house and the frontage street do not exist on the 1876 Gray and Davis Illustrated Atlas map for Fishkill Landing. However, Cottage Place, the original name for Digger Phelps Court, shows up on the 1884 Sanborn map, as does this two-story dwelling with its rear one-story section.

Other than the replacement windows, the building retains its original character, in particular its detailed front porch. This Italianate house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



11 Digger Phelps Court

View of North Side



View of South Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 9 Mattie Cooper Square
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Erich and Hattie Hess Address 9 Mattie Cooper Square, Beacon, NY 12508
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known c. 1880

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input checked="" type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is one block north of Main Street on an 0.27-acre corner parcel facing Mattie Cooper Square. It is a 2½-story Victorian structure with a 1½-story rear section, both with gable roofs. There is a cross-gable section on the west side and a shed dormer on the east side, which is likely a later addition.

The house features decorative vergeboards supported by corner brackets with clover leaf cut-outs at the apex of the front and rear gables and the front porch. The northern porch extension and rear porch have turned columns and original balustrade, but the railings flanking the front steps and the rear steps are replacements. The northern façade has a one-story rectangular bay window with a shed roof. There are two brick chimneys with flared tops.

The original siding has been completely covered over with newer vinyl siding and the window sashes appear to be more modern replacements. There is also a one-story, 20th century concrete block garage to the rear.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house does not exist on the 1876 Gray and Davis Illustrated Atlas map for Fishkill Landing. However, Cottage Place, the original name for Digger Phelps Court, shows up on the 1884 Sanborn map, as does this 2½-story corner dwelling with its rear 1½-story section.

Other than the vinyl siding and replacement windows, the building retains most of its original character, in particular its decorative vergeboards, detailed front porch, and bay window. This house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



9 Mattie Cooper Square

View of North Side



View of South Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 11 North Elm Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Daniel L. Aubry Address 196 Bowery, New York, NY 10012
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known 1922, according to 1979 Beacon Historic Survey

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input checked="" type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is a half-block north of Main Street on an 0.18-acre parcel facing North Elm Street. It is a 1½-story Arts and Crafts structure with a broad, low-pitched gable roof and a central gabled dormer.

The house features an alternative width horizontal shingle pattern. There is a shallow, one-story bay with triple windows under a gable roof on the south side. The front porch under the roof line extends across the full building frontage with four shingled piers, tapered square columns, and an original balustrade. There are triple windows under the porch on both sides of the original central door. A rear porch under the eaves extends across half of the western side.

The modern wood porch railings flanking the front steps are the only apparent changes to the original exterior of the structure. The front yard has a chain link fence next to the sidewalk.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house does not exist on the 1919 Sanborn map, but is evident on the 1927 Sanborn version. According to the 1979 Historic Survey Form, the owner at the time gave 1922 as the construction date. The original one-story rear garage is no longer on the site.

The building retains its original Arts and Crafts character, in particular its distinctive shingle pattern and front porch details. This house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



11 North Elm Street

Front View



Front Porch Details



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 4 North Elm Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner 4 N. Elm Holdings, LLC. Address 15 Sycamore Lane, Suffern, NY 10901
Original use Residential Current use Two-Family Residential/Vacant
Architect/Builder, if known _____ Date of construction, if known c. 1880

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input checked="" type="checkbox"/> other: <u>Stucco</u>
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☐ good ☒ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is one parcel north of Main Street on an 0.15-acre parcel facing North Elm Street. It is a 1½-story Second Empire structure with a raised basement level and mansard roof with multiple hooded dormers.

The house features a bracketed cornice with an arrow-shaped frieze pattern. The front porch extends across the full building frontage with four turned columns, and an original balustrade across the front. The double front doors and windows appear to be original. The south elevation has a rectangular bay and a tall brick chimney.

The only apparent changes to the original exterior of the structure are reversible, including metal awnings over the front porch and sunny-side windows, a section of newer wood railing on the north side of the front porch, the concrete front steps, and metal railings flanking the steps. The one-story rear garage has a modern exterior.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house does not exist on the 1876 Gray and Davis Illustrated Atlas map for Fishkill Landing, but is evident on the 1884 Sanborn Map.

The building retains most of its original character, in particular its distinctive roof and cornice details. This house is one of the most intact examples of its type, scale, and period in the City and is unusual as a Second Empire house of modest size. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



4 North Elm Street

View of North Side



View of South Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 17 Church Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Brenda Belladone Edwards, Address 17 Church Street, Beacon, NY 12508
Trustee _____
Original use Residential Current use Residential, Two-Family
Architect/Builder, if known _____ Date of construction, if known c. 1870

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input checked="" type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is one block north of Main Street on an 0.46-acre corner parcel facing Church Street. It is a 2½-story Victorian structure with a 4-story central tower and a 2-story rear section. The main section of the house has multiple cross gable roofs with a central brick chimney, and the tower has a mansard roof with a bracketed cornice. The rear gable section has a flat-roofed extension on the west side, which was likely added at a later date.

The house features wide vergeboards, drip-molds over the windows and doors, and one-level bracketed bay windows on the east and west elevations. There is a three-part, Palladian-influenced window frame with a rounded central window at the first level of the tower. Two matching front porches flank the tower with cornice brackets, square columns, and diagonal cross balustrades.

The original siding has been covered over with new vinyl siding and the window sashes appear to be more modern replacements. There is also a modern raised deck with wide glass door entry to the rear of the house, a modern one-story garage in the back yard, and a newer perimeter metal picket fence.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house is first evident on the 1876 Gray and Davis Illustrated Atlas map for Fishkill Landing, showing its current cross configuration and labeled as Mrs. Colwell. It is not on the 1867 Beers Atlas. The 1979 Historic Survey reported that this house was used as a hospital in the 19th century. The architecture contains elements of Gothic Revival, Italian Villa, and Second Empire styles.

Other than the vinyl siding and replacement windows, the building retains most of its original character, in particular its distinctive central tower, detailed front porches, and bay windows. This house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



17 Church Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 27 Church Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Christopher and Babette Brown Address 27 Church Street, Beacon, NY 12508
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known c. 1890

DESCRIPTION

Materials -- please check those materials that are visible

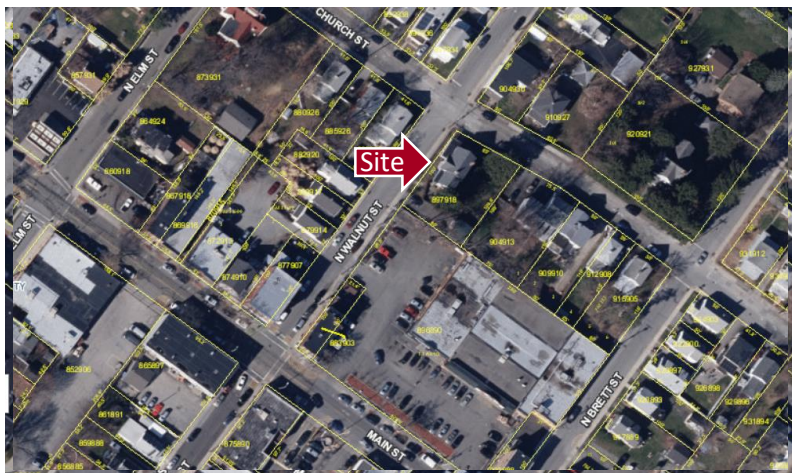
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input checked="" type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is one block north of Main Street on an 0.19-acre corner parcel facing Church Street. It is a 2-story late-Victorian structure with a cross-gable roof, a central brick chimney, and a 2-story rear section.

The house features a front porch extending around the west side with round Tuscan columns. The western cross-section of the house has a cutaway bay on the first level with a decorated overhang.

The original siding has been covered over with asbestos siding and the window sashes and porch railing appear to be more modern replacements. A former rear porch on the west side has been enclosed. There is a one-story, non-historic garage in the rear corner and a black chain link fence around the perimeter of the yard.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house is first evident on the 1896 Sanborn Map with its current configuration. It is not on the 1889 Sanborn Map.

Other than the asbestos siding and likely replacement windows, the building retains most of its original character, in particular its distinctive two-sided front porch. This house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



27 Church Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 232 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Stephen and Ricann Block, Address 11540 NE Wing Point Way, Bainbridge Island, WA, 98110
Original use Commercial Trustees _____ Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1890

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a narrow 0.08-acre lot. It is a three-story, three-bay brick building with a flat roof. The projecting wide-board cornice has regular brackets and paired brackets at the corners.

The most distinctive architectural details are the recessed brickwork around the windows with corbelled rows above the stone lintels. There are also dog-tooth sections between the upper floor windows and a course of dog-tooth bricks above the storefront. The windows have two over two sashes and stone sills. The storefront does not appear to be original, but is historically compatible.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1889 Sanborn Map, but the building is shown on the 1896 version, listed as a grocery store.

The building retains its original character, in particular its decorative brickwork. This commercial storefront structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



232 Main Street

Front View



Storefront Details



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 246 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner J & J 246, LLC Address P.O. Box 548, Beacon, NY 12508
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1885

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a 0.08-acre lot. It is a three-story, five-bay brick building with a flat roof. The large and decorative projecting cornice has paired brackets and small diamond-shaped cut-outs. The side bays on the front façade are slightly recessed with corbeled brick under the cornice.

The windows have arched brick lintels and stone sills with paired windows in the central bay. The sashes appear to be modern replacements. There is a simple secondary cornice over the storefronts and a central doorway for upper floor access. The two storefronts have double doors, but the windows and surrounds do not look original.

There are rounded modern awnings over the Main Street storefronts and central entrance, as well as the east side door. An exterior steel fire escape hangs off the north side of the structure.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1884 Sanborn Map, but the building is shown on the 1889 version, listed as a candy manufacturer on the west side and saloon on the east side. On the 1919 and 1927 Sanborn maps it was labeled Bennett Hotel. The existing one-story addition to the rear was constructed between 1912 and 1919.

The building retains its original character, particularly its elaborate overhanging cornice. This commercial structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



246 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 250 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Fa Tuan Ni and Ming Fang Chen Address 250 Main Street, Beacon, NY 12508
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1905-1910

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☐ good ☒ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a narrow 0.05-acre lot. It is a three-story, three-bay brick building with a flat roof and brick chimney. The projecting cornice has regular modillions and a wide board underneath.

The windows have arched brick lintels and stone sills. The sashes appear to be modern replacements. There is a simple secondary cornice over the storefront with corner blocks. The storefront surrounds and the door to the upper floors look original, but the storefront window and door are modern.

There is a rear porch on the upper levels, one-story rear addition, and a more modern garage towards the rear of the lot. Three windows and a former doorway have been bricked-up on the west side of the building.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1904 Sanborn Map, but the building with a 3-level rear porch is shown on the 1912 version, listed as a haberdasher. The one-story rear addition dates from after 1927.

Other than the bricked-up openings on the west side, the building retains most of its original character, in particular its decorative cornice. This commercial storefront structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



250 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 257 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Marin Equities, Inc. Address P.O. Box 9136, Bardonia, NY 10954
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1890-1895

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the south side of Main Street on a 0.23-acre lot. It is a two-story painted brick building with a flat roof and three brick chimneys. The projecting cornice is formed by a regular pattern of corbeled brick.

The structure is divided into three sections by projecting piers with originally six storefronts and three separate doors to the upper floor. The tall, narrow second-floor windows are set in six groups of three with broad arching brick lintels, a drip band above, and stone sills below. There is a secondary cornice over the central section of the facade. The central storefront has been modernized, but the outer storefronts retain much of their original character.

The rear elevation features paired windows with arched brick lintels and stone sills and three doors to the three sections of the building. A modern garage sits at the far corner of the rear parking lot.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1889 Sanborn Map, but the two-story building is shown on the 1896 version with multiple businesses, including a barber, grocery, and candy store. On the 1912 Sanborn map a club is listed on the second floor with a pool hall, cobbler, and sewing machine shop on the first floor.

The building retains its original character, in particular its decorative brickwork. This commercial storefront structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



257 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 269 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Tersal, Inc. Address 269 Main Street, Beacon, NY 12508
Original use Commercial Current use Commercial
Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the south side of Main Street on a 0.11-acre lot. It is a one-story brick building with a flat roof. The street-front brick walls contain multiple shades of light brown to tan, while the east and south walls are common red brick.

The Main Street facade is divided into five bays by pilasters with simple stone composite capitals and a stone string course and a soldier course of bricks above. Small metal medallions are placed over the four central pilasters. The cornice is a plain stone composite edge, as are the building's sills along the sidewalk.

The front quarter of the building had tall paired wood windows with eight panes each, while the rear section has large, multi-pane, metal-framed industrial windows, both types with stone composite sills. There is arched doorway at the southwest corner. The eastern wall is blank brick, but has a recessed window well half-way back. The only apparent modern elements are the front metal door and the canvas awnings over the front entrance and wooden windows.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1927 Sanborn Map, but the one-story building is shown on the 1946 version, listed as the Beacon News with printing operations in the rear portion of the building.

The building retains its original character. This commercial structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



269 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 274 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Michael and Tina Pomarico Address 274 Main Street, Beacon, NY 12508
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1890-1895

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a narrow 0.07-acre lot. It is a three-story, three-bay brick building with a flat roof and rear brick chimney. The bracketed front cornice has paired brackets at the corners with an arching frieze board and attached scrollwork in between the brackets.

The windows have stone lintels and sills, although the sashes appear to be modern replacements. Two windows have been bricked-up on the east side first floor. The east side also has a steel fire escape and a bay window on the upper two floors, which is original to the building, but has been refaced with modern materials. The thoroughly modernized storefront features a broad asphalt shingled roof, horizontally laid white stone, and metal picket fencing in front of the windows.

There is a modern, cement block, one-story rear addition.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1889 Sanborn Map, but this 3-story building with a bay window on the east side and 3-level rear porch is shown on the 1896 version, listed as a liquor store.

Other than the storefront and bay window, the building retains much of its original character, in particular its decorative cornice. This commercial storefront structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



274 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 284 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Movil Development Corp. Address 284 Main Street, Beacon, NY 12508
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1915

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input checked="" type="checkbox"/> other: <u>Stucco 1st Floor</u>
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a 0.19-acre lot. It is a three-story, four-bay painted brick building with a flat roof and four end-wall brick chimneys. The front overhanging cornice has regularly spaced modillions and a frieze board with moldings.

The south windows have stone lintels and sills, although the sashes appear to be modern replacements. On the west side the windows are wood framed with central keys above, as is the pointed arch above the recessed window well on the two upper floors.

The west side first floor and front storefront have been covered over with a modern stucco pattern with corner pilasters. The front windows and door are all modern. Steel fire escapes are also hung off the front and rear sides of the structure.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no building at this site on the 1912 Sanborn Map, but this 3-story building with recessed side window wells is shown on the 1919 version, listed as dwellings.

Other than the storefront level and replaced windows, the building retains much of its original character, in particular its decorative cornice. This commercial storefront structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



284 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 288 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Movil Development Corp. Address 284 Main Street, Beacon, NY 12508
Original use Commercial Current use Commercial
Architect/Builder, if known _____ Date of construction, if known c. 1915

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a 0.18-acre lot. It is a 1½-story brick building with a 2-story rear section and flat roof. The building has bold Art Deco elements, probably added in the 1930s, well after the original construction date, when it was converted into a movie theater. The original brickwork features six pilasters across the front and multiple rectangular brick patterns made from stacked and soldiered brick.

Stylized Deco features include a shaped parapet cornice, a second level central panel and first floor doorway with keyed top and side quoins, and an applied band above the first floor with dropped geometric shapes.

The first-floor windows also have wide bands above and exaggerated central keys. The south side windows and doors appear to be more modern replacements.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

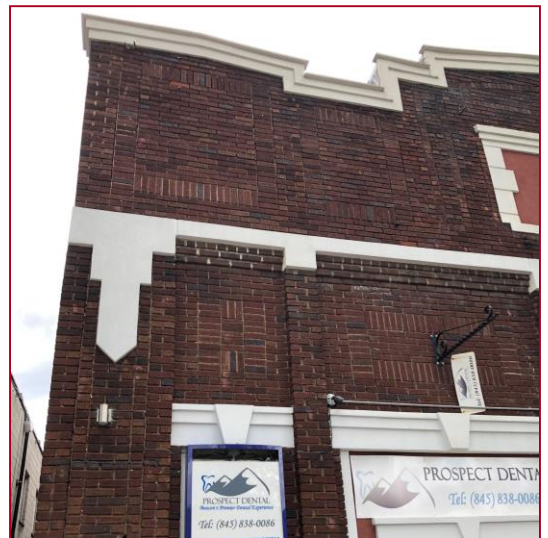
There were ruins of livery buildings destroyed by fire at this site on the 1912 Sanborn Map, but this brick building is shown on the 1919 and 1927 versions, listed as a garage. It was converted to a movie house between 1927 and 1946.

Other than the front windows and doors, the building retains most of its original character, in particular its decorative brickwork and Art Deco features. This commercial structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



288 Main Street

Front View



Brick Details



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) Telephone Building
Address or Street Location 291 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner 291 Main Street LLC. Address 55B Heritage Hills, Somers, NY 10589
Original use Commercial Current use Commercial
Architect/Builder, if known _____ Date of construction, if known 1907

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

This corner building is located on the south side of Main Street on a 0.14-acre lot. It is a 2½-story, three-bay building with a flat roof and brick chimney. The building is raised a half story on a stone base with brick above. The brick is an unusual Flemish bond with red stretchers and a mix of darker and lighter headers.

The broad overhanging cornice has regularly spaced modillions, a smaller dentil course below, and a wide frieze board with moldings and a central “Telephone Building” sign. The distinctive cornice extends across the north, east, and west elevations.

The Main Street facade is divided by four large-scale pilasters with decorative stone capitals and bases. The windows have brick lintels (arched on the first floor and rear) with a large central stone key and stone sills.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the “underground railroad.”); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

There is no structure at this site on the 1904 Sanborn Map, but this building is shown on the 1912 and subsequent versions, listed as the New York Telephone Building.

The building retains its original character, in particular its distinctive cornice and front facade. This structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



291 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____

Address or Street Location 315 Main Street

County Dutchess Town/City Beacon Village/Hamlet: _____

Owner 315 Beacon Realty LLC. Address 278 Mill Street, Poughkeepsie, NY 12601

Original use Commercial Current use Commercial/Mixed-Use

Architect/Builder, if known _____ Date of construction, if known Front Section c. 1880
Rear Section c. 1905-1910

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____	
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the south side of Main Street on a 0.07-acre lot. It is a 3- to 4-story, 3-bay painted brick building with a flat roof. The front overhanging cornice has regularly spaced modillions, four large decorated brackets, and a frieze board with rounded panels between the brackets.

The storefront has a secondary cornice with corner brackets. The storefront and flanking doors with transom lights are historically compatible.

The front windows have raised arching brick lintels and stone sills, but the windows on the South Cedar Street side have primarily straight stone lintels. The window sashes appear to be modern replacements. On the west side rear section there is a projecting bay window on the upper two floors, which may be a more recent addition because it does not show on the 1946 and earlier Sanborn maps. The west side also has three steel fire escapes.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This building was constructed in three sections. The 3-story structure along Main Street is not on the 1876 Atlas map, but appears on the 1884 Sanborn map, listed as a gunsmith. The 3-story rear section is shown on the 1912 Sanborn map with a two-story connection in between. In the 1919 version the middle section has been raised to the current 4-story height.

Other than the replaced windows, the building retains its original character, in particular its decorative cornice. This commercial storefront structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



315 Main Street



Rear View

Front View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 314 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Sunshine Boy LLC. Address 20 Harvest Road, Bloomingburg, NY 12721
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known 1889

DESCRIPTION

Materials -- please check those materials that are visible

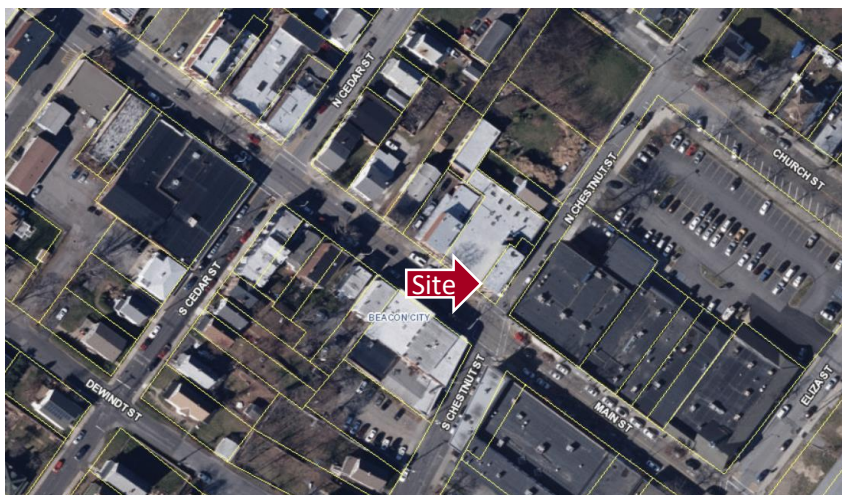
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a 0.05-acre lot. It is a 3-story, 3-bay brick building with a flat roof. The front overhanging cornice has four regularly spaced brackets and a frieze board with a pointed decorative pattern.

The storefront has a secondary cornice with large end brackets and smaller central brackets. The storefront and side door with transom light are historic quality. The construction date of 1889 is carved into a central stone between the upper floor windows.

The windows have large stone lintels and stone sills with small lower corner blocks, but the window sashes appear to be modern replacements. The side walls and one-story rear addition are painted white. The side facing South Chestnut Street has painted artwork, a steel fire escape, and several bricked-over window openings on the first floor.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This building was constructed in 1889, according to the date on the front façade. It is not on the 1889 Sanborn Map, but it shown on the 1896 version, labeled as a saloon and "The Plaza." The 1-story rear section is first shown on the 1904 Sanborn map.

The building retains its original character, in particular its decorative cornices. This commercial storefront structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



314 Main Street

Front View



East Side View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 403 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Erik Allguaer and Patrick Malouf Address 403 Main Street, Beacon, NY 12508
Original use Commercial Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1880-1885

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input checked="" type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the south side of Main Street on a 0.13-acre lot. It is a 2½ -story, 3-bay brick building with a slate mansard roof on the front and rear elevations, two end-wall brick chimneys, and a stone building sill course. The top-story dormers have rounded hoods.

The second-floor cornices, front and rear, are simple in form, but the storefront cornice has regularly spaced modillions. The storefront features a central 48-pane window. The commercial door has side lights and the transom covered over by an air conditioner. The door to the upper floors has an original transom window.

The windows have large arched stone lintels and stone sills on the Main Street side with primarily straight stone lintels and sills on the other elevations. The window sashes appear to be a combination of original and modern replacements. There is also an original small rear porch with scroll-cut corner brackets and a modern, one-story brick addition to the east side.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

A two-story building with a "Fr. Rf." (French Roof?) first appears at this location on the 1889 Sanborn map, listed as a saloon. In the 1904 version the saloon is labeled as a 3-story structure with a mansard roof.

The building retains its original character. This commercial storefront structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



403 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) 1st Baptist Church of Matteawan
Address or Street Location 372 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Salvation Army Address 120-130 W. 14th Street, New York, NY 10011
Original use Religious Structure Current use Charity Institution
Architect/Builder, if known _____ Date of construction, if known 1854

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input checked="" type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: Bell tower rebuilt and one-story rear addition Date: 1911

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The brick church is located on the north side of Main Street set back from the street on a 0.6-acre lot. The main section has square brick corbelling under the eaves, and the square bell tower up front has Gothic Revival details, such as pointed arches and a crenellated top. There are stone courses along the top of the foundation and dividing the tower into three levels.

The construction dates are carved into a central stone above the double front doors, which have multi-pane transom windows. The windows are set in recessed brick panels with stone lintels and sills. The windows facing the street and on the tower have stone drip-molds over the top. The window sashes appear to be modern replacements.

The newer brick building to the rear is a two-story, fairly plain structure with a gable roof and a tall brick chimney on the southern corner.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This early Matteawan church was constructed in 1854 with a framed front belfry. It was rebuilt in 1911 with the current brick bell tower and a one-story rear addition. According to the 1979 Historic Survey form, the two-story brick building to the back of the lot was added in 1961.

The building retains its original character. This religious structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



403 Main Street Front View and East Side

Front View and West Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 378-382 Main Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Dutchess Point II LLC Address P.O. Box 229, Beacon, NY 12508
Original use Manufacturing Current use Commercial/Mixed-Use
Architect/Builder, if known _____ Date of construction, if known c. 1880

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the north side of Main Street on a 0.348-acre lot. It is a 3-story, 7-bay brick building with a flat roof and two brick chimneys. There are two original rear brick sections, a one-story and two-story wing, with modern cornices. Only the Main Street façade is painted.

The front overhanging cornice has six regularly spaced brackets and a frieze board with a rounded raised panel pattern in between the brackets. The storefront has a secondary cornice with large decorative brackets. The eastern storefront and central double doors with transom lights are historic quality and the western storefront is historically compatible.

The 2 over 2 windows have raised arching brick lintels and stone sills. The west side has a steel fire escape. The building is set back from the sidewalk with a café patio framed by a steel picket fence.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

Smaller buildings appear at this location on the 1867 and 1876 Atlas maps, labeled as the Matteawan Carriage Factory. By 1884, the Sanborn map shows the current frontage 3-story building with rear wings, identified as the W. H. Jackson Carriage and Sleigh Manufacturer. In 1912 the building complex is listed as the H. D. Jackson Carriage Works and in 1927 as the H. D. Jackson Carriage and Auto Works.

The building retains its original character. This commercial structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



378-382 Main Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____

Address or Street Location 159 Fishkill Avenue

County Dutchess Town/City Beacon Village/Hamlet: _____

Owner Kimberly Garcia/James Halstead Address 159 Fishkill Avenue, Beacon, NY 12508

Original use Residential Current use Residential

Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input checked="" type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input checked="" type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____	
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the west side of Fishkill Avenue on a 0.2-acre lot. It is a 1½-story building with a multi-gabled roof, brick chimney, and an extraordinary level of Victorian detailing, especially for a modestly scaled house. The first story has horizontal clapboard siding and the second level has vertical board and batten siding. There are two east-facing dormers with rounded hoods.

There is a projecting one-story bay on the western corner with raised panels below the windows. The cornices over the front porch and corner bay are highly decorated with brackets and a frieze pattern that extends along the north and south walls. The chamfered porch posts have elaborate cut-out corner brackets that extend to central pendants. The heavy porch railings have turned balusters. There are two French doors onto the porch, as well as a double-door front entrance with transom window.

The decorative details on the house are emphasized by a multi-color paint job.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

A smaller house appears at this location on the 1867 and 1876 Atlas maps, listed as E. Chace, but the current configuration with a front porch is first accurately represented on the 1889 Sanborn map.

The building retains its original character with a mix of Gothic and Italianate features. This elaborately decorated house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



159 Fishkill Avenue

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) James V. Forrestal Birthplace
Address or Street Location 189 Fishkill Avenue
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Emily De Cordova Address 189 Fishkill Avenue, Beacon, NY 12508
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known c. 1880

DESCRIPTION

Materials -- please check those materials that are visible

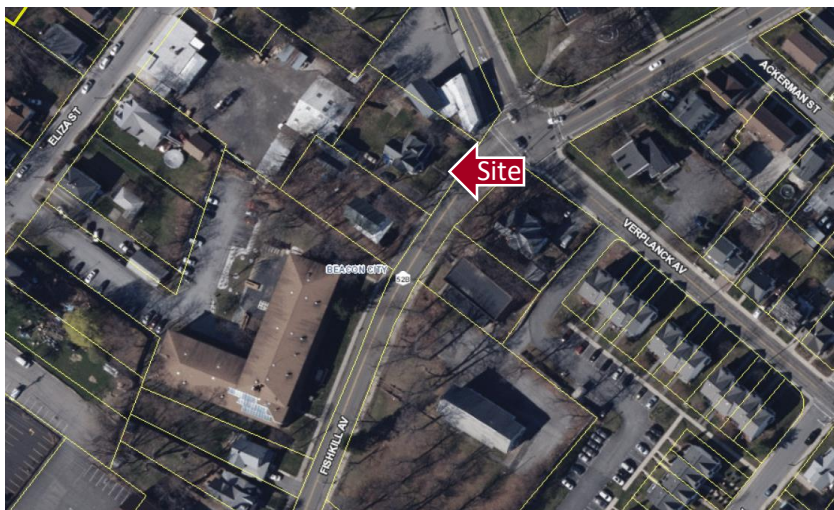
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input checked="" type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☐ good ☒ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

DRAFT

(See Reverse)

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the west side of Fishkill Avenue on a 0.3-acre lot. It is a 2½-story building with a cross gable roof, front-facing dormer, and two central brick chimneys. The 1979 Historic Survey shows a highly decorated vergeboard, bracketed bay window, and elaborately detailed front porch supports and balustrade. However, the current building has been covered over with vinyl siding and all the former architectural details are gone. The first-level bay window on the front and a wraparound porch on the north side still exist, but without any decorative elements. There is a raised deck and one-story garage to the rear.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house is first represented on the 1889 Sanborn map with its front bay window and front porch extending around the north side. On the rear of the lot is a 3-story structure listed as James Forrestal, carpenter and builder. By the 1919 version, the 3-story shop is no longer evident, but a 2-story carpenter and auto building is along the northern parcel line to the rear. On the 1927 Sanborn map an additional 1-story building labeled James Forrestal, General Contractor, is to the rear, along with a grouping of other buildings extending over to Eliza Street. By 1946, the rear building is listed as a Hat Bin Manufacturer.

Although the house has lost almost all its architectural details since the 1979 Historic Survey, the building is associated with a historic person in national history, James V. Forrestal (1892-1949). He was born here and graduated from Matteawan High School at the age of 16. A naval aviator in WWI and Wall Street executive between the wars, Forrestal's friendship with Franklin D. Roosevelt led to his appointment as Undersecretary of the Navy in 1940 and Secretary of the Navy in 1944. He is noted for his effective mobilization of the war effort, his advocacy for racial integration in the military, and, after the war, a strong national defense. Forrestal was appointed the first Secretary of Defense by President Truman in 1947, but disagreed with Truman over the military budget and other political issues and was forced to resign in 1949. He fell into depression and either fell or jumped to his death from a hospital window two months later. An aircraft carrier, a major office building in Washington DC, and an elementary school in Beacon were subsequently named after him.



189 Fishkill Avenue

Front View



Front Plaque



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 194 Fishkill Avenue
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Jessica Jellife and Jason Craig Address 159 Fishkill Avenue, Beacon, NY 12508
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known c. 1900

DESCRIPTION

Materials -- please check those materials that are visible

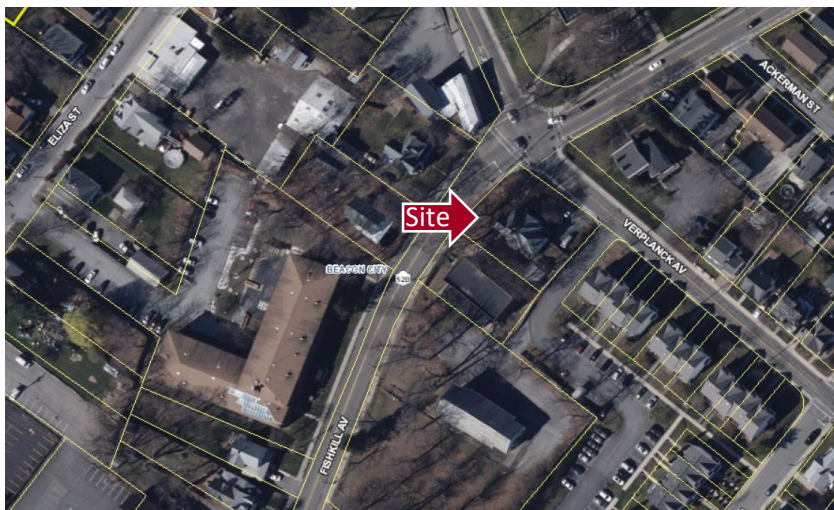
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input checked="" type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____	
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input checked="" type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

DRAFT

(See Reverse)

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the east side of Fishkill Avenue on a 0.23-acre corner lot. It is a 2-story building with a hip roof, two cross gables, and a central brick chimney. The basement level has a rusticated cement block foundation. There is a 2-story, three-sided bay with paired central windows facing Verplanck Avenue.

The clapboard siding and shingled gables noted in the 1979 Historic Survey have been covered over with vinyl siding. As a result, the most notable architectural features are the three street-front porches with flat roofs, Tuscan columns, and straight balusters. The porch facing the intersection has a doorway set in an angled corner.

There is a small garage, probably from the 1920s, on the eastern rear side of the house and a stone retaining wall along the Fishkill Avenue sidewalk.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house is shown on the 1904 Sanborn map, although the porches in their current configuration first appear in the 1927 version.

Even though the house has been resided with vinyl siding since the 1979 Historic Survey, the building retains much of its original character, especially the porches. This Queen Anne/Colonial Revival structure is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



194 Fishkill Avenue



Views from Verplanck Avenue



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) Hebrew Synagogue and Center
Address or Street Location 331 Verplanck Avenue
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Beacon Hebrew Alliance Address 55 Fishkill Avenue, Beacon, NY 12508
Original use Religious Structure Current use Religious Structure
Architect/Builder, if known _____ Date of construction, if known 1929

DESCRIPTION

Materials -- please check those materials that are visible

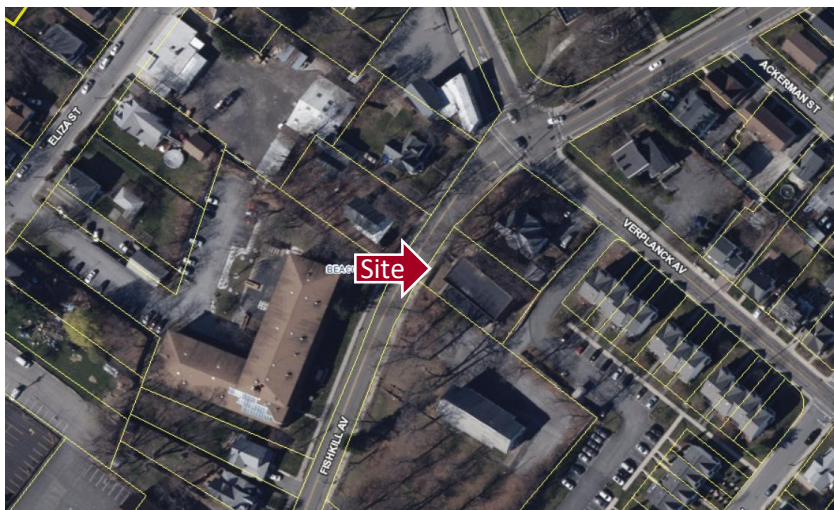
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

DRAFT

(See Reverse)

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the east side of Fishkill Avenue on a 0.19-acre lot. It is a 2-story brick structure with a flat roof. It is well above the street, accessed by central steps with a concrete retaining wall along the sidewalk.

The façade features a raised parapet roofline with a Star of David just below and three tall stained-glass windows. These windows are topped by arched stone elements with central keys and stone sills with supporting blocks below. Two smaller stained-glass windows flank the front entrance with arched brick lintels and stone sills. The brick entrance surrounds project out from the facade with a stone shallow arch above and the name of the building inscribed along the top edge. Two paneled wood doors have a transom window above and lantern lighting fixtures on both sides.

There is a modern 1-story addition on the south side and the brick under the top edge of the structure has been re-pointed with a lighter shade of mortar.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

The building was constructed in 1929, according to a stone block on the front corner. It is not shown on the 1927 Sanborn map, but is evident on the 1946 version, listed as the Hebrew Synagogue and Center.

This religious structure is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



189 Fishkill Avenue



Views from Fishkill Avenue



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) St. Rocco Society
Address or Street Location 26 South Chestnut Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner St. Rocco Society Address 26 S. Chestnut Street, Beacon, NY 12508
Original use Social Organization Current use Social Organization/Event Space
Architect/Builder, if known _____ Date of construction, if known 1926

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

DRAFT

(See Reverse)

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the west side of S. Chestnut Street on a 0.17-acre corner lot. It is a 1½-story brick structure with a gable roof and rear chimney. The raised basement level has a stucco exterior.

The façade features polychrome brick that imitate quoins on the front corners. A band of light-colored soldier bricks and stucco cross under the front gable. This reinforces the projecting pediment with modillions and flanking polychrome brick columns around the front entrance. An arched stucco panel with a central key and inscribed St. Rocco Society is above the double doors. The side walls have buttresses between the windows, which have soldier brick lintels and stone sills.

The windows appear to be modern replacements and the front stairs, metal railings, and overhead canopy are likely newer construction. Four windows on the rear wall have been bricked over. There is also a 1-story shed addition on the rear side.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This Classical Revival building was constructed in 1926, according to a stone block on the front corner. It is first shown on the 1927 Sanborn map, listed as the St. Rocco Society Hall. In the 1946 version it is labeled as both the St. Rocco Society and a clothing factory.

This social club structure with religious and Italian-American associations is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



26 S. Chestnut Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 19 Commerce Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner June C. Crilly Address 19 Commerce Street, Beacon, NY 12508
Original use Residential Current use Residential, Two-Family
Architect/Builder, if known _____ Date of construction, if known c. 1880

DESCRIPTION

Materials -- please check those materials that are visible

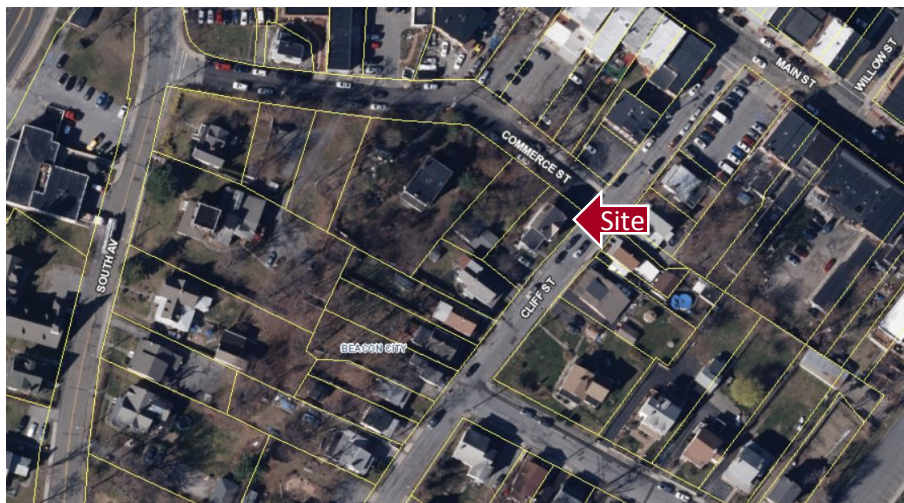
Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input checked="" type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input checked="" type="checkbox"/> other: <u>Asphalt Siding</u>
Roof:	<input type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input checked="" type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☐ good ☒ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the south side of Commerce Street on a 0.11-acre corner lot. It is a 2½-story wood-frame structure with a cross gable roof that has an unusual flat center section and a central brick chimney. To the rear the house drops down to two stories with a flat roof. The gable ends have decorated vergeboards with applied diamonds and circular cut-outs. Parts of the existing asphalt siding have been covered over with new vinyl siding.

The rear section, front porch, side porch, and 2-story rectangular bay window facing Cliff Street all feature the same repetitive cutwork pattern along the top edges. The porch posts have lightweight crosshatching and double-arch brackets, while the porch railing supports have both crosshatch and straight pieces.

The front upper-floor windows have shed hoods with small corner brackets. All the window sashes appear to be modern replacements, but the front door and side lights seem to be original.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

This house is first shown on the 1884 Sanborn Map. The street connecting Cliff Street with South Avenue did not exist on the 1876 Atlas Map, but it is shown on the 1884 Sanborn Map and is labeled as Spring Street in 1889. By 1919, it was known as Commerce Street.

Although the siding is not original, this Victorian house is one of the more intact examples of its type, scale, and period in the City, particularly in its decorated cornices and porches. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



19 Commerce Street

Front View



Rear View



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____
Address or Street Location 11 Commerce Street
County Dutchess Town/City Beacon Village/Hamlet: _____
Owner Jianmao Deng Address 11 Commerce Street, Beacon, NY 12508
Original use Residential Current use Residential
Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input checked="" type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____	
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572
Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the south side of Commerce Street on a 0.43-acre lot. It is a 2-story brick building with a flat roof and brick chimney. The house is surrounded by a metal fence with brick piers flanking the walkway and driveway entrances, as well as overgrown plantings, so it is difficult to see the building from the street for an accurate description.

The roof line features a broad overhanging eave and wide frieze board without brackets. There is a one-story bay window on the west side towards the rear. The windows have stone lintels and sills with 6 over 6 sashes. The porch across the front of the house has a simple shed roof. The double front doors have arched windows with raised panels below.

There is a one-story garage with a gable roof on the west side of the house that first shows up on the 1919 Sanborn Map.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

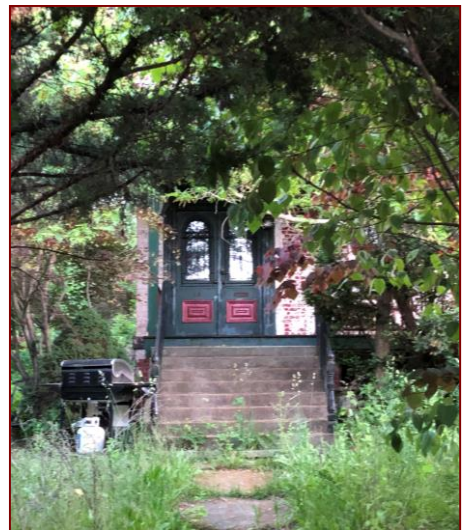
A house existed at this location on the 1867 and 1876 Atlas maps, labeled as H. H. Hustis. According to Smith's 1882 History of Dutchess County, Henry H. Hustis was an attorney who opened an office in Fishkill Landing in 1853. He was listed as President of the incorporated village in 1866, 1868, 1870, and 1873. The house with its front and rear porches is first accurately represented on the 1884 Sanborn map. The street connecting Cliff Street with South Avenue did not exist on the 1876 Atlas Map, but it is shown in 1884 and is labeled as Spring Street in 1889. By 1919, it was known as Commerce Street.

This Italianate house retains its original character. It is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



11 Commerce Street

Front View



Front Door



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____

Address or Street Location 20 South Avenue

County Dutchess Town/City Beacon Village/Hamlet: _____

Owner Barbara J. and Brenda J. Sims Address 5 Kitteridge Place, Beacon, NY 12508

Original use Residential Current use Residential, 3-Family

Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

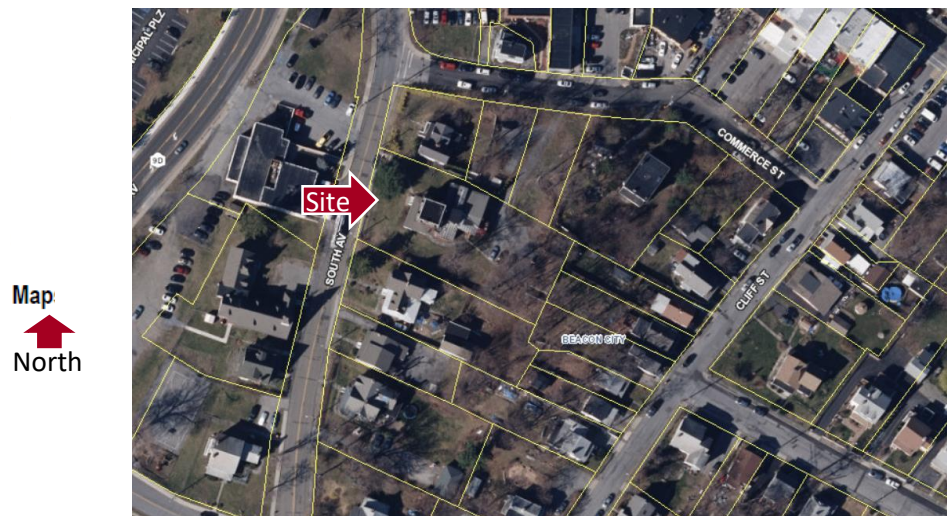
Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input checked="" type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____	
Roof:	<input type="checkbox"/> asphalt, shingle	<input checked="" type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input checked="" type="checkbox"/> slate
Foundation:	<input checked="" type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the east side of South Avenue on a 0.54-acre uphill lot with a cobble stone retaining wall along the front sidewalk. It is a 2½-story building with a mansard roof, brick chimney, and metal rooftop balustrade. The 1½-story addition to the rear also has a mansard roof, while the somewhat later 1-story addition to the south has a flat roof. There are gabled dormers with decorative cutwork around both mansard roofs. The second-floor cornice has brackets and a broad stucco band below. The second-floor windows are 2 over 2 with stone lintels and sills.

The elaborately decorated porch, which extends across front and south side, has a bracketed cornice, square columns with capitals, cut-out arches with central pendants, and turned balusters. The front double doors have glass panels and a transom window.

A large modern addition with a horizontal siding and a combination shed and gable roof has been built on the north side to the rear.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

A house appears at this location on the 1867 and 1876 Atlas maps, listed as Jas. Taylor, but it is first accurately represented with a front porch and mansard roof on the 1884 Sanborn map. A 2-story rear addition appears on the 1904 map. In 1912 a 1-story addition was built of the south side to the rear, along with an extension of the front porch around the side of the building.

The building retains its original distinctive character, particularly its Second Empire roof and elaborately decorated wraparound porch. This house is one of the most intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



20 South Avenue

Front View



Addition on North Side



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____

Address or Street Location 22 South Avenue

County Dutchess Town/City Beacon Village/Hamlet: _____

Owner Shirish M. Chitanis and Jacqueline Paris-Chitanis 22 South Avenue, Beacon, NY 12508

Original use Residential Current use Residential

Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input checked="" type="checkbox"/> other: <u>Stucco</u>	
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the east side of South Avenue on a 0.37-acre uphill lot with a concrete retaining wall along the front sidewalk. It is a 2½-story building with a 1½-story southern section, multi-gabled roof, two brick chimneys with pots, and a raised basement level. The southern section features gable-hooded dormers with trefoil windows. There is an original 1-story section to the rear on the south side and a more modern 2-story addition to the rear on the east side.

The front-facing gable has a wide vergeboard with elaborate cut-outs, pinnacle above, and a window and balcony below. The first floor in front has a canopy roof, two French doors, and an elevated porch with large projecting supports. There is a one-story bay window on the north side. The porch curving around the southern section of the house has lightweight columns and bracketed supports. Parts of the original balusters have been replaced. The double front doors have glass panels and a transom window.

To the rear, there is a 1½-story carriage house with board and batten siding and a wide decorated vergeboard.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

A house appears at this location on the 1867 and 1876 Atlas maps, listed in 1867 as S. Bogardus, but the house and rear structure are first accurately represented on the 1884 Sanborn map.

This Gothic Revival house retains its original character and decorated features. It is one of the most intact examples of its type, scale, and period in the City. This structure possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



22 South Avenue

Front View



Rear Building



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____

Address or Street Location 26 South Avenue

County Dutchess Town/City Beacon Village/Hamlet: _____

Owner Matthew Yarnis and Maggie Garrido-Yarnis 26 South Avenue, Beacon, NY 12508

Original use Residential Current use Residential, Two-Family

Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input type="checkbox"/> wood clapboard	<input type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood
	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block
	<input checked="" type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal <input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☐ excellent ☒ good ☐ fair ☐ deteriorated



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the east side of South Avenue on a 0.42-acre lot with a tall hedge and chain link fence along the sidewalk. It is a 2½-story building with a multi-gabled roof, and two brick chimneys. The most distinctive features are the wide vergeboards with a repeating square pattern, cut-outs, and central drop pendants.

There are 1-story bay windows on the south and west sides and a 2-story bay on the north side. The cornice brackets remain on the northern bay. The windows have arched wood frames, but some of the 2 over 2 sashes have been replaced.

The front porch curves around to the south side. It has chamfered columns and arched supports with corner cut-outs. The front doorway appears to be a modern replacement.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

A house appears at this location on the 1867 and 1876 Atlas maps, listed as E. Crosby, but it is first accurately represented on the 1884 Sanborn map.

Other than the vinyl siding and front doorway, the building retains its original character. This house with its elaborately decorated vergeboards is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



26 South Avenue



Front Views



HISTORIC RESOURCE INVENTORY FORM

NYS OFFICE OF PARKS, RECREATION
& HISTORIC PRESERVATION
P.O. BOX 189, WATERFORD, NY 12188
(518) 237-8643

OFFICE USE ONLY

USN:

IDENTIFICATION

Property name(if any) _____

Address or Street Location 30 South Avenue

County Dutchess Town/City Beacon Village/Hamlet: _____

Owner Matthew R. Healey and Jacquelin P. Rubin 255 W. 90th Street, New York, NY 10024

Original use Residential Current use Residential

Architect/Builder, if known _____ Date of construction, if known _____

DESCRIPTION

Materials -- please check those materials that are visible

Exterior Walls:	<input checked="" type="checkbox"/> wood clapboard	<input checked="" type="checkbox"/> wood shingle	<input type="checkbox"/> vertical boards	<input type="checkbox"/> plywood	
	<input type="checkbox"/> stone	<input checked="" type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	
	<input type="checkbox"/> vinyl siding	<input type="checkbox"/> aluminum siding	<input type="checkbox"/> cement-asbestos	<input type="checkbox"/> other: _____	
Roof:	<input checked="" type="checkbox"/> asphalt, shingle	<input type="checkbox"/> asphalt, roll	<input type="checkbox"/> wood shingle	<input type="checkbox"/> metal	<input type="checkbox"/> slate
Foundation:	<input type="checkbox"/> stone	<input type="checkbox"/> brick	<input type="checkbox"/> poured concrete	<input type="checkbox"/> concrete block	

Other materials and their location: _____

Alterations, if known: _____ Date: _____

Condition: ☒ excellent ☐ good ☐ fair ☐ deteriorated

Map
↑
North



Prepared by: John Clarke address 25 Beech Street, Rhinebeck, NY 12572

Telephone: _____ email jclarkeplandesign@gmail.com Date June 2019

Narrative Description of Property: Briefly describe the property and its setting. Include a verbal description of the location (e.g., north side of NY 17, west of Jones Road); a general description of the building, structure or feature including such items as architectural style (if known), number of stories, type and shape of roof (flat, gabled, mansard, shed or other), materials and landscape features. Identify and describe any associated buildings, structures or features on the property, such as garages, silos, privies, pools, gravesites. Identify any known exterior and interior alterations such as additions, replacement windows, aluminum or vinyl siding or changes in plan. Include dates of construction and alteration, if known. Attach additional sheets as needed.

The building is located on the east side of South Avenue on a 0.31-acre corner lot with a hedge and chain link fence along the sidewalk. It is a 2-story painted brick building with a multi-gabled roof and a brick chimney. The gables have a shallow pitch with a return on the west side. The cornices feature regularly spaced brackets. There is a 2-story bay on the south side with a matching bracketed cornice and shingle siding. The bay is first shown on the 1919 Sanborn Map.

The windows have stone lintels and sills, but appear to have replacement sashes. A smaller set of paired windows under the western eaves has a distinctive diamond glazing pattern. A small, similarly shaped window with a diamond glass pattern also exists on the southern wall next to the bay.

The front porch on the west side has a bracketed top and chamfered columns, but the balustrade has been covered over with solid shingles. There is also a 1-story, shed-roofed rear entrance on the east side that likely dates from the early 1900s and a more modern 1-story addition on the north side with a flat roof, clapboard siding, and a triple window facing South Avenue.

Narrative Description of Significance: Briefly describe those characteristics by which this property may be considered historically significant. Significance may include, but is not limited to, a structure being an intact representative of an architectural or engineering type or style (e.g., Gothic Revival style cottage, Pratt through-truss bridge); association with historic events or broad patterns of local, state or national history (e.g., a cotton mill from a period of growth in local industry, a seaside cottage representing a locale's history as a resort community, a structure associated with activities of the "underground railroad."); or by association with persons or organizations significant at a local, state or national level. Simply put, why is this property important to you and the community. Attach additional sheets as needed.

A house exists at this location on the 1867 and 1876 Atlas maps, listed as E. Crosby in 1867, but the current configuration with a front porch is first accurately represented on the 1884 Sanborn map.

The building retains its original character. This bracketed house is one of the more intact examples of its type, scale, and period in the City. It possesses special historic and aesthetic value as part of the cultural history of the City and embodies distinguishing characteristics of an architectural period and style.



30 South Avenue



Beacon Street View

South Avenue View

Office of Parks, Recreation and Historic Preservation
An Equal Opportunity/Affirmative Action Agency

DRAFT

City of Beacon Workshop Agenda
7/29/2019

Title:

248 Tioronda Avenue Concept Plan

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum From City of Beacon Planning Board Referring 248 Tioronda Avenue to City Council	Cover Memo/Letter
248 Tioronda Avenue Photo Simulations	Backup Material
248 Tioronda Aveune Site Section Elevations	Backup Material
Chazen Company Letters to the City of Beacon Planning Board	Cover Memo/Letter
Concept Plan Regarding 248 Tioronda Avenue	Plans
Consistency with FCD Concept Plan Approval Criteria	Backup Material
Full Environmental Assessment Form	EAF
Package Cover Letter from Chazen Company to City Council	Cover Memo/Letter
Summary of Concept Plan Changes and Significant Project Advancements	Cover Memo/Letter



Memorandum

Planning Board

TO: Mayor Randy Casale and City Council Members

FROM: Etha Grogan
for Planning Board Chairman Gunn and Planning Board Members

RE: 248 Tioronda Avenue Concept Plan

DATE: June 12, 2019

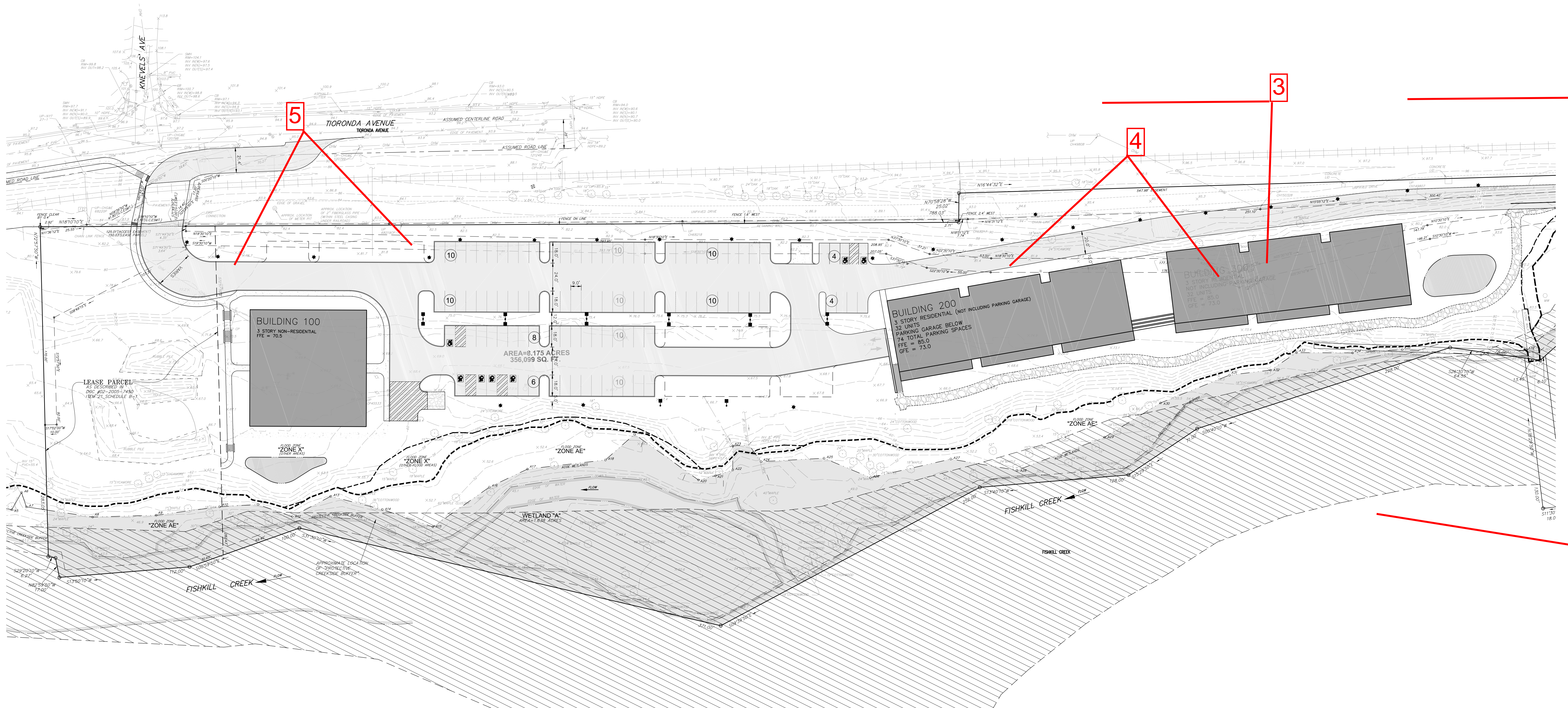
As requested by the City Council in its January 22, 2019 resolution, the Planning Board, acting as Lead Agency, reviewed the 248 Tioronda Avenue Concept Plan for significant environmental impacts under the State Environmental Quality Review Act (SEQRA) and also for consistency with the City's Local Waterfront Revitalization Program (LWRP).

A comprehensive review took place during the Planning Board's regular meetings on February 13, 2019, March 12, 2019, April 9, 2019, May 14, 2019, and June 11, 2019. After hearing from the public and considering all the associated materials prepared in connection with the proposed action, the Planning Board at its June 11, 2019 meeting adopted a Negative Declaration, finding that the proposal will not result in any significant environmental impacts. At the same meeting the Board adopted an LWRP Consistency Determination, finding that the Concept Plan is entirely consistent with the applicable LWRP policies.

The City Council resolution also requested a report and recommendations on the proposed Concept Plan. At its June 11, 2019 meeting all the Planning Board members present voted to issue a positive recommendation to the Council on the current Concept Plan. The applicant has been responsive to requests for additional information and changes to the plan from the Board, City consultants, and Greenway Trail Committee. From the Planning Board's perspective, the application appears complete and satisfies the Concept Plan criteria of the Fishkill Creek Development District.

It is important to note, however, that more specific architectural, landscaping, lighting, parking, and engineering details have not yet been reviewed by the Planning Board. These and other more detailed and technical issues will be covered during the subsequent Site Plan review process.

If you have any questions, please feel free to contact me.















SITE SECTION

248 TIORONDA AVENUE
BEACON, NEW YORK

PROPOSED REVISIONS
JAN 17, 2019

abarchitekten





WEST ELEVATION BLDG B

WEST ELEVATION BLDG A



EAST ELEVATION BLDG A

EAST ELEVATION BLDG B



SOUTH ELEVATION BLDG A



NORTH ELEVATION BLDG A



NORTH ELEVATION BLDG B

RESIDENTIAL ELEVATIONS

248 TIORONDA AVENUE
BEACON, NEW YORK

PROPOSED REVISIONS
JAN 17, 2019



WEST ELEVATION BLDG B



EAST ELEVATION BLDG A



WEST ELEVATION BLDG A

ROOF
+36'-0"

3RD FLOOR
+24'-0"

2ND FLOOR
+12'-0"

1ST FLOOR
+0'-0"

CELLAR
-12'-0"



EAST ELEVATION BLDG B

ROOF
+36'-0"

3RD FLOOR
+24'-0"

2ND FLOOR
+12'-0"

1ST FLOOR
+0'-0"

CELLAR
-12'-0"



WEST ELEVATION



EAST ELEVATION

January 30, 2019

John Gunn, Chairman
and Members of the Beacon Planning Board
Beacon City Hall
1 Municipal Center
Beacon, New York 12508

VIA HAND DELIVERY

*Re: Beacon 248 Holdings LLC – Proposed Multifamily Development and Office Building
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn:

The Beacon 248 Development project, located in the Fishkill Creek Development (FCD) District, was granted a Special Use Permit by the City of Beacon Common Council on August 7, 2014, and site plan approval and subdivision approval were granted by the City of Beacon Planning Board on January 13, 2015. The approved project consisted of the construction of 100 two-bedroom apartment units within four buildings and a 1,200 SF clubhouse on the 9.16-acre site. Extensions of these approvals were subsequently granted. A public Greenway Trail was proposed along the Creek. Access to the project was via an easement over the Metro North railroad property, and emergency access was proposed from Wolcott Avenue. All conditions of approval were met, and the approved plan sets were signed by the Planning Board Chairman.

The current Applicant, Beacon 248 Holdings LLC, is now proposing a site plan for a multifamily development and office building on the property which complies with the amended zoning regulations for the FCD District. The number of dwelling units has been reduced to 64 dwelling units (28 one-bedroom units and 36 two-bedroom units) and the project includes 25,400 square feet of non-residential space, which represents 27.7% of the total proposed floor area. As required, 10% of the dwelling units will meet the requirements of Article XVI.B, *Affordable Workforce Housing*. The new plan also includes a public Greenway Trail.

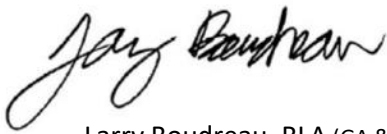
The currently proposed project was submitted to the City Council for concept plan review in July 2018. The plans have been revised in accordance with comments received, and on January 22, 2019, the City Council voted to refer to the project to the Planning Board.

The following items are attached:

- Site Plan Application with deed (5 copies)
- Full Environmental Assessment Form (FEAF) Part 1 revised January 30, 2019 (5 copies)
- Site Plan Set (5 copies)
- CD with pdfs of submittal items

Please place this project on the agenda of the agenda of the Wednesday, February 13th, Planning Board meeting. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Boudreau". The signature is fluid and cursive, with the first name "Larry" being more prominent than the last name "Boudreau".

Larry Boudreau, RLA (GA & NY), MBA
Director of Land Development

February 26, 2019

Mr. John Gunn, Chairman
and Members of the Beacon Planning Board
Beacon City Hall
1 Municipal Center
Beacon, New York 12508

VIA HAND DELIVERY

*Re: Response to John Clarke Planning and Design Comments dated February 8, 2019, and
Lanc & Tully Comments dated February 7, 2019
248 Beacon Holdings LLC - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn and Members of the Beacon Planning Board:

The following is a point-by-point response to the above referenced comments.

JOHN CLARKE COMMENTS DATED FEBRUARY 8, 2019

1. *Sheet C100 includes the combined floodway, wetland, and surface water boundaries, as well as the proposed development footprints, but the very steep slopes layer is missing. This mapping information and a justification for compliance with Section 223-16 will be needed for a SEQR determination.*

Response: Sheet C100 has been updated to clarify the presence of the steep slopes. The total combined floodway, wetlands, as Jurisdictionally Determined by the ACOE (expired), surface water boundaries, and steep slopes total 3.29 acres. This area calculation was confirmed by Lanc and Tully.

2. *On Sheet G001 the Site Statistics Table should indicate 216 parking spaces. According to Section 223-41.13 I(11)(b) the minimum required parking should also be the maximum allowed.*

Response: The table has been updated indicating that 216 spaces are provided. This number includes 9 handicapped accessible parking spaces, of which 7 are surface and 2 are in the garage.

3. *The photo-simulations and cross-sections previously provided to the Council should be included in the Planning Board packet to assess visual impacts from surrounding public viewpoints.*

Response: Photo-simulations and cross-sections are included with this submittal.

4. *The current Concept Plan proposes 20 land-banked parking spaces to help create a central green. Previous Concept Plan versions showed 33 and 40 land-banked spaces, which would provide more usable greenspace and less potentially unnecessary asphalt. The Board and applicant should discuss an appropriate number of land-banked spaces.*

Response: We have increased the land banked parking from 20 to 24 spaces located entirely in the "lower" parking area closest to the Fishkill Creek allowing for a larger central green area. The remaining surface parking is 118 of which 15 is residential and 103 is non-residential. This would equal 1.39 spaces per residential unit and 4.06 spaces per 1,000 SF for the non-residential space. Based on the Institute of Transportation Engineers (ITE) Parking Generation, 4th Edition, these ratios are considered reasonable.

5. *An ADA-compliant section of the Greenway Trail should be provided through the green near the retaining wall to bypass the lower trail segment with stairs.*

Response: Conceptually, we show a pedestrian path adjacent to the central green linking to the Greenway Trail. As the design is advanced to including storm water and grading, we will review the practicality of ADA-compliant trail section in this area.

6. *The November 26, 2018 response letter from The Chazen Companies reported that the federal wetlands boundary was re-delineated on November 5, 2018 and was to be reviewed by the Army Corps of Engineers. The January 28, 2019 Wetlands Investigation Memorandum reverses course and states that a site investigation on November 6, 2018 found no wetlands on the property. This contradiction needs to be explained.*

Response: The proposed change is based on updated field investigation by a Chazen wetland biologist and is subject to review and determination by the USACOE. The plans will be revised in accordance with USACOE's final determination.

7. *Since this parcel is in the Coastal Management Zone, the application requires a LWRP Consistency Determination. The EAF Narrative provided a consistency justification for the project that addresses designated scenic views. The LWRP does not specifically address this site, but to satisfy general policies the project will need to incorporate best stormwater practices and erosion control measures and protect steep slopes, wetlands, floodplains, and natural vegetation bordering the creek. The proposed Greenway Trail easement is certainly consistent with Policy 22A to set aside open space for passive recreation along the Fishkill Creek.*

Response: A Coastal Assessment Form which addresses the LWRP policies has been prepared and is attached.

LANC AND TULLY COMMENTS DATED FEBRUARY 7, 2019

1. *Although Section 4.2 states that there are "no wetlands observed on the project site." This should be revised to read that there are "no wetlands observed in the area of proposed construction", as the project site is the overall parcel which includes wetlands as shown on the submitted plan SP1.*

Response: Please refer to the response to Clarke comment # 6. The FEAF will be revised in accordance with the USACOE's final determination when it is received.

2. *Dutchess County Parcel Access notes that tax parcel 6054-45-012574 is currently owned by Beacon 248 Development, whereas the Existing Conditions plan (SP1) notes that this parcel is owned by Central Hudson. The plan should be updated to reflect the current owner of the parcel. The notes and information provided on this plan may also need to be updated based upon this change.*

Response: Ownership of both parcels was conveyed to the Applicant in December 2018. The existing conditions plan will be updated in a future submittal.

3. *Will gate(s) be provided at either end, or both ends, of the emergency access drive? If so, they should be shown on the concept plan. If not, how will the access drive be controlled to prevent daily use of this access by the residents or those visiting the site?*

Response: Gates (or bollards) will be provided at both ends of the emergency access drive. This is now shown on the plan.

4. *The Planning Board should be aware that our office previously performed an analysis of the site for the City Council with regards to steep slopes, wetlands, and floodway mapping to determine the maximum number of units that could be constructed on the site with these given constraints. Based upon our analysis we determined that 64.74 units, which is rounded down to 64 units, could be achieved on the site once these constraints were taken into consideration.*

Response: Comment noted.

The following items are enclosed:

- Coastal Assessment Form dated February 26, 2019 (8 copies);
- Concept Plan Set revised February 26, 2019 (8 copies);
- Site Sections (8 copies); and
- Photo Simulations (8 copies).

Please place this project on the agenda of the March 12th Planning Board meeting. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,



Larry Boudreau, RLA (GA & NY), MBA
Director of Land Development

March 26, 2019

Mr. John Gunn, Chairman
and Members of the Beacon Planning Board
Beacon City Hall
1 Municipal Center
Beacon, New York 12508

VIA HAND DELIVERY

*Re: Response to John Clarke Comments dated 03/07/2019, Lanc & Tully Comments dated 03/08/2019, NYSDOT comments dated 03/21/2019, and Public Comments at 03/12/2019 Public Hearing
248 Beacon Holdings LLC - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn and Members of the Beacon Planning Board:

The following is a point-by-point response to the above referenced comments.

JOHN CLARKE COMMENTS DATED March 7, 2019

1. *A justification that Section 223-16 B regarding very steep slopes is satisfied to the maximum degree feasible will be needed for a SEQR determination.*

Response: The “very steep slopes” (per the definition in Section 223-81) along Fishkill Creek have been substantially avoided with both the development and Greenway Trail Layout. Internal steep slopes are used in the site plan concept design to transition grade between the upper (west side) and lower (east side) of the site. The emergency access road going out to Wolcott, uses wall to transition between grades. Please refer to Figure 1 attached.

2. *The updated cross-sections previously provided to the Council should have been included in the Planning Board packet to help assess visual impacts from surrounding public viewpoints.*

Response: The referenced cross sections were submitted to the Planning Board on February 26, 2019.

3. *The current Concept Plan proposes 24 land-banked parking spaces to help create a central green. Previous Concept Plan versions showed 33 and 40 land-banked spaces, which would provide more usable greenspace and less potentially unnecessary asphalt. The Board and applicant should discuss an appropriate number of land-banked spaces. Exact numbers and locations of parking spaces and other supporting elements should be determined during the Site Plan review process.*

Response: The land banked parking has been increased from 20 to 24 spaces located entirely in the “lower” parking area closest to the Fishkill Creek, allowing for a larger central green area. The

remaining surface parking is 118 of which 15 is residential and 103 is non-residential. This is equivalent to 1.39 spaces per residential unit and 4.06 spaces per 1,000 SF for the non-residential space. Based on the Institute of Transportation Engineers (ITE) Parking Generation, 4th Edition, these ratios are considered reasonable.

4. *An ADA-compliant section of the Greenway Trail should be provided through the green near the retaining wall to bypass the lower trail segment with stairs.*

Response: Conceptually, we show a pedestrian path adjacent to the central green linking to the Greenway Trail. As the design is advanced to including storm water and grading, we will review the practicality of ADA-compliant trail section in this area and will continue to work with the Greenway Trail Committee for overall review and acceptance.

5. *Responses from NYSDOT regarding the Traffic Impact Study and the Army Corps of Engineers regarding the updated wetlands analysis should be reviewed before final SEQR and LWRP determinations. The submitted LWRP consistency analysis otherwise seems reasonable and complete.*

Response: Responses to NYSDOT comments dated March 21, 2019, are provided below. The FEAF has been revised to indicate that there are no wetlands within the area of disturbance for the proposed project, and thus, the project will not result in any wetland disturbance.

The site plan avoids any impacts to the wetlands as approved by the USACOE. If the USACOE accepts a slightly different delineation, then it will affect only a Greenway Trail Section, not the concept plan. From a SEQR standpoint, the proposed layout, for both the project and Greenway Trail, avoids impacts to the wetlands.

LANC AND TULLY COMMENTS DATED MARCH 8, 2019

1. *Although Section 4.2 states that there are "no wetlands observed on the project site." This should be revised to read that there are "no wetlands observed in the area of proposed construction", as the project site is the overall parcel which includes wetlands as shown on the submitted plan SP1. Applicant notes that they are waiting for final determination from the Army Corp. of Engineers and will make any adjustments once this is received.*

The FEAF has been revised to indicate that there are no wetlands within the area of disturbance for the proposed project, and thus, the project will not result in any wetland disturbance.

2. *Dutchess County Parcel Access notes that tax parcel 6054-45-012574 is currently owned by Beacon 248 Development, whereas the Existing Conditions plan (SP1) notes that this parcel is owned by Central Hudson. The plan should be updated to reflect the current owner of the parcel. The notes and information provided on this plan may also need to be updated based upon this change. Applicant notes that this will be addressed in future submissions.*

Response: Ownership of both parcels was conveyed to the Applicant in December 2018. The existing conditions plan (survey) will be updated in a future submittal.

NYSDOT COMMENTS DATED MARCH 21, 2019 (SYNCRO COMMENTS)

1. *'Right-Turn-On-Red' is prohibited on Tioronda Avenue but the synchro models show otherwise.*

Response: RTOR restrictions are now included in the model for the Tioronda Avenue approaches.

2. *The posted speed is not 30mph on all approaches:
EB Route 9D – 1 5mph (due to school)
WB Route 9D – 30 mph
NB Tioronda Ave – 25 mph
SB Tioronda Ave – No posted speed (assume 30 mph)*

Response: Changes to the approach speeds have been made for the values above.

3. *The pedestrian phases are not shown in the models.*

Response: Pedestrian crossings are on three approaches. The model now includes the pedestrian phases.

4. *Heavy vehicles are not allowed on EB Route 9D. The models show 2% HV on that approach.*

Response: Vehicle classification counts were not conducted at the time of the intersection turning movement counts; therefore, a default value of 2% was assumed for each approach. The eastbound Route 9D approach is signed as a truck route.

5. *The 3.5 second yellow and 0.5 second all-red times seem low. What's the source of these values? Provide existing phase timings for review.*

Response: The model has been revised to include 4.0 seconds for yellow and 1.0 seconds for all-red. Timings gathered in the field at the time of the data collection are not available.

6. *Where did traffic counts come from?*

Response: Traffic counts were collected by Chazen on September 30, 2013, and October 1, 2013. It is noted that the default values for peak hour factors in the model were revised for actual conditions.

Based on the changes to the Synchro model, the intersection will continue to operate at level of service B as in previous models. Wolcott Avenue operates at level of service B and Tioronda Avenue drops from level of service A to level of service B.

PUBLIC COMMENTS AT MARCH 12, 2019, PUBLIC HEARING

Erin Giunta Comments

1. *Review speed noted in TIS, may be discrepancy.*

Response: The traffic Synchro analysis has been revised in response to NYSDOT comments, which included correction to speed limits.

2. *Noted Sargent School children walking to the school.*

Response: Comment noted, please also refer to comment response #7.

3. *Noted nearby sightings of Bald Eagle, Check DEC web site.*

Response: Consultation with the NYSDEC Natural Heritage Program was initiated in October of 2018 to obtain updated information on endangered, threatened and rare species in the vicinity of the project site. The FEAF Mapper automatically responds “no” to FEAF question E.2.o which relates to endangered or threatened species or associated habitat. Additionally, correspondence from NYSDEC Natural Heritage Program dated November 7, 2018, indicates that the NYSDEC has no records of rare or state-listed animals or plants or significant natural communities at the project site. This correspondence was provided in Attachment B of the Full Environmental Assessment Form (FEAF). Thus, the NYSDEC’s current records show no occurrences of the Bald Eagle in the vicinity of the project.

4. *Check survey for note “Assumed Centerline” and clarify.*

Response: The note on the survey “Assumed Center Line” is the approximate location of the centerline for Tioronda Ave.

5. *Exiting the project site, review site line.*

Response: The site line looking south down Tioronda, while exiting the site, has been reviewed under the previously site plan approval and found to be acceptable with the vegetation removed.

6. *Noted Knevels Ave steep grade going down into Tioronda Ave.*

Response: As part of the previous site plan approval, a guide rail is proposed on the east side of Tioronda Ave directly across from Knevels Ave. Please refer to Figure 2 attached.

7. *How many school aged children will be generated with the project?*

Response: The project is located in the Beacon City School District. According to the NY State Education Department website, the 2017-2018 enrollment in the district was 2,812 students, with an additional 270 students who live in the district but attend private schools, resulting in a public-school participation rate of 91%. The project is expected to generate approximately 18 total school-age children, of which approximately 16 would be expected to attend public schools based on the public-school participation rate. This represents only a 0.6% increase in students at the Beacon City School District schools. It is anticipated that the school district has capacity to handle this increase. Additionally, some of these school-age children may be moving into the apartments from other locations within the school district and are already enrolled in the school district. This information along with a table that shows the school-age children calculations has been added to Section 3.2 of the FEAF Narrative.

8. *Accident occurrence on Tioronda Ave.*

Response: The intersection of Tioronda and Wolcott Ave operates at a very good conditions with low volumes. The LOS is a High B meaning that the low volumes produce little vehicle delay. With the low volumes, it is anticipated that accident occurrence would also be low.

Taylor Palmer Cuddy and Feder (representing Sisters)

1. *Emergency access through the B248 site. We need to address this like the past permit which allowed the use of the access with fair and just compensation.*

Response: Comment noted.

Other

1. *Question regarding ADA accessible Greenway Trail.*

Response: Regarding ADA accessibility and all items relating to the Greenway Trail, we will continue to work with the GWT committee through the site plan approval phase to finalize the GWT layout, features and grades.

The following items are enclosed:

- FEAF Part 1 revised March 26, 2019 (8 copies)
- Revised Synchro Analysis (Attachment A of FEAF – 8 copies)
- Figure 1: Environmental Constraints Map (8 copies)
- Figure 2: Access Drive from Previously Approved Plan (8 copies)
- Traffic Synchro files on CD

Please place this project on the agenda of the April 9th Planning Board meeting. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,



Larry Boudreau, RLA (GA & NY), MBA
Director of Land Development

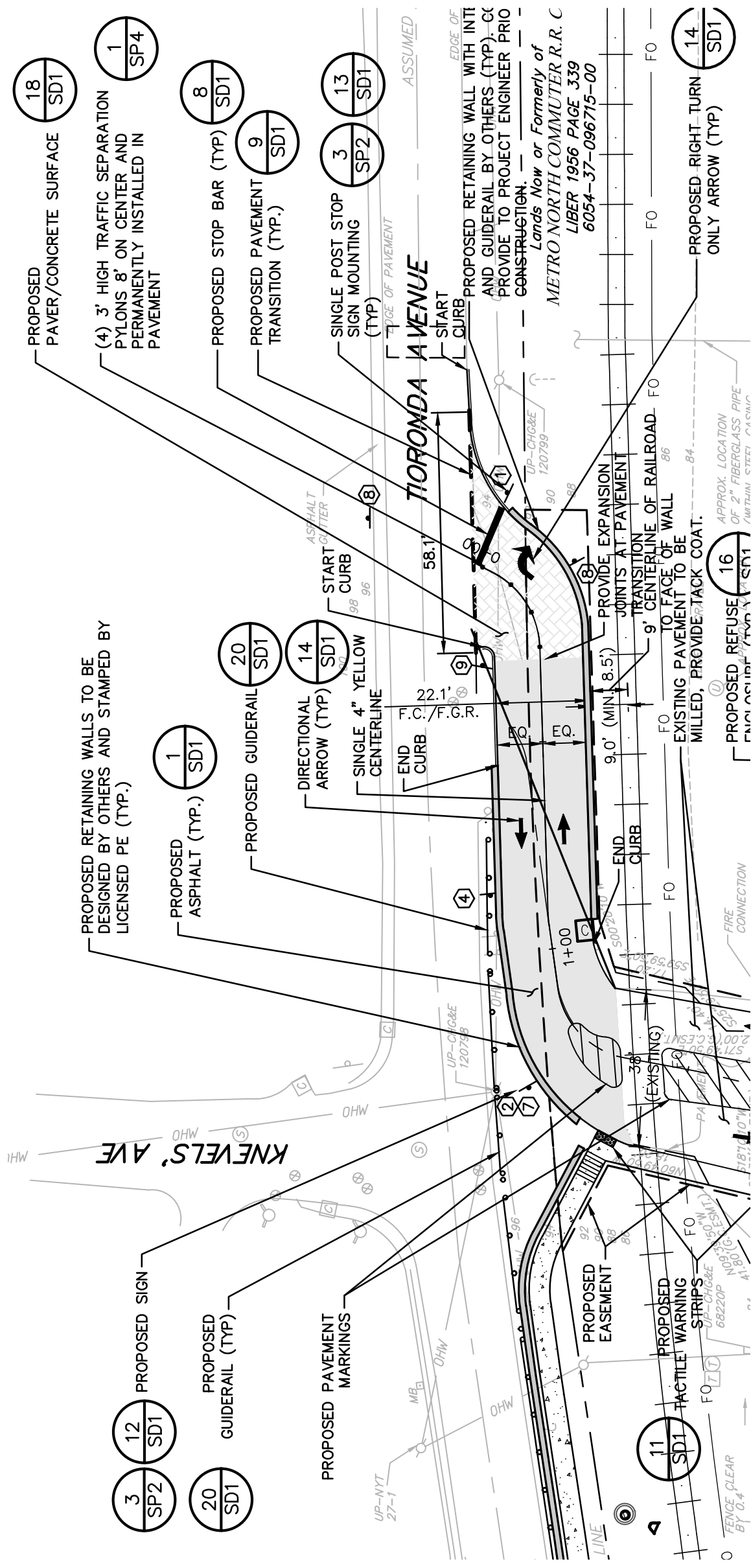


Figure 2

April 30, 2019

Mr. John Gunn, Chairman
and Members of the Beacon Planning Board
Beacon City Hall
1 Municipal Center
Beacon, New York 12508

VIA HAND DELIVERY

*Re: Response to John Clarke Comments dated 04/04/2019, Lanc & Tully Comments dated 04/01/2019,
Creighton Manning Comments dated 04/29/2019, and Additional Public Comments
248 Beacon Holdings LLC - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn and Members of the Beacon Planning Board:

The following is a point-by-point response to the above referenced comments.

JOHN CLARKE COMMENTS DATED APRIL 4, 2019

1. *The Board will need to determine that Section 223-16 B regarding very steep slopes is satisfied to the maximum degree feasible. The applicant's latest response letter provides a brief justification and an overlay map showing the proposed buildings and the existing slopes, which were substantially affected by previous development and demolition on the site. The Full EAF narrative, Section 4.1, incorrectly states that no development is proposed on areas of very steep slopes.*

Response: The FEAF has been revised to indicate that a portion of the development occurs in areas of very steep slopes. An updated Environmental Constraints Plan is included with this submittal. The following addresses the criteria listed in Section 223-16.B of the zoning regulations to be considered by the Planning Board in allowing development in areas of very steep slopes.

- (1) The proposed development is located in the area of previous development, which is in the most suitable area of the site, consistent with criteria B(1). The Creekside slopes are mostly undisturbed, with the exception of small areas of disturbance necessary for the Greenway Trail. Additionally, the majority of disturbance to very steep slopes occurs in areas where the slopes appear to be manmade by the previous development and Metro North.
- (2) The activity proposed is the minimum necessary to make reasonable use of the land, consistent with criteria B(2).

- (3) All feasible construction standards and precautions will be outlined in the SWPPP and Erosion & Sediment Control plans and reviewed by the Planning Board during site plan approval, consistent with criteria B(3).**
 - (4) The purpose of Section 223-16.B is satisfied to the maximum degree feasible, consistent with criteria B(4).**
2. *The Full EAF narrative, Section 3.2, now includes an estimate of 16 public school children from the proposed project, based on a set of New York State multipliers from Econsult Solutions. These multipliers are limited because those identified by bedroom count include all rental housing types, not just multifamily, and the multifamily multipliers combine all bedroom and unit sizes. The Rutgers University 2006 Residential Demographic Multipliers for New York, long considered the standard for school estimates, use older data, but break down the ratios by unit types, bedroom counts, and relative rental prices. By comparison, the more specific Rutgers multipliers for 25 market-rate and 3 workforce 1-bedroom apartments and 32 market-rate and 4 workforce 2-bedroom apartments add up to a total of 9.48 public school-age children.*

These estimates from 9 to 16 public school children, spread over 12 grades, should not significantly impact school capacities, especially since the district has experienced an enrollment decline from 3,601 in 2004-5 to 2,841 in 2017-18, down 760 students. Also, the 25,400 square foot commercial component of this project would help balance any budgetary impacts.

Response: Comment noted.

- **Section 3.2 of the EAF has been revised to utilize the Rutgers reference for school children calculations.**
 - **As stated by John Clarke, the new students generated by the project are not expected to result in any significant adverse impacts on the School District.**
3. *For final Concept Plan approval, an ADA-compliant section of the Greenway Trail should be shown through the green near the retaining wall to bypass the lower trail segment with stairs.*

Response: A connection between the Greenway Trail and the parking area has been shown on the concept plan. The exact location will be determined during site plan review when detailed design plans are developed.

4. *The applicant should be prepared to update the Board regarding NYSDOT review of the recent Traffic Impact Study, Army Corps of Engineers review of the wetland analysis, and NYSOPRHP review of any archeological impacts.*

Response:

- **NYSDOT: Email correspondence from NYSDOT dated April 17, 2019 (attached) indicate that the NYSDOT's comments have been addressed.**

- **USACOE:**
 - Continued coordination and follow up.
 - The site plan avoids any impacts to the wetlands as approved by the USACOE. If the USACOE accepts a slightly different delineation, then it will affect only a Greenway Trail Section, not the concept plan. From a SEQR standpoint, the proposed layout, for both the project and Greenway Trail, avoids impacts to the wetlands.
- **NYSOPRHP:**
 - A Phase 1A Archeological Investigation dated July 2013 was conducted by Hartgen Archaeological Associates, Inc.
 - The Phase 1A report concluded that as a result of the impacts related to the continuous industrial development of the property combined with the impacts surrounding the removal the buildings associated with the New York Rubber Company facility, it is likely no significant cultural deposits, specific to the early to mid-19th century development of the property remains. The Phase 1A report was submitted to NYSOPRHP for review, under the previously approved project.
 - Correspondence from NYSOPRHP dated September 27, 2013, concurred the report's conclusions regarding cultural deposits, but requested additional information with regard to building heights due to the project's location adjacent to a National Register-Eligible district to the east.
 - The Applicant submitted the additional requested information, and in correspondence dated December 23, 2013, NYSOPRHP concluded that the massing of the buildings as proposed at that time was appropriate for the site, and determined that the approved project would have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

LANC AND TULLY COMMENTS DATED APRIL 1, 2019

1. *As noted in our previous comment correspondences, the Dutchess County Parcel Access notes that tax parcel 6054-45-012574 is currently owned by Beacon 248 Development, whereas the Existing Conditions plan (SP1) notes that this parcel is owned by Central Hudson. The plan should be updated to reflect the current owner of the parcel. The notes and information provided on this plan may also need to be updated based upon this change. Applicant notes that this will be addressed in future submissions.*

Response: Comment noted. As previously indicated, ownership of both parcels was conveyed to the Beacon 248 Holdings, LLC, in December 2018. The existing conditions plan has been updated.

CREIGHTON MANNING COMMENTS DATED APRIL 29, 2019

1. *The original (2014) Planning Board approval considered an entirely residential development consisting of 100 units. The current application includes both residential and commercial components—64 residential units are proposed along with 25,400 square feet of commercial space. In the updated FEA, The Chazen Companies performed a vehicle trip generation analysis and concluded that the findings of the 2013 Traffic Impact Study Report remain valid given that the trip generation figures are generally consistent. CM is in agreement.*

Response: Comment noted.

2. *The 2013 Traffic Impact Study Report assumed a build year of 2015 with no background growth in traffic from 2013 to 2015. Given that four years have passed since the assumed build year and other projects within the city have come online, it is reasonable to inquire if there has been background growth between 2015 and 2019. Does The Chazen Companies have more current traffic data that can inform this? Regardless, based on the calculated levels of service of A and B, an assumed background growth rate of 2% (annually) over four years would likely not result in capacity constraints at this intersection.*

Response: More current data on the traffic volumes since 2015 is not available. The City previously raised a similar comment as well. To conduct an analysis of future volumes (2018) the 2015 volumes were increased substantially on Wolcott Avenue and southbound Tioronda Avenue, well beyond an annual growth rate of 2% per year. The AM volumes on Wolcott Avenue were increased by 600 vehicles and by 50 vehicles on southbound Tioronda Avenue. The PM volumes were increased by 400 vehicles on Wolcott Avenue and by 50 vehicles on southbound Tioronda Avenue. For both peaks, delays increased by about 3 seconds; therefore, the intersection can handle a substantial amount of additional traffic and still operate at very good levels of service (LOS B).

3. *CM concurs with the right-turn ingress and left-turn egress restrictions recommended at the site driveway on Tioronda Avenue. Traffic control signs should be shown on the Concept Plan in accordance with MUTCD guidelines—i.e., at “near right” and “far left” locations.*

Response: Comment noted.

4. *The southerly crosswalk spanning Tioronda Avenue at its intersection with Wolcott Avenue is set back approximately 30 feet from Wolcott Avenue. At this particular location, drivers have mostly completed their turns by the time they reach the crosswalk. With the forecasted increase in turning movements, CM recommends that the applicant consider installing “Turning Vehicles Yield to Pedestrians” (R10-15) signs as means to remind drivers of the possible presence of pedestrians in the crosswalk. Placement of signs should be proposed by the applicant’s professionals. NYSDOT may need to be consulted.*

Response: Comment noted. The sign would not be within NYSDOT jurisdiction. Signage details will be provided during site plan review when a more detailed site plan is developed.

5. *CM recommends that the applicant consider installing an Offset Intersection Warning Sign on northbound Tioranda Avenue in advance of Knevels Avenue and the site driveway, which are on opposite sides of the road. The sign legend and placement of the sign should follow MUTCD guidelines.*

Response: Comment noted. Signage details will be provided during site plan review when a more detailed site plan is developed.

6. *CM is aware of the constraints that require the site access driveway to intersect Tioranda Avenue at an acute angle. As noted, this configuration will limit turning movements to lefts in and rights out only. A review of the Vehicle Maneuvering Plan suggests that entering and exiting paths of passenger vehicles could overlap at/near the driveway throat. CM recommends that the applicant conduct an AutoTurn analysis of passenger vehicles to show there is adequate maneuverability within the proposed driveway on Tioranda Avenue for simultaneous entering and exiting movements.*

Response: Comment noted. A Vehicle Maneuvering Plan will be provided during site plan review when a more detailed site plan is developed.

ERIN GIUNTA ADDITIONAL COMMENTS DATED APRIL 10th, 2019

1. *Review speed noted in TIS, may be discrepancy. The speed limit on Tioronda is 25 mph. The traffic study calculated the rate of cars at 40 mph limit.*

Response: The traffic study has been updated with the correct speed.

3. *Noted nearby sightings of Bald Eagle, Check DEC web site. I have photos of a bald eagle from 2018 on the Sargent school grounds.*

Response: DEC SEQR procedures for evaluating impacts to endangered, threaten and rare species (ETR) at this site have been followed.

5. *Will there be a 2-way stop sign at Knevels/Tioronda?*

Response: A two-way stop sign will not be provided at Knevels/Tioronda Ave intersection as part of this project.

9. *Additional house built on new parallel street called Coyne Hill Road, at top of Knevels hill. Your map doesn't list this street.*

Response: Comment noted.

10. *Will there be a gas line provided on Tioronda to this complex? Currently no gas line as far as I know. Can the residents of Knevels request that the gas line be extended to Knevels to connect the line to Sargent Ave?*

Response: Details of the utility service are unknown at this time, and will be determined during the site plan review process when more detailed plans are developed.

In addition to these comments, the attachments include some items requested at the Planning Board meeting. The NYSDEC Natural Heritage Program letter is provided in Attachment B of the FEAF.

The following items are enclosed:

- NYSDOT email correspondence dated April 17, 2019 (8 copies);
- NYSOPRHP "no effect" letter dated December 23, 2013 (8 copies);
- ITE Site Distance Criteria and profile (Appendix G of 2013 Traffic Impact Study) (8 copies);
- FEAF Part 1 revised April 30, 2019 (8 copies); and
- Site Plan Set revised April 30, 2019 (8 copies)

If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Boudreau". The signature is fluid and cursive, with the first name "Larry" being more prominent than the last name "Boudreau".

Larry Boudreau, RLA (GA & NY), MBA
Director of Land Development



Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

December 23, 2013

Larry Boudreau
Director of Land Development
The Chazen Companies
21 Fox St
Poughkeepsie, New York 12601
(via e-mail only)

Re: DEC
Beacon 248 Development LLC; Tioronda Avenue
248 Tioronda Avenue, Beacon, Dutchess County
13PR04006

Dear Mr. Boudreau:

Thank you for continuing to consult with the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law).

We have reviewed the Site Plan, Elevation/Section Drawings, and Concept Plan submitted to our office. As noted in our previous letter, the proposed project is located adjacent to a National Register eligible historic district. We note that the massing is appropriate for the site and that the buildings will be three stories maximum (built into the hillside). Based upon this review, it is the OPRHP's opinion that your project will have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, I can be reached at (518) 237-8643, ext. 3260 or at eric.kuchar@parks.ny.gov. Please be sure to refer to the Project Review (PR) number noted above.

Sincerely,

Eric N. Kuchar
Historic Preservation Technical Specialist

From: [Larry Boudreau](#)
To: [Debbie Hubbard](#)
Subject: FW: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)
Date: Monday, April 29, 2019 3:04:24 PM
Attachments: [image002.png](#)
[image004.png](#)

From: Gorney, Lance (DOT) <Lance.Gorney@dot.ny.gov>
Sent: Wednesday, April 17, 2019 2:44 PM
To: Larry Boudreau <lboudreau@chazencompanies.com>; Tom Johnson <tjohnson@chazencompanies.com>
Cc: egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <dot.sm.r08.HWPermits@dot.ny.gov>; berry@chaibuilders.com; Pacheco, Ivelisse (DOT) <lvelisse.Pacheco@dot.ny.gov>
Subject: RE: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)

Larry,

Regarding NYSDOT SYNCRO Comments: Comments have been addressed. No further comments at this time.

Thank you,

Lance Gorney, P.E.

Regional Highway Work Permit Coordinator

New York State Department of Transportation, Hudson Valley

4 Burnett Boulevard, Poughkeepsie, NY 12603

(845) 437-3325 | Lance.Gorney@dot.ny.gov



From: Larry Boudreau [<mailto:lboudreau@chazencompanies.com>]
Sent: Friday, April 05, 2019 10:37 AM
To: Gorney, Lance (DOT) <Lance.Gorney@dot.ny.gov>; Tom Johnson <tjohnson@chazencompanies.com>
Cc: DeNigro, Albert (DOT) <Albert.DeNigro@dot.ny.gov>; egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <dot.sm.r08.HWPermits@dot.ny.gov>; berry@chaibuilders.com
Subject: RE: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Lance – we made a submittal back to the City last week. I am sending you that portion of the submittal which addressed your comments, made by Tom Johnson our traffic engineer, who I am also cc'ing to this email. This includes the response letter to the Planning Board with the responses to the DOT comments highlighted in yellow, the revised Synchro Analysis and Synchro files. We meet with the City Tuesday night April 9. In order for them to act on SEQRA, they will want your response to the project. Please let me know if you have any questions for us. Thanks! Larry

From: Gorney, Lance (DOT) <Lance.Gorney@dot.ny.gov>

Sent: Thursday, March 21, 2019 3:25 PM

To: Larry Boudreau <lboudreau@chazencompanies.com>

Cc: DeNigro, Albert (DOT) <Albert.DeNigro@dot.ny.gov>; egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <dot.sm.r08.HWPermits@dot.ny.gov>; berry@chaibuilders.com

Subject: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)

Larry,

Regarding the March 2019 SYNCHRO file submitted to our office, please see attached comments. It appears the SYNCHRO file may have been utilizing the default settings. Please make revisions to the SYNCHRO files and submit to our office. To reiterate and be certain we are on same page – both Tioronda and this segment of 9D are not State Jurisdictional roads. Our interest will be related to the traffic flow.

Regards,

Lance Gorney, P.E.

Regional Highway Work Permit Coordinator

New York State Department of Transportation, Hudson Valley

4 Burnett Boulevard, Poughkeepsie, NY 12603

(845) 437-3325 | Lance.Gorney@dot.ny.gov



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Appendix G:

ITE Site Distance Criteria

Sight Distance Measurements

Distance along the Major Road from Minor Road to Allow Vehicle to Enter Safely (Feet)															
		30-mph		35-mph		40-mph		45-mph		50-mph		55-mph		60-mph	
		D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R
2-lane	Passenger Car	335	290	390	335	445	385	500	430	555	480	610	530	665	575
	Single Unit Truck	420	375	490	440	560	500	630	565	700	625	770	690	840	750
	Combination Truck	510	465	595	545	680	620	765	695	850	775	930	850	1015	930
4-lane	Passenger Car	355	290	415	335	475	385	530	430	590	480	650	530	710	575
	Single Unit Truck	450	375	525	440	600	500	675	565	750	625	825	690	900	750
	Combination Truck	540	465	630	545	720	620	810	695	900	775	990	850	1080	930

Height of Eye for a Passenger Car = 3.5'

Height of Eye for a Truck = 7.6'

Height of Object for a Car or Truck = Use 3.5' (desirable since it is redpmcal) but can use 4.35' (height of vehicle)

D_L = Safe Sight Distance needed for **Left Turns**

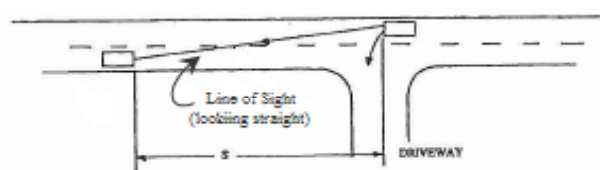
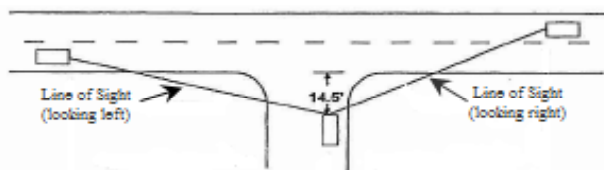
D_R = Safe Sight Distance needed for **Right Turns**

Distance along the Major Road for Vehicles to Safely Turn onto Minor Road (Feet)								
		30-mph	35-mph	40-mph	45-mph	50-mph	55-mph	60-mph
		D _s	D _s	D _s	D _s	D _s	D _s	D _s
2-lane	Passenger Car	245	285	325	365	405	445	490
	Single Unit Truck	290	335	385	430	480	530	575
	Combination Truck	335	390	445	500	555	610	665
4-lane	Passenger Car	265	310	355	400	445	490	530
	Single Unit Truck	320	375	425	480	530	585	640
	Combination Truck	365	425	485	545	605	665	725

Height of Eye for a Passenger Car = 3.5'

Height of Eye for a Truck = 7.6'

Height of Object for a Car or Truck = Use 3.5' (desirable since it is redpmcal) but can use 4.35' (height of vehicle)



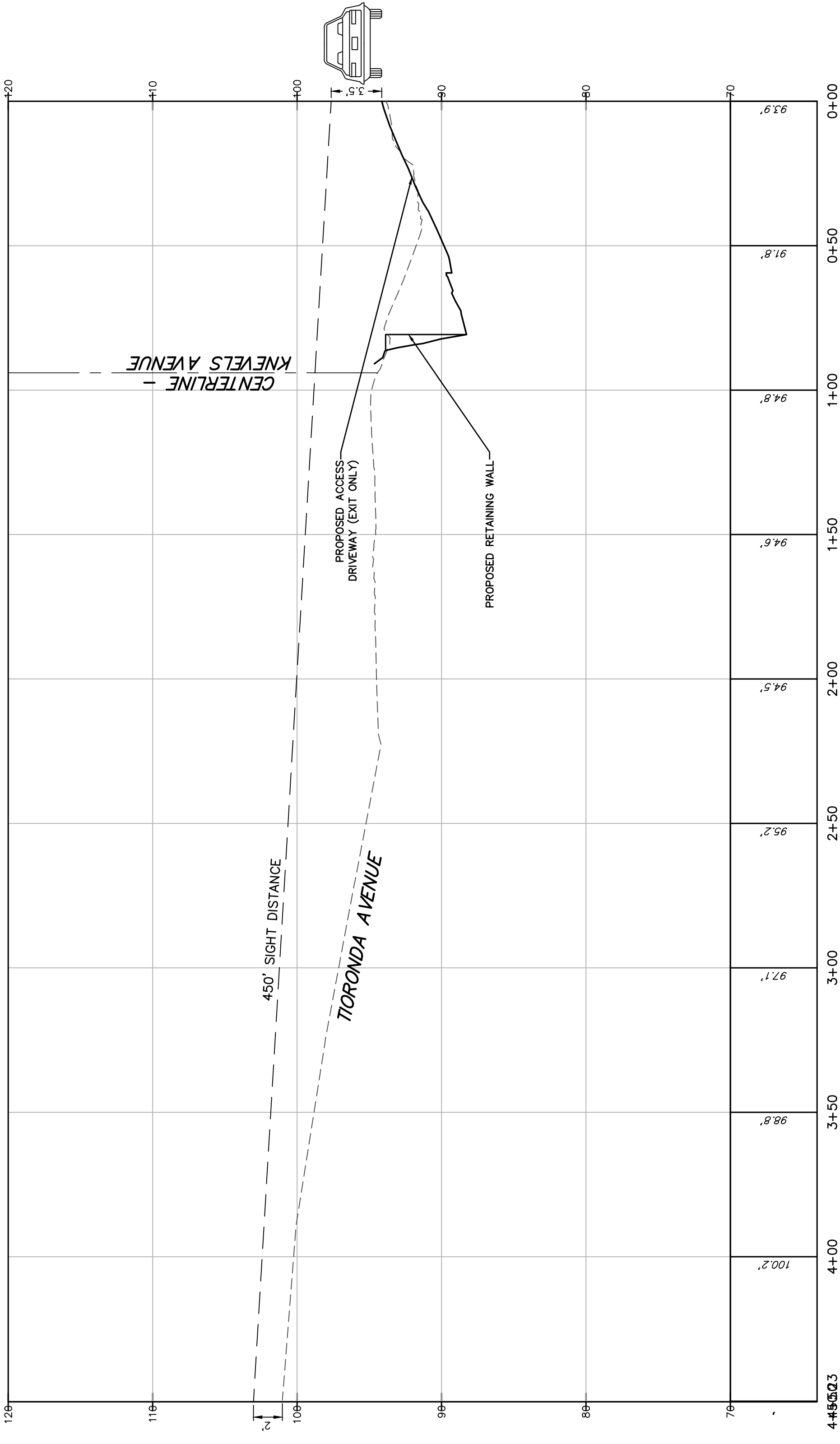
Stopping Sight Distance (Feet)							
	30-mph	35-mph	40-mph	45-mph	50-mph	55-mph	60-mph
	D _s	D _s	D _s	D _s	D _s	D _s	D _s
Passenger Car or Truck	200	250	305	360	425	495	570

Height of Eye for a Passenger Car = 3.5'

Height of Eye for a Truck = 7.6'

Height of Object for a Car or Truck = 2'

PROJECT EXIT SIGHT DISTANCE: TIORONDA AVENUE TO LEFT



May 24, 2019

Mr. John Gunn, Chairman
and Members of the Beacon Planning Board
Beacon City Hall
1 Municipal Center
Beacon, New York 12508

VIA HAND DELIVERY

Re: *248 Beacon Holdings LLC - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn and Members of the Beacon Planning Board:

The site plan has been revised to show a driveway spur to connect to the adjacent Sisters' property. Additionally, we received a "no adverse impact" letter from the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) (attached) in response to our submittal of the current site plan.

Correspondence from Lanc & Tully dated May 9, 2019, and correspondence from John Clarke Planning and Design dated May 9, 2019, indicate that all of their previous comments have been addressed.

The following are comments generated at the public hearing on May 14, 2019, based on the draft meeting minutes.

1. *Kevin Byrne, 61 Tioronda Avenue, commended the applicant on the building design. He felt the grade change at the Wolcott Avenue emergency access should be reviewed because it appeared too steep and asked that amenities to greenway trail be improved by working with the Greenway Committee. Mr. Byrne suggested the trail remain by the creek by creating a cantilevered walkway under the bridge to avoid steep grade changes where the trail meets Wolcott Avenue.*

Response: The emergency access drive (EAD) as shown is as it was previously approved with the addition of a greenway trail sidewalk. The maximum allowable grade permitted for emergency access vehicles is 10 percent. The EAD will not exceed this design requirement. Greenway trail comments are noted. The applicant has and will continue to work with the Greenway Trail Committee during the site plan approval phase.

2. *Theresa Kraft, 315 Liberty Street, expressed concern that there could be additional contaminants unearthed during construction because it is a former industrial site. She thought materials could be left underground and new contaminants introduced from the development.*

Response: Based on the attached correspondence from NYSDEC, the remediation of the site was completed, and the property was delisted from the Registry of Inactive Hazardous Waste Disposal Sites in New York. Since no new contaminants have been introduced to the site, the NYSDEC does not require further investigation. It should be noted that each building would have its own sanitary sewer pump station with generator back up.

3. *Arthur Camins, 39 Rombout Avenue, suggested use of permeable pavement and a green roof system would be better for the environment.*

Response: Comment noted. The applicant is committed to sustainable practices as appropriate to the site condition and will look for opportunities to use the practices noted.

4. *Frank Filiciotto with Creighton Manning reported [that he] worked with the applicant on updating their traffic study. He confirmed that sufficient capacity exists at the intersection of Wolcott and Tioronda Avenue to accommodate the additional vehicular traffic that will be generated from this project.*

Response: Comment noted.

5. *Mr. Clarke reported the applicant sufficiently addressed his comments in order to move forward with the LWRP and SEQRA determinations for a recommendation to the City Council on the Concept Plan. The wetland delineation from Army Corps of Engineers remains but the environmental review process is complete and further site plan review will take place once conceptual approval is granted by the City Council. Mr. John reported his environmental review comments have been addressed.*

Response: Comment noted.

6. *Members will advise the City Council that they support the use of permeable pavement and green measures but don't feel it should be mandatory since the applicant agreed to work in good faith during the site plan review. The number of land banked spaces will also be reevaluated during site plan review. Members were comfortable with the conceptual layout knowing that specific site plan issues will be dealt with after conceptual review.*

Response: Comment noted.

7. *Mr. Barrack made a motion to close the SEQRA public hearing, and direct the City Attorney to draft SEQRA documents, an LWRP Consistency Determination, and a recommendation to the City Council for consideration at the June meeting, seconded by Mr. Muscat. All voted in favor. Motion carried.*

Response: Comment noted.

The following items are enclosed:

- NYSOPRHP "no adverse impact" letter dated May 6, 2019 (8 copies);
- NYSDEC letters dated October 11, 2002, February 4, 2003, and May 1, 2003, which relate to the delisting of the site from the Registry of Inactive Hazardous Waste Disposal Sites in New York (8 copies); and
- Site Plan Set revised May 24, 2019 (8 copies).

Please place this project on the agenda of the June 11, 2019, Planning Board meeting, in anticipation of a SEQR Determination, LWRP Consistency Determination, and recommendation to the City Council. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Boudreau". The signature is fluid and cursive, with the first name "Larry" being more prominent than the last name "Boudreau".

Larry Boudreau, RLA (GA & NY), MBA
Director of Land Development



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

May 6, 2019

Ms. Doborah Hubbard
The Chazen Companies
21 Fox Street
Poughkeepsie, NY 12601

Re: DEC
Beacon 248 Development LLC; Tioronda Avenue
248 Tioronda Avenue
Beacon, NY 12508

Dear Ms. Hubbard:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

We understand that the proposed project plan has changed since our last review, and that the current proposal consists of a 64-unit multifamily residential development within two buildings (reduced from 100 units) and a 25,400 SF office building.

Based on this review, it is the opinion of the SHPO that the proposed project, as amended, will have No Adverse Impact to historic and cultural resources.

If you have any questions, I can be reached at (518) 268-2164.

Sincerely,

Weston Davey
Historic Site Restoration Coordinator
weston.davey@parks.ny.gov

via e-mail only

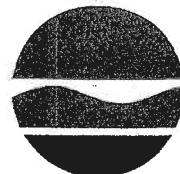
New York State Department of Environmental Conservation

Division of Environmental Remediation, 12th Floor

5 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • FAX: (518) 402-9020

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

OCT 11 2002

Mr. Kevin P. McCarty
Director, Site Investigations
Lawler, Matusky & Skelly Engineers LLC
One Blue Hill Plaza
P.O. Box 1509
Pearl River, NY 10965

Dear Mr. McCarty:

Re: Petition to Delist
Tuck Industries
Site ID No. 314044

This is in response to your petition of May 14, 2002 requesting that the subject site be delisted from the Registry of Inactive Hazardous Waste Disposal Sites in New York State.

The Department has determined that your petition may be granted. This letter serves as notice of the Department's intent to delist this site. In accordance with Environmental Conservation Law, DEC will commence a 60 day notice period prior to the proposed deletion of this site. During this period, public comments will be received for 30 days. If no information is received which would change the proposed action, this site will be removed from the Registry and notice will be sent to you.

If you have any questions or problems concerning this determination, please contact Wayne Bayer, of the Bureau of Hazardous Site Control, at (518) 402-9553.

Sincerely,

Dale A. Desnoyers

Director

Division of Environmental Remediation

cc: J. Rendeiro ✓
B. Grossman, Alston & Bird
C. Rigano, tti

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Hazardous Site Control, 11th Floor
25 Broadway, Albany, New York 12233-7014
Phone: (518) 402-9551 • FAX: (518) 402-9020
Website: www.dec.state.ny.us



FEB - 4 2003

Mr. Joseph Rendeiro
425 Beverbrook Road
Lincoln Park, NJ 07035

Dear Mr. Rendeiro:

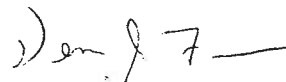
Re: DEC Site No.: 314044
Site Name: Tuck Industries
Site Address: Tioronda Avenue, Beacon, NY 12508

As mandated by Section 27-1305 of the Environmental Conservation Law, the New York State Department of Environmental Conservation (Department) must maintain a registry of all disposal sites known to contain hazardous wastes. It is this Department's policy to notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part-owner of the above-referenced site. Based on the information that has been gathered to date, the Department has concluded that this site has been properly remediated and that no further action is required. Therefore, this letter constitutes notification of the Department's intention to delist this site from the Registry of Inactive Hazardous Waste Disposal Sites in New York State. State laws require that the Department set a 60-day public notification period of our intention to delist a site from the Registry, and receive any public comments on the proposed deletion. At the conclusion of this period, if no new information is presented, this site will be removed from the Registry. If we receive any information which causes us to reconsider this deletion, you will be notified of this change.

If you have any further questions, please contact me at (518) 402-9553.

Sincerely,



Dennis J. Farrar
Chief
Site Control Section

cc: Mr. Kevin McCarty

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Technical Support, 11th Floor
125 Broadway, Albany, New York 12233-7020
Phone: (518) 402-9551 • FAX: (518) 402-9557
Website: www.dec.state.ny.us



MAY - 1 - 2003

Mr. Joseph Rendeiro
425 Beverbrook Road
Lincoln Park, NJ 07035

Dear Mr. Rendeiro:

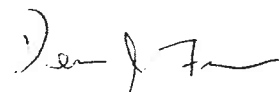
Re: DEC Site #314044
Tuck Industries
Tioronda Avenue, Beacon, NY 12508

The 60 day notification period and inclusive 30 day public comment period have ended. These requirements were established for the proposed deletion of sites from the New York State Registry of Inactive Hazardous Waste Disposal Sites (the Registry).

This is official notification that the site has been deleted from the Registry effective with receipt of this letter.

Please refer questions to James Schreyer, NYSDEC, Region 3 Headquarters, 21 South Putt Corners Road, New Paltz, NY 12561 at (914) 256-3000.

Sincerely,


Dennis J. Farrar
Chief
Site Control Section

BEST MANAGEMENT
PRACTICES FOR
INDIANA BATS

1. THE PROJECT WILL AVOID CUTTING TREES TO THE MAXIMUM EXTENT PRACTICABLE.
2. LARGER TREES WILL BE RETAINED.
3. TREE CLEARING LIMITS WILL BE MARKED IN THE FIELD PRIOR TO ANY CLEARING, AND CONTRACTORS WILL BE INFORMED ABOUT CLEARING LIMITS PRIOR TO THE INITIATION OF WORK.
4. TREES WILL BE REMOVED BETWEEN OCTOBER 1 AND MARCH 31 IN ORDER TO AVOID ANY INCIDENTAL TAKE TO INDIANA BATS, OR OTHER BATS THAT MAY USE TREES FOR ROOSTING.
5. ALL SITE LIGHTING ON THE SITE WILL BE FULL CUT-OFF.
6. THERE WILL BE NO USE OF HERBICIDES OR PESTICIDES IN ANY STORMWATER MANAGEMENT BASINS.

SITE PLAN

248 TIORONDA AVE, BEACON NY

PREPARED FOR

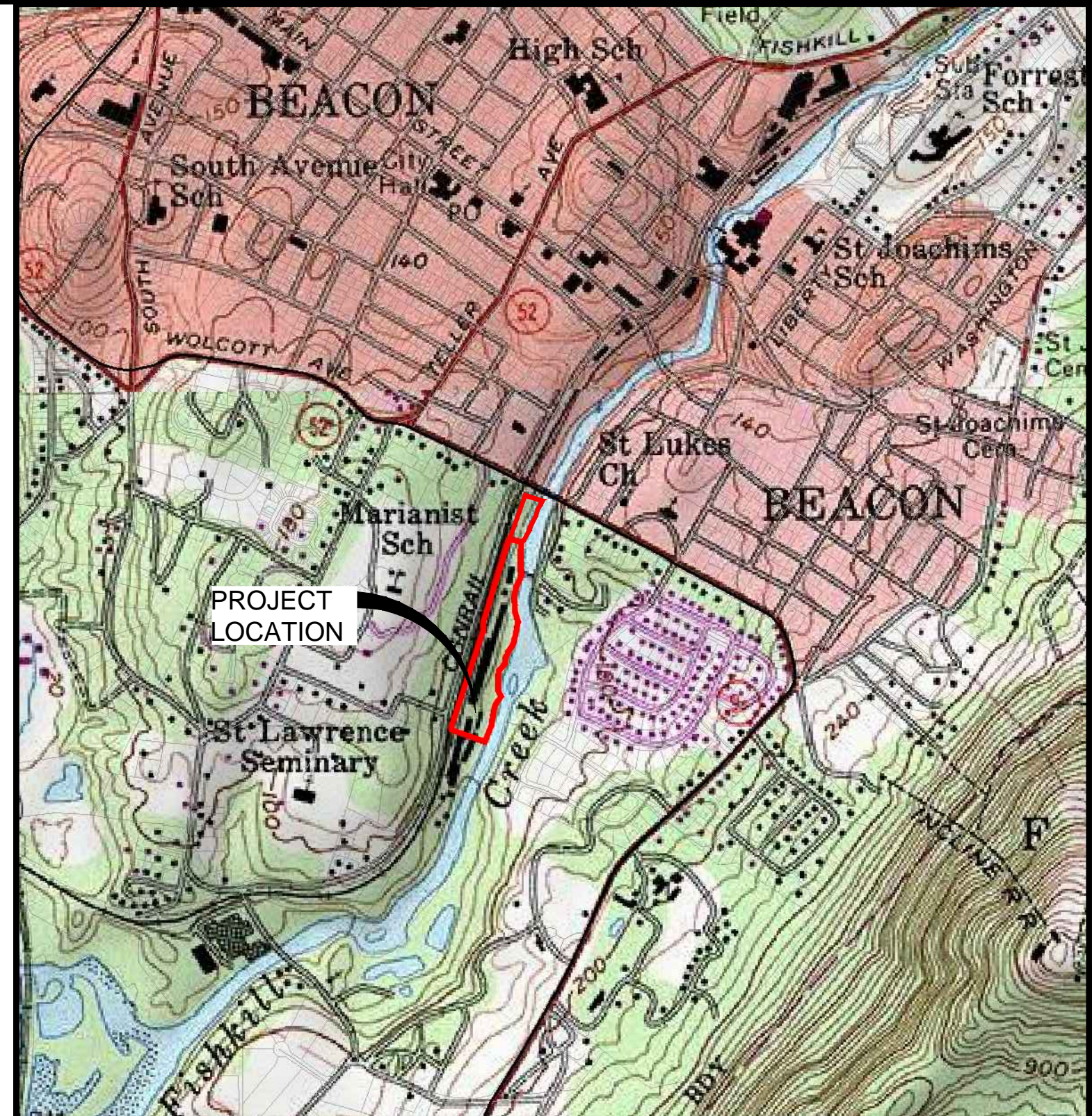
CHAI BUILDERS

CITY OF BEACON

DUTCHESS COUNTY, NEW YORK

SEPTEMBER 2018

LAST REVISED: MAY 2019



LOCATION MAP
SCALE: 1"=1000'
SOURCE: USGS CATSKILL, NY QUADRANGLE
(USGS REF. CODE: WEST POINT-41073-D8-1F-024)

INDEX OF DRAWINGS			
PAGE NO.	SHEET NO.	DATE	DESCRIPTION
1	G001	04/30/19	TITLE SHEET
2	C011	02/26/19	EXISTING CONDITIONS
3	C100	04/30/19	ENVIRONMENTAL CONDITIONS/CONSTRAINTS
4	C130	05/24/19	CONCEPT PLAN
5	C200	02/26/19	VEHICLE MANEUVERING PLAN

CITY OF BEACON
PLANNING BOARD APPROVAL
CITY OF BEACON, NEW YORK

APPROVED BY RESOLUTION NUMBER _____
OF THE PLANNING BOARD OF BEACON, NEW YORK ON THE _____ DAY OF _____, 2015, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION, OR REVISION OF THIS PLAT AS APPROVED SHALL VOID THIS APPROVAL. SIGNED THIS _____ DAY OF _____, 2015.

CHAIRMAN

CITY OF BEACON PLANNING BOARD APPROVAL
OWNER / APPLICANT SIGNATURE

THE UNDERSIGNED APPLICANT FOR THE PROPERTY AND THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN HEREON STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS NOTES AND ITS CONTENTS, AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON.

THE APPLICANT AND OWNER UNDERSTAND THEIR OBLIGATION TO THE CITY TO KEEP THIS SITE AS PER SITE PLAN APPROVAL BY THE CITY PLANNING BOARD UNTIL A NEW OR REVISED SITE PLAN IS APPROVED FOR THE SITE. THE APPLICANT AND OWNER UNDERSTAND THEIR OBLIGATION TO THE TOWN NOT TO OCCUPY THE PREMISES BEFORE A CO IS ISSUED BY THE TOWN CODE ENFORCEMENT OFFICER.

APPLICANT DATE
OWNER DATE

Allowable Residential Units		
1	Total lot area	9.18 acres
2	Lot area with slopes over 25%, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland.	3.29 acres
3	Remaining lands for dwelling unit calculation (line 1 - line 2)	5.89 acres
4	Maximum dwelling units (line 3 x 11)	64 units*
*Subject to change with new jurisdictional determination by Army Corps.		

OWNER'S CERTIFICATION
FOR ALL SHEETS

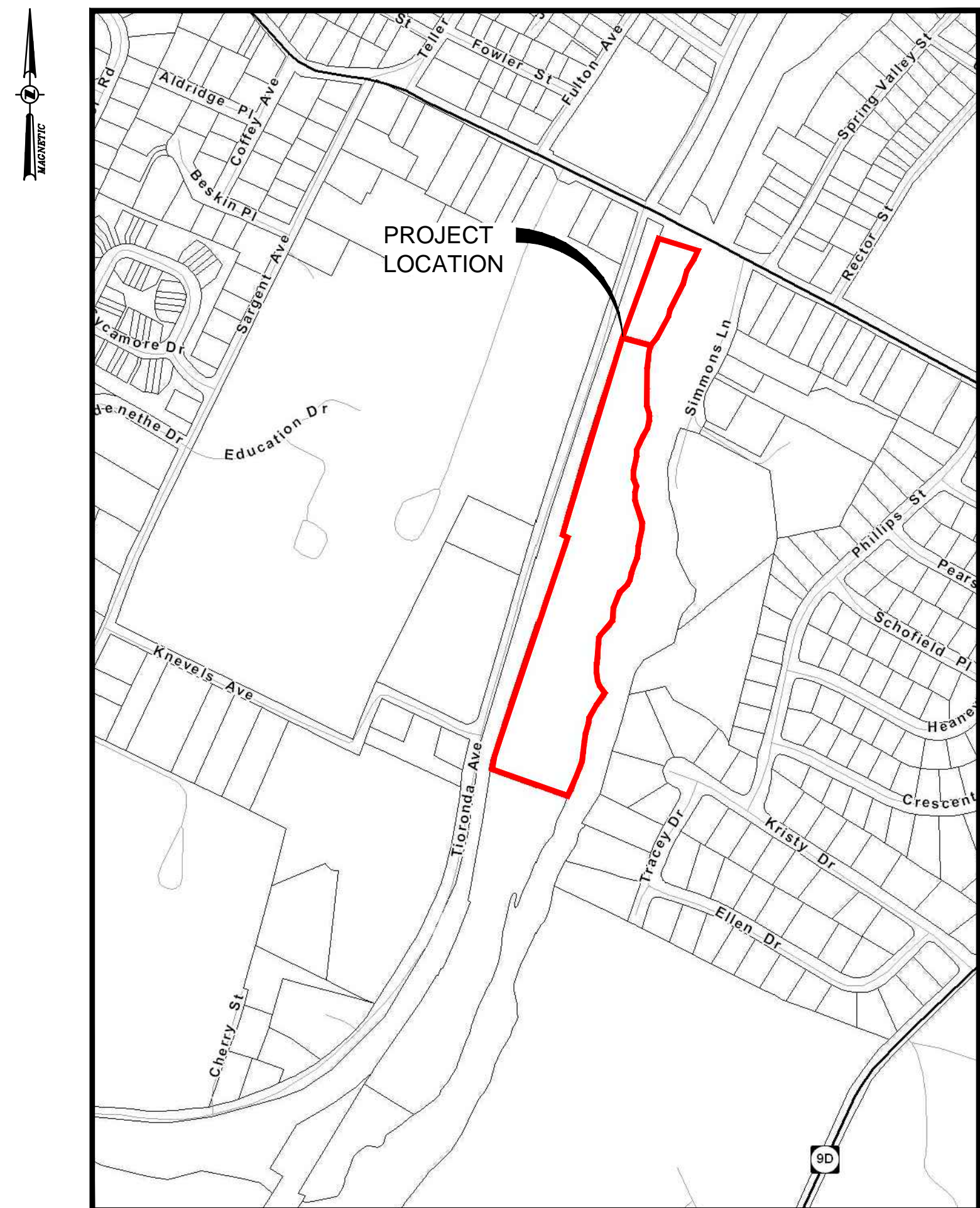
THE UNDERSIGNED OWNER OF THE PROPERTY HEREON STATE THAT HE IS FAMILIAR WITH THIS PLAN, ITS CONTENTS AND LEGENDS AND HEREBY CONSENT TO ALL TERMS AND CONDITIONS AS STATED HEREON AND TO THE FILING OF THE PLAN IN THE OFFICE OF THE CLERK OF THE COUNTY OF DUTCHESS, IF REQUIRED.

OWNER DATE

DUTCHESS COUNTY DEPARTMENT OF HEALTH
APPROVAL

THIS IS TO CERTIFY THAT THE PROPOSED ARRANGEMENTS FOR WATER SUPPLY AND SEWAGE DISPOSAL FOR _____ IN THE _____ WERE APPROVED ON _____ IN ACCORDANCE WITH PLANS ON FILE IN THE OFFICE OF THE DUTCHESS COUNTY DEPARTMENT OF HEALTH. CONSENT IS HEREBY GIVEN TO THE FILING OF THE MAP ON WHICH THIS ENDORSEMENT APPEARS, IN THE OFFICE OF THE COUNTY CLERK OF DUTCHESS COUNTY IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 11 TITLE 2 OF THE NEW YORK STATE PUBLIC HEALTH LAW, AND ARTICLE 17 TITLE 15 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW, AND ARTICLE 11 OF DUTCHESS COUNTY SANITARY CODE.

SUPERVISING PUBLIC HEALTH ENGINEER



AREA PARCEL MAP
SCALE: 1"=400'

BULK TABLE		
FISHKILL CREEK DEVELOPMENT DISTRICT: FCD		
ZONING REQUIREMENTS:	REQUIRED	PROVIDED
MINIMUM LOT AREA	2 ACRES	9.18 ACRES
MAXIMUM # OF DWELLINGS*	64 UNITS	64 UNITS
NON-RESIDENTIAL FLOOR AREA	25,400 SF	25,400 SF
MAXIMUM BUILDING COVERAGE	35%	9.5%
MINIMUM OPEN SPACE	30%	70.8%
MINIMUM FRONTAGE OF OVERALL FCD SITE ON PUBLIC STREET ROW	50 FT	135'
MINIMUM BUILDING SETBACK FROM EDGE OF PAVEMENT OF PUBLIC AND PRIVATE STREETS	12 FT	700'
MINIMUM SETBACK AND BUFFER WIDTH ALONG FISHKILL CREEK	AVG 50 FT MIN 25 FT	AVG = 75 FT MIN. = 45 FT
MAXIMUM BUILDING HEIGHT	3 STORIES (40')	3 STORIES (36')
MINIMUM NUMBER OF PARKING SPACES	RESIDENTIAL: 1 SPACE PER DWELLING UNIT PLUS 1/4 SPACE FOR EACH BEDROOM =89 SPACES	89 SPACES TOTAL (WHICH INCLUDES 15 SURFACE SPACES AND 74 SPACES BELOW BUILDING)
NON-RESIDENTIAL:	1 SPACE PER 200 SF GROSS FLOOR AREA EXCLUDING UTILITY AREAS =127 SPACES	103 SPACES TOTAL
LAND BANKED:	0 SPACES	24 SPACES
TOTAL:	218 SPACES 9 ACCESSIBLE SPACES REQUIRED	216 SPACES 9 ACCESSIBLE SPACES PROVIDED

SITE STATISTICS FOR PROPOSED MULTIFAMILY HOUSING & NON-RESIDENTIAL	
PROPOSED USE	MULTIFAMILY HOUSING & NON-RESIDENTIAL
ZONING DISTRICT	FISHKILL CREEK DEVELOPMENT
TOTAL BUILDING FLOOR AREA (SF)	101,602 SF (64 UNITS + NON RESIDENTIAL USE)
PARKING PROVIDED	216

DEVELOPMENT SCHEDULE					
BUILDING	UNITS	1-BR	2-BR	APPROX. SQUARE FT	% OF PROJECT AREA
RES.	64	28	36	76,202	75
NON-RES.	-	-	-	25,400	25
TOTAL	64	28	36	101,602	100

DEVELOPMENT NOTE:
THE PROJECT SHALL NOT EXCEED A TOTAL OF 64 UNITS, IN A MIX OF ONE AND TWO BEDROOM UNITS. TEN PERCENT (10%) OF THE UNITS WILL MEET THE REQUIREMENTS OF ARTICLE 16B, AFFORDABLE-WORKFORCE HOUSING, OF THE ZONING LAW.

SITE ENGINEER:
CHAZEN ENGINEERING, LAND SURVEYING, &
LANDSCAPE ARCHITECTURE, D.P.C.
21 FOX STREET, POUGHKEEPSIE, NY 12601
PHONE: (845) 454-3980

PROJECT ARCHITECT:
AB ARCHITECTEN
62 ALLEN STREET, 2ND FLOOR
NEW YORK, NY 10002
PHONE: (212) 334-1232

SITE SURVEYOR:
CHAZEN ENGINEERING, LAND SURVEYING, &
LANDSCAPE ARCHITECTURE, D.P.C.
21 FOX STREET, POUGHKEEPSIE, NY 12601
PHONE: (845) 454-3980

DEVELOPER / APPLICANT:
CHAI BUILDERS
120 ROUTE 50, SUITE 201
SUFFERN, NY 10901
(917) 696-4402

OWNER(S) INFORMATION:
BERRY KOHN
BEACON 248 HOLDINGS, LLC
15 SYCAMORE LANE
SUFFERN, NY 10901

TAX MAP INFORMATION:
CITY OF BEACON, NEW YORK
SECTION 5054, BLOCK 10, LOT 993482 (8.18 ACRES)
SECTION 6054, BLOCK 45, LOT 012574 (1 ACRE)

AREA:
TOTAL PROJECT AREA: 9.18± ACRES

ZONING DISTRICT:
FISHKILL CREEK DEVELOPMENT (FCD) ZONING DISTRICT

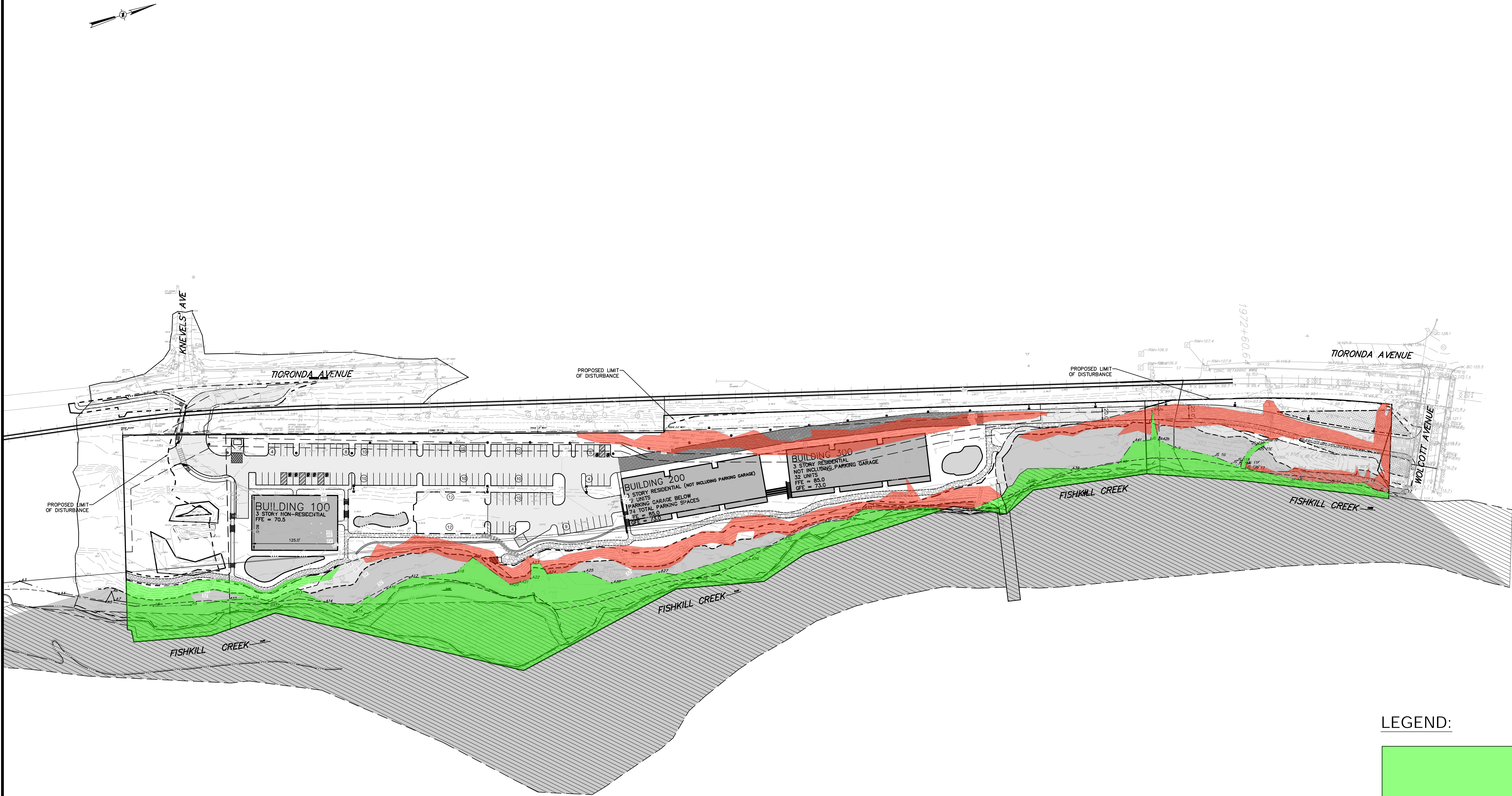
WATER & SEWER DISTRICT:
CITY OF BEACON

REV.	DATE	DESCRIPTION
5	04/30/19	REVISED PER PLANNING BOARD COMMENTS
4	02/26/19	REVISED PER CITY COUNCIL COMMENTS
3	09/17/19	REVISED PER CITY COUNCIL COMMENTS
2	11/26/18	REVISED PER CITY COUNCIL COMMENTS
1	10/12/18	REVISED PER CITY COUNCIL COMMENTS

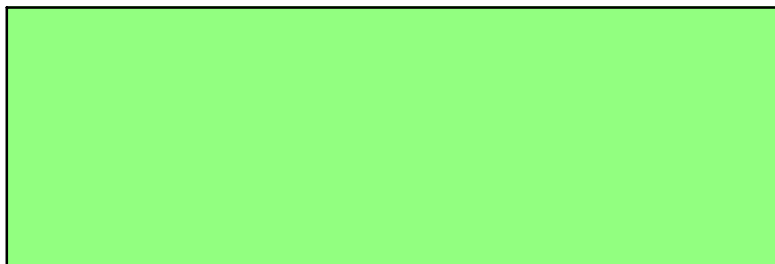
TIORONDA AVE., BEACON, N.Y.

TITLE SHEET

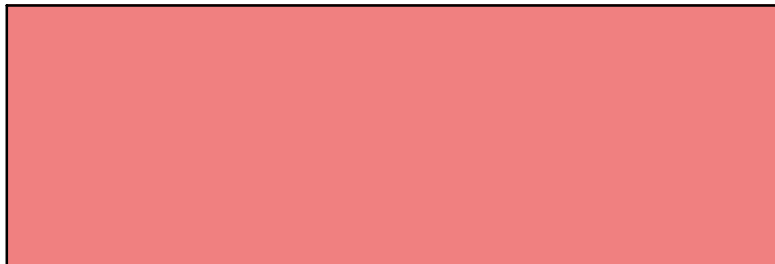
CITY OF BEACON, DUTCHESS COUNTY, NEW YORK



LEGEND:



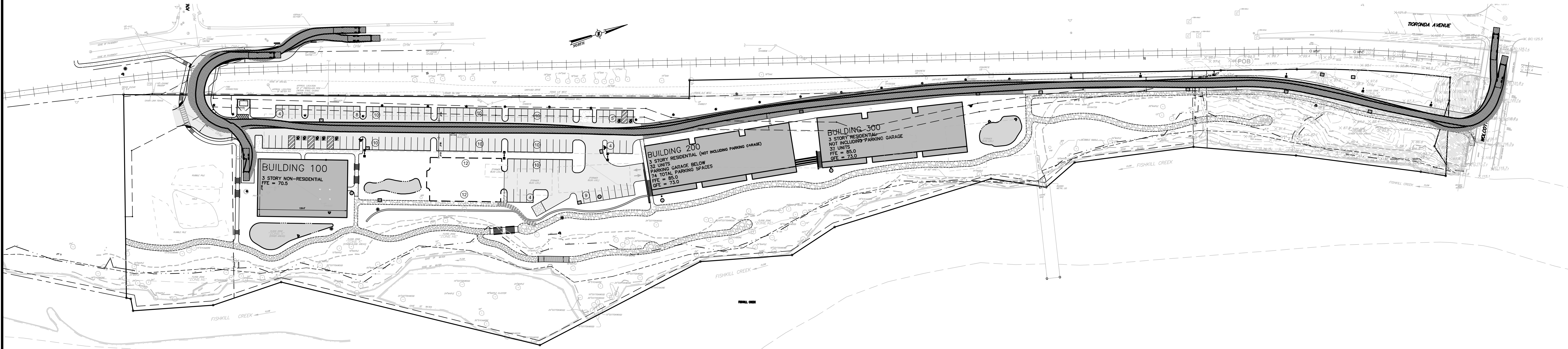
FLOODWAY, WETLAND,
SURFACE WATER



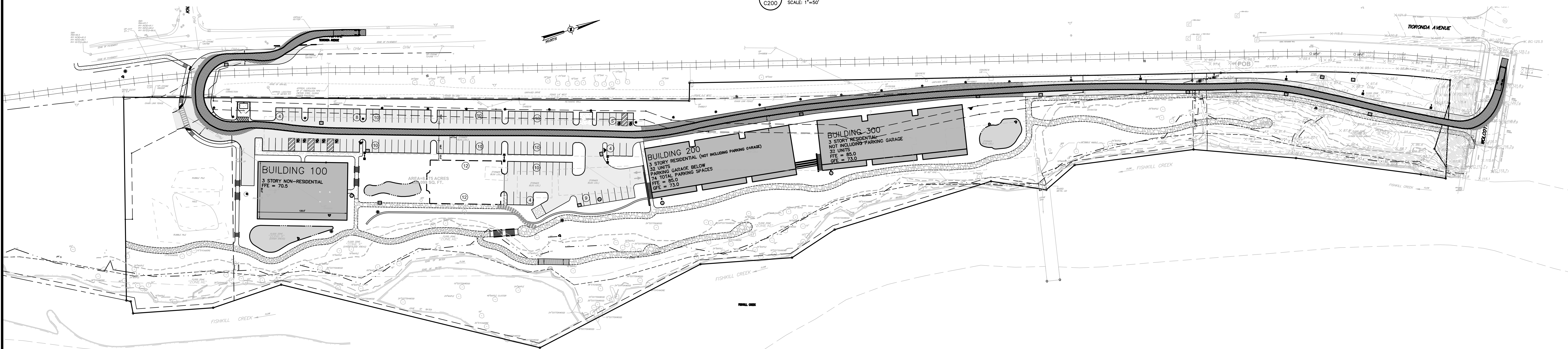
SLOPES > 25% COVERING
AN AREA GREATER THAN
10,000 SF

Allowable Residential Units

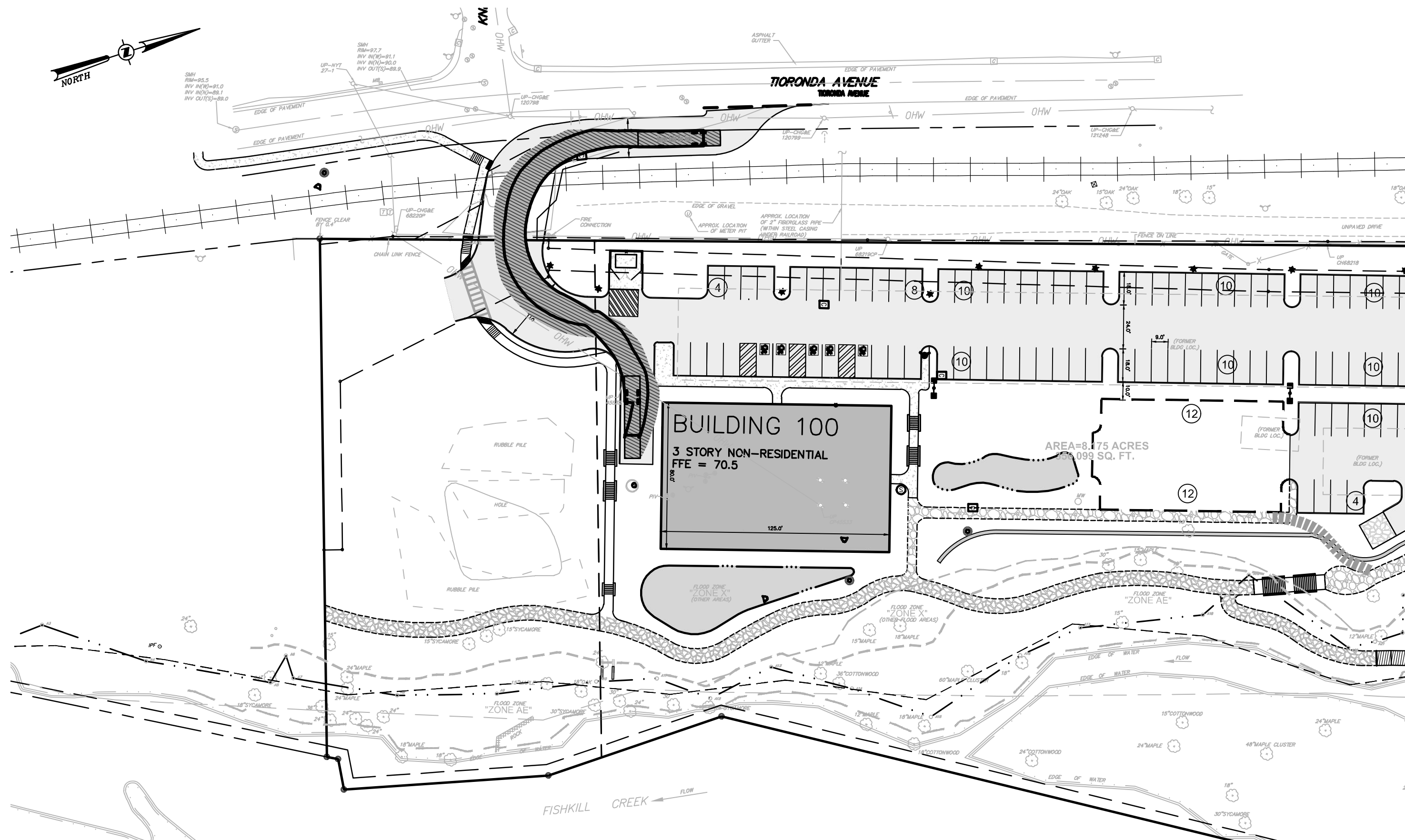
1	Total lot area	9.18 acres
2	Lot area with slopes over 25% and 10,000 SF, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland.	3.29 acres
3	Remaining lands for dwelling unit calculation (line 1 - line 2)	5.89 acres
4	Maximum dwelling units (line 3 * 11)	64 units



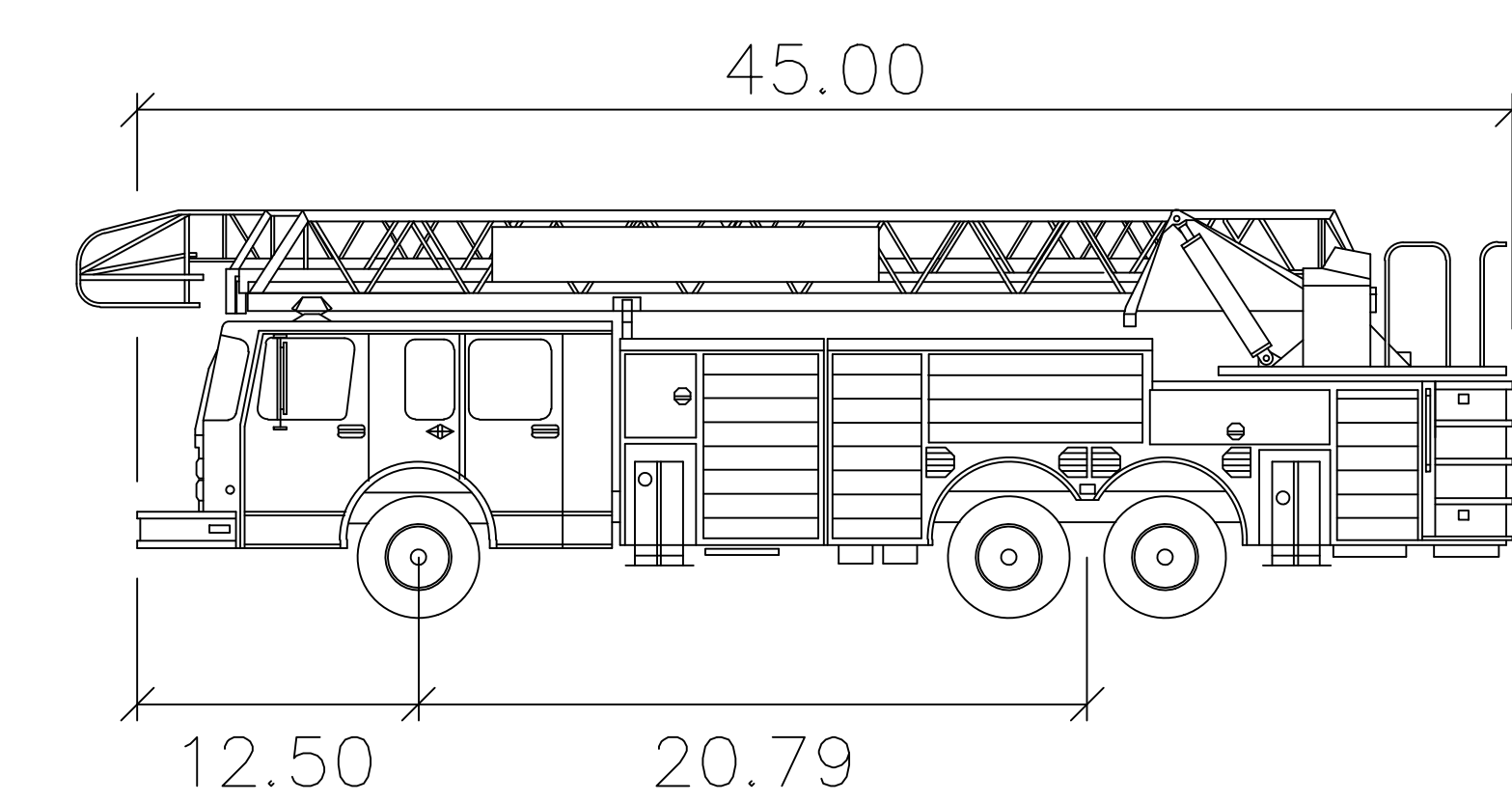
1 SOUTHWEST SITE ACCESS MANEUVERING PLAN
SCALE: 1"=50'



2 NORTH SITE ACCESS MANEUVERING PLAN
SCALE: 1"=50'



3 LOWER COMMERCIAL ACCESS
SCALE: 1"=50'



BEACON FIRE TRUCK

Width	: 8.50
Track	: 8.50
Lock to Lock Time	: 6.0
Steering Angle	: 26.5

248 BEACON HOLDINGS LLC
PROPOSED MULTIFAMILY DEVELOPMENT AND OFFICE BUILDING
CONSISTENCY WITH FCD DISTRICT CRITERIA FOR GRANTING CONCEPT PLAN APPROVAL BY CITY COUNCIL

The following demonstrates the project's consistency with the Fishkill Creek Development (FCD) District criteria to be considered by the City Council for granting concept plan approval per Section 223-41.13.F(3)(b).

[1] *The proposed Fishkill Creek development project is consistent with the purposes and requirements of the Fishkill Creek Development District and is otherwise in the public interest.*

According to Article IVC, *Fishkill Creek Development (FCD) District*, the purposes of the FCD District include:

- A. *Encourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses. Properties in this category are generally more remote from the Central Business District, but offer larger sites for a flexible range of compatible nonresidential uses.*

The project will fulfill this purpose, as it represents redevelopment of an abandoned industrial site with a mix of residential and non-residential uses. The Zoning Law Section 223-41.13(B)(1) specifically permits "attached apartment and multifamily dwellings" and "professional and business offices in buildings that face streets" in the FCD district. The proposed density of 64 dwelling units is permitted by zoning, as shown in the density calculations which are provided on Sheet EC1 of the concept plan set.

- B. *Establish and preserve open space corridors along Fishkill Creek and the Hudson River, and seek open space linkages to the large areas of open space in the Hudson Highlands on the slopes of Mount Beacon.*

The proposed project provides a buffer along the Fishkill Creek, with setbacks that range from 45 feet to 110 feet, with an average setback of 75 feet from the Fishkill Creek. The proposed layout avoids any development along the steep areas that surround the creek, as well as floodplain areas. This will supersede the 6-foot easement along the Fishkill Creek shown on the filed subdivision map.

- C. *Continue to develop greenways along the Hudson River and Fishkill Creek for public recreation, and provide linkages to trails towards the Hudson Highlands and the slopes of Mount Beacon. Improve boat access to Fishkill Creek and the Hudson River. Determine the future use of the railroad tracks along Fishkill Creek for vehicles capable of utilizing the tracks or for a bicycle and pedestrian path, and implement the decision.*

The project includes the construction of a Greenway Trail that extends along the easterly boundary of the property along the Fishkill Creek. The trail extends a distance of approximately 1,830 linear feet, with an additional 470 linear feet within two spurs, representing a significant addition to the City's Fishkill Creek Greenway & Heritage Trail (FCG&HT) Master Plan fulfillment. This trail will connect to Wolcott Avenue, and to the Sisters property to the South. Public access to the trail is also provided from Tioronda Avenue.

In summary, the project is consistent with the purposes of the FCD District, as it represents redevelopment of an abandoned industrial site, provides a mix of uses, preserves a buffer along the Fishkill Creek, and provides a Greenway Trail for public use which can connect to future trails along the creek on adjacent properties.

[2] *The proposed Fishkill Creek development project complies with § 223-41.13l(15), Fishkill Creek vegetative buffer, of this chapter.*

The project provides a buffer along the Fishkill Creek to preserve existing vegetation and significant trees, as well as viewsheds along this corridor. The setback from the Fishkill Creek as measured from the top of the creek bank varies from approximately 45 feet to 110 feet, with an average setback of 75 feet, which exceeds the minimum required setback of 25 feet and the minimum required average setback of 50 feet. The layout was designed to avoid 100-year floodplain areas, and very steep slopes are avoided to the extent practicable. Site development is fitted to the topography and soil so as to create the least potential for vegetation loss and site disturbance. The buffer along the creek will be protected by a conservation easement as required. This will supersede the existing 6-foot easement along the Fishkill Creek shown on the filed subdivision map. The approved site plan was endorsed by the City of Beacon Greenway Trail Committee. The proposed Greenway Trail location avoids the stream and floodplain areas.

[3] *The proposed Fishkill Creek development project meets the Fishkill Creek development design standards set forth in § 223-41.13l, to the extent applicable at the concept plan stage.*

The approved project was determined to meet these standards, and the proposed project is similar in many ways to the approved project. Many of these standards are related to other FCD requirements, and design details are described in the FEAF Narrative and "Summary of Consistency with FCD Application Requirements", as well as throughout this document. The project meets the current Fishkill Creek development design standards set forth in Section 223-41.13.l, to the extent applicable at the concept plan stage, as described below. Some of these standards will be addressed during the site plan review process.

- (1) All new buildings or substantial alterations of existing buildings in the Fishkill Creek Development District, shall comply with the following design standards. These standards are intended to supplement the provisions in Chapter 86, Architectural Design, and to relate historic buildings 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 City Council or Planning Board, as applicable, 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) General district standards. While the FCD District may contain various uses, development shall be planned as a cohesive unit, with a comprehensive plan for access, connected greenspace, landscaping, signs, circulation, and compatible architectural elements. Plans should build on the existing Beacon environmental and historic context.*
 - (a) Proposals shall show previous buildings on the site and document inspiration from the City's industrial past along the riverfront and creek frontage, including the type and texture of materials, roof forms, spacing and proportions of windows and doors, and exterior architectural features. Building details may be traditional or may be more modern and simple.*
 - (b) Construction on parcels in or directly adjoining the Historic District and Landmark Overlay Zone should reinforce historical patterns and neighboring buildings with an emphasis on continuity and historic compatibility, not contrast. The goal is to renew and extend the traditional character of the district, but new construction may still be distinguishable in up-to-date technologies and details, most evident in windows and interiors (see also Chapter 134, Historic Preservation).*

- (c) *The plan shall be sensitive to the site's relationship to the Fishkill Creek and developed in such a way as to maximize important public views and view corridors throughout the development.*

The project has been planned as a cohesive unit, with a comprehensive plan for access, connected greenspace, landscaping, signs, circulation, and compatible architectural elements. The concept plan builds on the existing Beacon environmental and historic context. Please refer to concept plans and architectural plans, as well as the FEAF narrative.

- (4) *Specific standards. See also the annotated photo examples in Figures 13-1 through 13-3, illustrating the design standards.*

The plans will be refined during the site plan review process.

- (5) *Energy efficiency. The plan for the Fishkill Creek development project shall be designed and arranged in such a way as to promote energy efficiency to the maximum extent practicable for all buildings, such as taking advantage of passive solar and solar panel opportunities.*

The project will incorporate various energy saving features such as low flow toilets, energy star appliances and electric standards, double-paned windows, and energy efficient lighting. Additional energy saving features may be incorporated as more detailed architectural plans are developed.

- (6) *Landscaping, screening and buffering. A comprehensive landscaping plan, including proposed streetscape and rooftop elements, shall be submitted for the project.*

(a) *Sidewalks, open spaces, parking areas and service areas shall be landscaped and/or paved in a manner which will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., shall be attractive, durable, easily maintained and compatible with the exterior materials of adjacent buildings.*

(b) *The Planning Board may require street trees, buffer landscaping, fencing or screening to separate land uses and to screen parking lots or structures, utility buildings, refuse collection areas, cooling systems and other similar installations and features.*

(c) *All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Planning Board. Landscape materials selected shall emphasize native species, not include invasive species, and shall be appropriate to the growing conditions of the environment and this climatic zone.*

(d) *Green roofs and rooftop terraces and gardens are encouraged for visual and environmental reasons.*

Architectural elevations and landscape plan have been provided, and architectural details are described in the FEAF Narrative.

- (7) *Lighting. A comprehensive lighting plan with photometric measurements and fixture specifications shall be submitted for the project. Streets, drives, walks and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in 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 use full cut-off fixtures to prevent any lighting that directly projects above the horizontal level into the night sky.*

All exterior lighting will be downward directed, and will be of such type and location and will have such shading to prevent the source of light from being seen from any adjacent residential property or from

the street in accordance with Section 223-14.B of the zoning regulations. Lighting will consist of decorative full cut-off lighting with International Dark-Sky Association-approved "dark sky friendly" performance. The average level within the parking lots, access, and sidewalks will be sufficient to promote safety and encourage pedestrian use. Lighting photometrics and details will be provided during the site plan review process.

(8) *Signage.*

- (a) *All signs shall be planned and designed in accordance with an overall comprehensive signage plan, which shall be subject to Planning Board review and approval as part of site plan review process.*
- (b) *All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose.*

Signage details will be determined during the site plan review process, consistent with the City's sign regulations.

- (9) *Vehicle, bicycle and pedestrian circulation system and traffic access. The rights-of-way and pavement widths for all internal streets, drives, walks or other accessways for vehicles, bicycles and/or pedestrians shall be determined on the basis of sound current planning and engineering standards, which shall accommodate projected demand but minimize impervious surface to the maximum extent practicable and be narrow enough to slow traffic speeds. Commercial uses should be pedestrian oriented and assist in building walkable streets and a connection to downtown Beacon.*

Access to the project site is provided from Tioronda Avenue over an at grade crossing easement granted by the MTA. This access was used for many years when the Tuck Industries manufacturing facility was in operation. The grade crossing provides access both to the project site and to the adjoining Sisters property, avoiding multiple accesses onto Tioronda Avenue. The Filed Subdivision Map (FM #10970 filed February 20, 2000) provides for a shared access. The Applicant will offer emergency access to other owners of the FCD properties subject to contribution of a fair share of the costs of building the emergency access. The 555 South Avenue property has its own entrance, at a point approximately 2,400 feet south of the entrance to Beacon 248.

The general interior configuration of the project road system is shown on the plans. The road system provides for circulation by means of a left turn inside the site to reach the proposed buildings, and a right turn inside the site to reach Sisters property.

The project will generate new traffic in the vicinity of the project site, since the site is currently vacant. All traffic will be oriented to travel to and from the site via the intersection of Tioronda Avenue with Wolcott Avenue/Route 9D. The present access design is to prohibit arrivals to the site from the south, and prohibit left turns out of the site to travel south on Tioronda Avenue. This traffic routing meets the needs of travelers, since Wolcott Avenue provides the best routing in either direction to I-84, the train station, and Route 9D going either north or south. It also protects the neighborhoods to the south and west of the site from additional traffic through local neighborhoods. The limitation on turning movements does not create any traffic difficulties for the residents of the project or for the local community.

(10) Public access for greenway trails.

- (a) While a Fishkill Creek development will require certain private elements for the security and benefit of its residents and property owners, a Fishkill Creek development shall provide public pedestrian access in a manner which enhances existing public access opportunities, and coordinates such public access with existing or anticipated opportunities for public access on adjacent lands to facilitate future linkages in a continuous pedestrian path system.*

The project provides a Greenway Trail for public use which can connect to future trails along the creek on adjacent properties. The trail extends a distance of approximately 1,830 linear feet with an additional 470 linear feet within two spurs, representing a significant addition to the City's proposed Fishkill Creek Greenway & Heritage Trail (FCG&HT) Master Plan fulfillment. This trail will connect to Wolcott Avenue by means of the emergency access to Wolcott Avenue, and to the Sisters property to the south. Public access to the trail is also provided from Tioronda Avenue.

- (b) In order to foster the purposes of this article, in order to implement the policies expressed in the City's Comprehensive Plan and the Fishkill Creek Greenway and Heritage Trail Master Plan, including the creation of greenway trails, and in order to increase public pedestrian access to and the potential for enjoyment of Fishkill Creek, each FCD project shall show a dry-land right-of-way or easement for the enjoyment of the public, which easement shall be not less than 20 feet in width traversing the entire length of the site unless configured otherwise by the Planning Board during the site development plan review process. To the maximum extent practicable, said right-of-way or easement shall be integrated so as to create linkages with existing and anticipated public pedestrian and bicycle trail systems on adjacent lands.*

Please refer to the consistency description provided for Conceptual Approval Criterion #4.

- (c) The trail within said right-of-way or easement shall be constructed by the project developer and shall be maintained by the property owner. Said trail may be located in the Fishkill Creek buffer.*

The project developer will be responsible for construction and maintenance of the trail.

(11) Off-street parking and loading.

- (a) General parking requirements.*

- [1] Off-street parking and loading areas shall be designed with careful regard to their relation to the uses served. They shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks.*
- [2] Parking and loading facilities not enclosed in structures shall be suitably landscaped and/or screened as determined appropriate by the Planning Board. Off-street parking shall be located toward the rear or side of the site, under the ground floor of buildings, and/or screened from public views by approved landscaping or architectural elements.*
- [3] The construction of any proposed parking structures to accommodate the FCD project shall be integrated into the development.*

Parking is provided in a surface lot located between the proposed office building and residential buildings, and within a parking garage located below grade that extends under and between the

two residential buildings. The parking garage enables more green space on the site. Please refer to concept plan.

- (b) *Parking requirements. The FCD District parking requirements shall be in accordance with § 223-26 of this chapter, except that the requirements in § 223-26F shall be both the minimum and maximum requirements for a FCD project.*

According to the City of Beacon Zoning Code Section 223-26.F, a multifamily residential use requires 1 space for each dwelling unit plus 1/4 space for each bedroom, and a professional office use requires 1 space for each 200 square feet of gross floor area, excluding utility areas. Therefore, the 64-unit residential development with 28 one-bedroom units and 36 two-bedroom units (100 bedrooms total) requires 89 parking spaces and the 25,400 SF office building requires 127 parking spaces, for a total required parking of 216 spaces. This requirement is both a maximum and minimum for an FCD project. The proposed concept plan provides 89 parking spaces for the residential portion (15 surface lot spaces and 74 garage spaces). The proposed concept plan provides the required spaces for the office use, with a portion of the required spaces being land banked spaces which would be reserved for future use if needed.

- (c) *With respect to any building, structure or use for which the required number of parking spaces is not specifically set forth in § 223-26F of this chapter, the Planning Board, in the course of site plan review, shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule.*
- (d) *Up to 20% of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards as determined by the Planning Board.*

No compact spaces are proposed.

- (e) *Off-street loading shall be provided as the Planning Board may find appropriate.*

Per Section 223-26.H(b), a minimum of 1 loading space for the first 20,000 square feet of GFA, is required plus one space for each additional 40,000 square feet of GFA or major portion thereof. Therefore, the project with 25,400 SF of office space is expected to require 1 loading space, which is shown on the concept plan.

(12) *Utilities and services.*

- (a) *Underground lines. All on-site television, power and communication lines, as well as all on-site water, sewer and storm drainage lines, shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. Any utility equipment to be necessarily located above ground shall be adequately screened from view in an attractive manner.*

All utility installations will be underground. Details will be determined during the site plan review process.

- (b) *Approval of appropriate jurisdictions. All buildings within Fishkill Creek development projects shall be served by water supply, sanitary sewage and stormwater drainage systems as approved by the appropriate government agency or agencies having jurisdiction thereof. Stormwater drainage shall minimize siltation and nonpoint source discharge of salted areas and any other pollutants. Best management practices shall be required.*

The project will be served by City of Beacon municipal water and sewer service. A 12" water main and 8" sewer main are located along Tioronda Avenue. Sewage generated from both residential and non-residential buildings will be conveyed via gravity flow to an onsite sewage pump station, where it will be pumped via force main and tapped in to the existing 2-inch fiberglass pipe which extends under the railroad property and ties into the City sewer system. The project proposes to use a combination of standard stormwater management practices and alternative practices as described in the FEAF Narrative. The site will continue to discharge stormwater runoff to the Fishkill Creek.

- (c) *Television hookups. Television hookups shall either be by cable television or a central antenna system designed to minimize adverse aesthetic impact and shall not be by multiple individual satellite dishes.*

Details will be determined during the site plan review process, consistent with this standard.

- (d) *Refuse collection. The Fishkill Creek development project shall provide an adequate means of storing refuse between collections, and shall comply with all applicable City requirements, including recycling requirements. Such storage systems shall be designed to minimize adverse aesthetic impact.*

Details will be determined during the site plan review process, consistent with this standard.

- (e) *Cooling systems. Cooling systems shall be designed so as to minimize adverse aesthetic impact.*

Details will be determined during the site plan review process, consistent with this standard.

- (f) *Placement of utilities. Where possible, all utilities shall be placed within the right-of-way.*

Details will be determined during the site plan review process, consistent with this standard.

- (g) *Utility deficiencies. The FCD project shall address all known utility deficiencies which have a relationship to the project, the project's impact upon said utilities, and the project's implementation and/or financing of its fair share of the mitigation of said impact and deficiencies, including the dedication of utility easements to the City.*

Details will be determined during the site plan review process, consistent with this standard.

- (13) *Floodplain. The Fishkill Creek development project shall comply with the applicable provisions of Chapter 123, Flood Damage Prevention, of the City Code. All habitable stories shall be elevated above the one-hundred-year floodplain elevation.*

According to the National Flood Insurance Program Flood Insurance Rate Map (FIRM), City of Beacon, New York, Community Panel 360217, a portion of the project site along the Fishkill Creek is located within Flood Zone AE, which is described as an area of the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual (100-year) chance flood can be carried without substantial increases in flood heights. No building construction is proposed within Zone AE.

- (14) *Historic preservation. Every reasonable effort shall be made to preserve and/or incorporate significant historic structures and artifacts as part of the FCD project.*

A Phase 1A Archeological Investigation dated July 2013 was conducted by Hartgen Archaeological Associates, Inc. The report concluded that as a result of the impacts related to the continuous industrial development of the property combined with the impacts surrounding the removal the buildings

associated with the New York Rubber Company facility, it is likely no significant cultural deposits, specific to the early to mid-19th century development of the property remain. The Phase 1A report was submitted to NYSOPRHP for review, under the previously approved project. Correspondence from NYSOPRHP dated September 27, 2013, requested additional project information due to the project's location adjacent to a National Register-Eligible district to the east. The Applicant then submitted the additional requested information, and in correspondence dated December 23, 2013, NYSOPRHP concluded that the massing of the buildings as proposed at that time was appropriate for the site, and determined that the approved project would have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places. Information and plans for the currently proposed project have been uploaded to NYSOPRHP CRIS for review and determination. Since the project is similar to the approved project in regard to disturbance area and architecture, it is anticipated that NYSOPRHP's determination will remain the same, and no impacts to cultural resources will occur.

(15) Fishkill Creek vegetative buffer.

- (a) A protective creekside buffer measured from the top of the creek bank shall be observed. "Top of the creek bank" shall mean the highest elevation of land which confines Fishkill Creek.*
- (b) The protective creekside buffer dimension in § 223-41.14(15)(a) of this chapter is a minimum and may be increased if necessary to mitigate the impact of the proposed development.*
- (c) With respect to development near the creekside buffer, the site plan shall address the following requirements:*
 - [1] Site development shall be filled to the topography and soil so as to create the least potential for vegetation loss and site disturbance.*
 - [2] Vegetation removal shall be limited to that amount necessary for the development of the site. Protection of tree crowns and root zones shall be required for all trees planned for retention.*
 - [3] Vegetation indigenous to the site or plant community shall be restored in areas affected by construction activities. Temporary vegetation, sufficient to stabilize the soil, may be required on all disturbed areas as needed to prevent soil erosion. New planting shall be given sufficient water, fertilizer and protection to ensure reestablishment.*
- (d) All approved measures to mitigate the loss or impact to riparian habitat shall become conditions of approval of the project.*
- (e) The creekside buffer shall be protected by a conservation easement and/or covenants and restrictions which provide for the preservation of existing and proposed vegetation within said buffer.*

The proposed layout maintains the original land form, as it utilizes the existing disturbed area from the former heavy industrial development, while the area at the top of the bank of the creek is preserved. Most of the development is within the limits of previous development. No impacts to wetlands or the stream will occur. A Greenway Trail is proposed which will include a conservation easement. The project provides a buffer along the Fishkill Creek to preserve existing vegetation and significant trees, as well as viewsheds along this corridor. The setback from the Fishkill Creek as measured from the top of the creek bank varies from approximately 45 feet to 110 feet, with an average setback of 75 feet, which exceeds the minimum required setback of 25 feet and the minimum required average setback of

50 feet. The layout was designed to avoid 100-year floodplain areas, and very steep slopes are avoided to the extent practicable. Site development is fitted to the topography and soil so as to create the least potential for vegetation loss and site disturbance. The buffer along the creek will be protected by a conservation easement as required. This will supersede the existing 6-foot easement along the Fishkill Creek shown on the filed subdivision map. The approved site plan was endorsed by the City of Beacon Greenway Trail Committee. The proposed Greenway Trail location avoids the stream and floodplain areas.

[4] The proposed Fishkill Creek development project is consistent with the City's Comprehensive Plan, Local Waterfront Revitalization Program (if applicable), and Fishkill Creek Greenway and Heritage Trail Master Plan, and will not hinder or discourage the appropriate development and use of adjacent lands.

City Comprehensive Plan

The City of Beacon Comprehensive Plan adopted December 17, 2007, proposed a combination of new open spaces and parks balanced with new opportunities for commercial and residential development in several key areas of the City, including the former industrial sites along the Fishkill Creek. The 2007 Comprehensive Plan encouraged residential development at these old industrial sites, and actually provided for greater density (15 dwelling units per acre), stating that: "Allowing these lands to be built at greater densities represents an efficient use of land in a location capable of supporting this level of development. The City expects to benefit from this through the physical revitalization of these areas."

The Comprehensive Plan Update adopted April 3, 2017, (the "Plan") reflects land use, demographic and socioeconomic changes that have taken place since the 2007 plan was adopted. The updated recommendations in the Plan address environmental protection, economic development, affordable housing and improved community services and facilities. The primary focus of the 2017 Plan is the waterfront and train station area; therefore, many of the policies and recommendations of the 2007 Comprehensive Plan that applied to the project site are still applicable.

One of the Goals of the Plan is to "encourage a vibrant business community in harmony with existing commercial and industrial areas throughout the community. Employ all available mechanisms to meet the City's objectives for economic development" (page 66), and Objectives and Recommendations under this Goal for vacant industrial sites is to "encourage the environmental cleanup and redevelopment of the unused or underutilized industrial sites along Fishkill Creek for new light industrial, commercial, or residential uses, as appropriate. New uses proposed for the vacant sites away from Main Street should not conflict or compete unduly with existing uses in the City" (page 68).

The goals of the Plan that relate to "Environmental Resources" include to "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. The rare assets of the City, such as the Hudson River and Fishkill Creek, should be protected, as should the Hudson Highlands on the slopes of Mt. Beacon" and to "encourage high environmental standards for development and infrastructure, develop sources of renewable energy and improve the environmental performance of City-owned property (page 24)." One of the objectives of this goal is to "establish and preserve open space corridors along Fishkill Creek and the Hudson River, and seek open space linkages to the large areas of open space in the Hudson Highlands on the slopes of Mt. Beacon". The proposed public Greenway Trail is consistent with this goal and objective, as the trail area along the creek is preserved with a conservation easement, and extends across the site to allow connection to adjacent properties along the creek.

The goal of the Comprehensive Plan that relates to “Population and Residential Development” includes “(1) strive to maintain a variety of housing opportunities that area accessible to a wide variety of income levels”; “(4) encourage residential development of vacant and underutilized former industrial sites”; and “(5) ensure continued racial, ethnic, age and economic diversity of the population through encouraging a wide range of housing choices” (page 52). The City’s creation of the Fishkill Creek Development (FCD) district represents implementation of this goal and these objectives. The project is consistent in that it is a mix of uses which include market rate residential housing along with a public Greenway Trail. The project will comply with the requirements for affordable-workforce housing per Article IVBX of the zoning code. Stormwater management will include green infrastructure practices such as bioretention.

The goal of the Comprehensive Plan that relates to “Commercial, Office, and Industrial Development” is to “encourage a vibrant business community in harmony with existing commercial and industrial areas throughout the community. Employ all available mechanisms to meet the City’s objectives for economic development” (page 66). An objective of this goal (Objective F) is to “encourage the environmental cleanup and redevelopment of the unused or underutilized industrial sites along Fishkill Creek for new light industrial, commercial, or residential uses, as appropriate. New uses proposed for the vacant sites away from Main Street should not conflict or compete unduly with existing uses in the City” (page 68).

The project consists of the redevelopment of the former Tuck Industries manufacturing site for a multifamily residential development and office building. The project site was listed in the NYSDEC’s Environmental Remediation Database as a Site Code 314044, formerly operated as a tape manufacturing facility. The listing was the result of leaking drums and storage tanks that contained solvents and solvent recovery system waste which resulted in soil contamination. The industrial buildings were demolished and removed, and the site was remediated to the satisfaction of NYSDEC, and is ready for redevelopment, consistent with this goal and objective of the Comprehensive Plan.

The goal of the Comprehensive Plan that relates to “Recreation and Community Facilities” is that “community services for all age groups should be provided consistent with the economic growth of the City and its available resources. Regional facilities should be encouraged to locate in the City. Develop a recreational open space system of sufficient size and locational qualities to meet the complete range of recreational needs for the people” (page 142). An objective of this goal is to “continue to develop Greenways along the Hudson River and Fishkill Creek for public recreation, and provide linkages to trails towards the Hudson Highlands and the slopes of Mt. Beacon” and to “determine the future use of the railroad tracks along Fishkill Creek for vehicles capable of utilizing the tracks or for a bicycle and pedestrian path, and implement the decision” (page 144).

The project includes a Greenway Trail along the Fishkill Creek that will be accessible to the public and which can connect to adjacent properties. The proposed Greenway Trail is likely to alleviate some of the pressure on other public parks and recreational facilities in the City.

Based on this information, the project is consistent with the City of Beacon Comprehensive Plan.

LWRP

The Planning Board made a determination on June 11, 2019, that the project is entirely consistent with the LWRP policies that apply to the project. Policy #25 of the LWRP adopted March 7, 2011, lists 13 viewsheds that should be protected which contribute to the scenic quality of the coastal area. None of the views extends over the subject development site, or over any nearby site in the Fishkill Creek Corridor. The project is consistent with the applicable LWRP recommendations for development in scenic viewsheds, including setback from the Fishkill Creek shoreline to preserve the privacy and some grade-separation of the pedestrian

trail along the Creek. Section 12.0, Community Character, provides a description of the proposed architecture and preliminary information regarding visual impacts.

Fishkill Creek Greenway & Heritage Trail Master Plan (FCG&HT)

The Greenway Trail will be constructed to the guidelines of the City's Fishkill Creek Greenway & Heritage Trail Master Plan (FCG&HT) as approved by the Planning Board. The approved site plan was endorsed by the City of Beacon Greenway Trail Committee. The proposed Greenway Trail has been relocated to avoid the stream and floodplain areas. The proposed Greenway Trail represents a significant addition to the City's proposed FCG&HT Master Plan fulfillment. This trail will connect to Wolcott Avenue by means of the emergency access to Wolcott Avenue, and to the Sisters property to the south. Public access to the trail is also provided from Tioronda Avenue. The width of the proposed trail easement is 20 feet, while presently, the City has only a 6-foot wide easement at the property edge, pursuant to the filed subdivision map. The proposed Greenway Trail is likely to alleviate some of the pressure on other public parks and recreational facilities in the City, and is a major benefit to the City. The proposed project will enhance the site, thus improving the value and development capability of nearby properties.

- [5] *The proposed Fishkill Creek development project is planned as a cohesive unit with a comprehensive plan for ingress, egress, open space, landscaping, signage, circulation and utility service and the land uses are complementary.***

The project has been planned as a cohesive unit, with a comprehensive plan for access, connected greenspace, landscaping, signs, circulation, and compatible architectural elements. The concept plan builds on the existing Beacon environmental and historic context.

- [6] *The land uses in the proposed Fishkill Creek development project relate, visually and functionally, with surrounding land areas and land uses, and shall relate compatibly with other elements of the Fishkill Creek corridor.***

The project involves the redevelopment of a deteriorated former industrial site. The project will aesthetically improve the site with new landscaping, decorative lighting, and architecturally pleasing new buildings, as well as providing a public Greenway Trail along the Fishkill Creek. The properties north of the project site are vacant residential land and the City of Beacon highway garage. The project site is separated from Tioronda Avenue by a railroad bed owned by MTA, and across Tioronda Avenue are single family residences and a public school. Adjacent to the project site to the south is a vacant industrial property, also located in the FCD district. Uses across the Fishkill Creek from the project site include single family residences, a two-family residence, vacant residential land owned by the City of Beacon, and an animal rescue facility. The proposed residential and office uses will blend in with the other uses in the area and will be consistent with future development of the FCD property to the north and south.

Architectural elevations have been provided. The architecture and building materials depicted on the exterior elevations of the buildings are quality examples of urban architecture typical of older City of Beacon structures. The buildings are designed to present a subtly varied, yet ordered and cohesive appearance in terms of architectural style. Architecturally pleasing from all sides, they will be consistent with older industrial buildings in the city, but with more residential proportions. Scales, forms and materials used are appropriate to ensure that buildings and other structures are compatible with and add interest to the landscape. The elevations are clad predominately in brick. Third story and cellar level elevations are set back to mitigate the perceived height of the buildings on all sides. The setbacks are clad in black metal panels which complement the brick cladding well. Windows, doors and trim will be black powder coated aluminum. Painted black steel balconies will be provided for a number of units. Proposed retaining walls on the site will be poured in place

concrete with fieldstone veneer. Proposed retaining walls will be segmental concrete block walls in earthtone colors. The proposed refuse container will be screened from view by a cedar fence, and will comply with the City's requirements in Section 223-14.C.

[7] *The Fishkill Creek development project shall be sensitive to the site's relationship to the Fishkill Creek and shall be designed accordingly.*

The Greenway Trail will be constructed to the guidelines of the City's FCG&HT Master Plan. The provision of the trail easement is a major benefit to the City. The width of the proposed trail easement varies from 10 feet to 20 feet. Presently, the City has only a 6-foot wide easement at the property edge, pursuant to the subdivision map. The project site contains a very attractive section of waterfront, including views of a waterfall.

[8] *The FCD site is proposed to be developed in such a way as to maximize important views and view corridors throughout the development; and site layout and design has incorporated, protected and/or enhanced important views and view corridors, including those identified in the LWRP.*

The architecture and building materials depicted on the exterior elevations of the buildings are quality examples of urban architecture typical of older City of Beacon structures. The buildings are designed to present a subtly varied, yet ordered and cohesive appearance in terms of architectural style. Architecturally pleasing from all sides, they will be consistent with older industrial buildings in the city, but with more residential proportions. Scales, forms and materials used are appropriate to ensure that buildings and other structures are compatible with and add interest to the landscape. Cross sectional views were submitted which show that the properties to the west are much higher in elevation than the project property, and the site drops off to a lower elevation east of the tracks. Since the project site is much lower than much of the surrounding area, only the higher portions of the proposed buildings are expected to be visible. Photo simulations were provided which depict the three proposed buildings as seen from eye level vantage points along Tioronda Avenue. These vantage points are shown on the "Vantage Point Location Plan". Starting at the northwest corner of proposed residential Building 300, the vantage points advance southwards, ending at the west side of the proposed commercial building at the south of the property.

The City's Local Waterfront Revitalization Plan designates 13 local viewsheds under Policy 25A that are designated for protection. The applicant's development site is not within any of the designated viewsheds. The proposed development area is not located in a designated LWRP viewshed; however, the project design is consistent with the applicable LWRP recommendations for developing in scenic view sheds.

The proposed layout maintains the original land form, as it utilizes the existing disturbed area from the former heavy industrial development, while the area at the top of the bank of the creek is preserved. The natural grade changes across the site (west to east), serve to screen the parking and lower the height of the buildings as viewed from Tioronda Avenue and from residential properties across Tioronda Avenue.

The access road to Wolcott Avenue does not present adverse visual impacts. The new wall required for the access to Wolcott Avenue is substantially lower than the existing wall associated with Tioronda Avenue itself. The new wall serves to hide some of the graffiti on the Tioronda wall. The applicant intends to design plantings to soften views of the new wall (to be refined during site plan review by the Planning Board).

Full Environmental Assessment Form Part 1

for
Proposed Multifamily Development and Office Building

248 Tioronda Avenue
City of Beacon
Dutchess County, New York



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TABLE OF CONTENTS

PROJECT NARRATIVE

1.0	PROJECT DESCRIPTION	1
1.1	Introduction	1
1.1	Project History.....	1
1.2	Current Project.....	2
2.0	LAND USE AND ZONING	2
2.1	Land Use.....	2
2.2	City of Beacon Comprehensive Plan	2
2.3	City of Beacon Zoning.....	4
2.4	City of Beacon Local Waterfront Revitalization Plan (LWRP).....	6
3.0	COMMUNITY SERVICES	6
3.1	Police and Fire Protection Services	6
3.2	School District	6
4.0	SOILS, TOPOGRAPHY, AND WATER RESOURCES	7
4.1	Soils and Topography	7
4.2	Water Resources	8
4.3	Floodplain.....	8
5.0	UTILITIES	8
5.1	Water and Wastewater.....	8
5.2	Stormwater	9
6.0	TRAFFIC AND PARKING	9
6.1	Traffic	9
6.2	Parking.....	11
7.0	NOISE AND LIGHTING.....	12
7.1	Noise	12
7.2	Lighting.....	12
8.0	SOLID WASTE.....	12
9.0	CONTAMINATION HISTORY	13
10.0	ENDANGERED, THREATENED AND RARE SPECIES AND SIGNIFICANT HABITAT	13
11.0	HISTORIC AND ARCHEOLOGICAL RESOURCES.....	14
12.0	COMMUNITY CHARACTER.....	14

LIST OF TABLES

Table 3-1: Anticipated Public School Children Generated by the Project.....	6
Table 4-1: Characteristics of Soil Types within Project Site	7
Table 6-1: Traffic Generation	10

FULL ENVIRONMENTAL ASSESSMENT FORM PART 1 FORM

FIGURES

- Figure 1: USGS Location Map
- Figure 2: Orthophoto Tax Map
- Figure 3: Land Use Map
- Figure 4: Soils Map
- Figure 5: Slopes Map
- Figure 6: Wetland, Stream, and Floodplain Map
- Figure 7: NYSDEC Environmental Resource Map
- Figure 8: NYSOPRHP Cultural Resource Information System (CRIS) Map
- Figure 9: Scenic and Aesthetic Resources Map

ATTACHMENTS

- Attachment A: Updated Traffic Synchro Analysis
- Attachment B: NYSDEC Correspondence and US Fish & Wildlife Service (USFWS) Official Species List

Note: Site Plan submitted separately.

PROJECT NARRATIVE

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1.0 PROJECT DESCRIPTION

1.1 Introduction

The Applicant, 248 Beacon Holdings LLC, proposes the redevelopment of the northern portion of the former Tuck Industries manufacturing site with a 64-unit multifamily residential development and a 25,400 square foot (SF) office building, with associated parking. A Greenway Trail for public use is proposed along the Fishkill Creek. The 9.18-acre project site consists of two tax parcels identified as parcels 5954-16-993482 and 6054-45-012574 on the City of Beacon tax map, which are proposed to be consolidated. Access to the development is provided from Tioronda Avenue across the Metropolitan Transit Authority (MTA) property via easement. A second gated access for emergency and pedestrian use only is provided from Wolcott Avenue (NYS Route 9D). The proposed development is contained almost entirely within the former Tuck Industries development area.

The FEAF was completed utilizing the NYSDEC EAF Mapper, which provides automated responses to certain questions. The EAF Mapper tool sometimes indicates limited availability for some digital data. This narrative provides clarification for responses and/or reference used for the responses.

1.1 Project History

The project site is located in the Fishkill Creek Development (FCD) District, according to the City of Beacon Zoning Map. Development within this District requires both City Council and Planning Board approvals. The current property owner and previous Applicant, Beacon 248 Development, LLC, received Concept Plan and Special Permit Approvals by the City of Beacon City Council on August 4th, 2014, for the redevelopment of the site for a 100-unit multifamily residential development. The Planning Board was Lead Agency for the State Environmental Quality Review (SEQR), and a Negative Declaration was adopted on April 8, 2014, after determination that the project would not have any significant adverse environmental impacts. Planning Board Approvals for Subdivision (lot consolidation) and Site Plan were granted on January 13, 2015. The approved site plan layout included four residential buildings, a 1,200 SF clubhouse, and a swimming pool for use by residents only. The site plan also included a Greenway Trail along the Fishkill Creek for public use. An access easement was granted by MTA for the Tioronda Avenue access drive. The property owner subsequently was granted extensions of the Planning Board approvals for site plan and subdivision.

In 2017, the City Council adopted zoning amendments which included amendments to the FCD regulations. "Attached apartment and multifamily dwellings" is a permitted principal use that previously required a special permit from the City Council in the FCD District. However, the adopted zoning amendments eliminate the need for a special permit. "Professional and business offices in buildings that face streets" are also permitted in the FCD District. A FCD project requires concept approval and SEQR by the City Council and site plan approval by the Planning Board. The zoning amendments also result in a reduction in the number of dwelling units that would be permitted for this property.

1.2 Current Project

The current Applicant has presented a new concept plan that meets the amended FCD requirements. The number of dwelling units has been reduced from 100 units to 64 units, which include 28 one-bedroom units and 36 two-bedroom units (100 bedrooms). The proposed site plan includes two residential buildings and a 25,400 SF office building. Many of the features that were incorporated into the approved plan have been retained in the currently proposed site plan, including the Greenway Trail and emergency access drive. The current plan continues to be located mostly within the area of development for the former Tuck Industries facility.

2.0 LAND USE AND ZONING

2.1 Land Use

The project site is located on Tioronda Avenue with additional road frontage on Wolcott Avenue. Figure 3 shows land uses within 1,000 feet of the site. The properties north of the project site are vacant residential land and the City of Beacon highway garage. The project site is separated from Tioronda Avenue by a railroad bed owned by MTA, and across Tioronda Avenue are single family residences and a public school. Adjacent to the project site to the south is a vacant industrial property, also located in the FCD district. Uses across the Fishkill Creek from the project site include single family residences, a two-family residence, vacant residential land owned by the City of Beacon, and an animal rescue facility. The proposed residential and office uses will blend in with the other residential uses in the area and will be consistent with future development of the FCD properties to the north and south. The project involves the redevelopment of a deteriorated former industrial site. The project will aesthetically improve the site with new landscaping, decorative lighting, and architecturally pleasing new buildings, as well as providing a public Greenway Trail along the Fishkill Creek.

2.2 City of Beacon Comprehensive Plan

The City of Beacon Comprehensive Plan adopted December 17, 2007, proposed a combination of new open spaces and parks balanced with new opportunities for commercial and residential development in several key areas of the City, including the former industrial sites along the Fishkill Creek. The 2007 Comprehensive Plan encouraged residential development at these old industrial sites, and actually provided for greater density (15 dwelling units per acre), stating that: *“Allowing these lands to be built at greater densities represents an efficient use of land in a location capable of supporting this level of development. The City expects to benefit from this through the physical revitalization of these areas.”*

The Comprehensive Plan Update adopted April 3, 2017, (the “Plan”) reflects land use, demographic and socioeconomic changes that have taken place since the 2007 plan was adopted. The updated recommendations in the Plan address environmental protection, economic development, affordable housing and improved community services and facilities. The primary focus of the 2017 Plan is the waterfront and train station area; therefore, many of the policies and recommendations of the 2007 Comprehensive Plan that applied to the project site are still applicable.

One of the Goals of the Plan is to “*encourage a vibrant business community in harmony with existing commercial and industrial areas throughout the community. Employ all available mechanisms to meet the City’s objectives for economic development*” (page 66), and Objectives and Recommendations under this Goal for vacant industrial sites is to “*encourage the environmental cleanup and redevelopment of the unused or underutilized industrial sites along Fishkill Creek for new light industrial, commercial, or residential uses, as appropriate. New uses proposed for the vacant sites away from Main Street should not conflict or compete unduly with existing uses in the City*” (page 68).

The goals of the Plan that relate to “*Environmental Resources*” include to “*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. The rare assets of the City, such as the Hudson River and Fishkill Creek, should be protected, as should the Hudson Highlands on the slopes of Mt. Beacon*” and to “*encourage high environmental standards for development and infrastructure, develop sources of renewable energy and improve the environmental performance of City-owned property* (page 24).” One of the objectives of this goal is to “*establish and preserve open space corridors along Fishkill Creek and the Hudson River, and seek open space linkages to the large areas of open space in the Hudson Highlands on the slopes of Mt. Beacon*”. The proposed public Greenway Trail is consistent with this goal and objective, as the trail area along the creek is preserved with a conservation easement, and extends across the site to allow connection to adjacent properties along the creek.

The goal of the Comprehensive Plan that relates to “*Population and Residential Development*” includes “(1) *strive to maintain a variety of housing opportunities that area accessible to a wide variety of income levels*”; “(4) *encourage residential development of vacant and underutilized former industrial sites*”; and “(5) *ensure continued racial, ethnic, age and economic diversity of the population through encouraging a wide range of housing choices*” (page 52). The City’s creation of the Fishkill Creek Development (FCD) district represents implementation of this goal and these objectives. The project is consistent in that it is a mix of uses which include market rate residential housing along with a public Greenway Trail. The project will comply with the requirements for affordable-workforce housing per Article IVBX of the zoning code. Stormwater management will include green infrastructure practices such as bioretention.

The goal of the Comprehensive Plan that relates to “*Commercial, Office, and Industrial Development*” is to “*encourage a vibrant business community in harmony with existing commercial and industrial areas throughout the community. Employ all available mechanisms to meet the City’s objectives for economic development*” (page 66). An objective of this goal (Objective F) is to “*encourage the environmental cleanup and redevelopment of the unused or underutilized industrial sites along Fishkill Creek for new light industrial, commercial, or residential uses, as appropriate. New uses proposed for the vacant sites away from Main Street should not conflict or compete unduly with existing uses in the City*” (page 68).

The project consists of the redevelopment of the former Tuck Industries manufacturing site for a multifamily residential development and office building. The project site was listed in the NYSDEC’s Environmental Remediation Database as a Site Code 314044, formerly operated as a tape manufacturing facility. The listing was the result of leaking drums and storage tanks that contained solvents and solvent recovery system waste which resulted in soil contamination. The industrial buildings were demolished and removed, and the site was remediated to the satisfaction of NYSDEC, and is ready for redevelopment, consistent with this goal and objective of the Comprehensive Plan.

The goal of the Comprehensive Plan that relates to “Recreation and Community Facilities” is that “community services for all age groups should be provided consistent with the economic growth of the City and its available resources. Regional facilities should be encouraged to locate in the City. Develop a recreational open space system of sufficient size and locational qualities to meet the complete range of recreational needs for the people” (page 142). An objective of this goal is to “continue to develop Greenways along the Hudson River and Fishkill Creek for public recreation, and provide linkages to trails towards the Hudson Highlands and the slopes of Mt. Beacon” and to “determine the future use of the railroad tracks along Fishkill Creek for vehicles capable of utilizing the tracks or for a bicycle and pedestrian path, and implement the decision” (page 144).

The project includes a Greenway Trail along the Fishkill Creek that will be accessible to the public and which can connect to adjacent properties. The proposed Greenway Trail is likely to alleviate some of the pressure on other public parks and recreational facilities in the City.

Based on this information, the project is consistent with the City of Beacon Comprehensive Plan.

2.3 City of Beacon Zoning

The project site is situated in the Fishkill Creek Development (FCD) District as designated by the City of Beacon zoning regulations. According to Article IVC, *Fishkill Creek Development (FCD) District*, the purposes of the FCD District include:

- A. *Encourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses. Properties in this category are generally more remote from the Central Business District, but offer larger sites for a flexible range of compatible nonresidential uses.*
- B. *Establish and preserve open space corridors along Fishkill Creek and the Hudson River, and seek open space linkages to the large areas of open space in the Hudson Highlands on the slopes of Mount Beacon.*
- C. *Continue to develop greenways along the Hudson River and Fishkill Creek for public recreation, and provide linkages to trails towards the Hudson Highlands and the slopes of Mount Beacon. Improve boat access to Fishkill Creek and the Hudson River. Determine the future use of the railroad tracks along Fishkill Creek for vehicles capable of utilizing the tracks or for a bicycle and pedestrian path, and implement the decision.*

The project is consistent with the purposes of the FCD District, as it represents redevelopment of an abandoned industrial site, provides a mix of uses, preserves a buffer along the Fishkill Creek, and provides a Greenway Trail for public use which can connect to future trails along the creek on adjacent properties. The trail extends a distance of approximately 1,830 linear feet with an additional 470 linear feet within two spurs, representing a significant addition to the City’s proposed Fishkill Creek Greenway & Heritage Trail (FCG&HT) Master Plan fulfillment. This trail will connect to Wolcott Avenue by means of the emergency access to Wolcott Avenue, and to the Sisters property to the south. Public access to the trail is also provided from Tioronda Avenue.

According to Section 223-41.13.D, each FCD proposal requires SEQR and concept plan approval by the Beacon City Council and site plan approval by the Beacon Planning Board. These reviews may proceed

simultaneously. The Zoning Law Section 223-41.13.B specifically permits “*attached apartment and multifamily dwellings*” and “*professional and business offices in buildings that face streets*” in the FCD district. Section 223-41.14 provides the bulk requirements for the FCD District. The proposed density of 64 dwelling units is permitted by zoning, without the use of available incentives that would increase the maximum density. A zoning compliance table is provided on Sheet T1 of the site plan set, and density calculations are provided on Sheet EC1. The maximum residential development density in the FCD district per Section 223-41.14B is 11 dwelling units per acre of lot area, where lot area on all development proposals involving more than three acres is calculated by deducting any lot area with existing, pre-development very steep slopes (25% or more extending over a contiguous land area of at least 10,000 as defined in Section 223- 63), covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland. 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 223-41.13(3)(b) provides a list of conditions and standards for the City Council's approval of a FCD concept plan. These standards include the preservation of open space along the Fishkill Creek and the provision of a public Greenway Trail along the creek that would connect to future trails on adjacent properties.

The project provides a buffer along the Fishkill Creek to preserve existing vegetation and significant trees, as well as viewsheds along this corridor. The setback from the Fishkill Creek as measured from the top of the creek bank varies from approximately 45 feet to 110 feet, with an average setback of 75 feet, which exceeds the minimum required setback of 25 feet and the minimum required average setback of 50 feet. The layout was designed to avoid 100-year floodplain areas, and very steep slopes are avoided to the extent practicable. Site development is fitted to the topography and soil so as to create the least potential for vegetation loss and site disturbance. The buffer along the creek will be protected by a conservation easement as required. This will supersede the existing 6-foot easement along the Fishkill Creek shown on the filed subdivision map. The approved site plan was endorsed by the City of Beacon Greenway Trail Committee. The proposed Greenway Trail has been relocated to avoid the stream and floodplain areas.

Approximately 5.95 acres of the 9.18-acre site will be disturbed for the project. During construction, protective fencing will be placed at or one foot beyond the drip line of trees that will be preserved as shown on the plan. Temporary vegetation sufficient to stabilize the soil will be provided on all disturbed areas as needed to prevent soil erosion, in accordance with the SWPPP. New planting shall be given sufficient water, fertilizer and protection to ensure establishment.

The project meets the Fishkill Creek development design standards set forth in Section 223-41.13.I, to the extent applicable at the concept plan stage. Parking requirements and information are provided in Section 6.2.

Since the project is consistent with the Zoning regulations, no significant adverse impacts will result from the project.

2.4 City of Beacon Local Waterfront Revitalization Plan (LWRP)

The project is consistent with the Beacon LWRP. Policy #25 of the LWRP adopted March 7, 2011, lists 13 viewsheds that should be protected which contribute to the scenic quality of the coastal area. None of the views extends over the subject development site, or over any nearby site in the Fishkill Creek Corridor. The project is consistent with the applicable LWRP recommendations for development in scenic viewsheds, including setback from the Fishkill Creek shoreline to preserve the privacy and some grade-separation of the pedestrian trail along the Creek. Section 12.0, Community Character, provides a description of the proposed architecture and preliminary information regarding visual impacts.

Since the project is consistent with the LWRP, no significant adverse impacts are anticipated. A Coastal Consistency determination will be required.

3.0 COMMUNITY SERVICES

3.1 Police and Fire Protection Services

Police protection is provided by the City of Beacon Police Department. The project site is within the City of Beacon Fire District, which has three fire stations located at 425 Main Street, 57 East Main Street, and 13 South Avenue. Buildings will be sprinklered, and the proposed site plan includes a gated access drive from Wolcott Avenue for emergency access only, since the main access crosses an MTA railroad line. A truck maneuvering plan is included as Sheet C200. The Police Department and Fire Department will have the opportunity to review and provide further comments on the project during the site plan review process. Therefore, the project is not expected to result in any adverse impacts in regard to police, fire, or emergency services.

3.2 School District

The project is located in the Beacon City School District. According to the NY State Education Department website, the 2017-2018 enrollment in the district was 2,812 students, with an additional 270 students who live in the district but attend private schools. Table 3-1 provides estimates for public school children expected to be generated by the project, based on Rutgers University Center for Urban Policy Research, Residential Demographic Multipliers, Estimates of the Occupants of New Housing, June 2006.

Table 3-1: Anticipated Public School Children Generated by the Project

Unit Type	Multiplier for 5+ Units – Rent for Total Public School Children	# Public School Children
One-bedroom market rate units (25)	0.07 per dwelling unit	1.75
One-bedroom workforce units (3)	0.27 per dwelling unit	0.81
Two-bedroom market rate units (32)	0.16 per dwelling unit	5.12
Two-bedroom workforce units (4)	0.45 per dwelling unit	1.80
Total:		9.48

Based on these estimates, the project will generate approximately 9 public school children, which represents only a 0.3% increase in students at the Beacon City School District schools. It is anticipated

that the school district has capacity to handle this increase. Additionally, some of these school children may be moving into the apartments from another location within the district, and are already enrolled in the district's public schools.

4.0 SOILS, TOPOGRAPHY, AND WATER RESOURCES

4.1 Soils and Topography

Figure 5 shows the soil types that are expected to be present on the project site, and Table 4-1 provides characteristics of these soil types, according to Dutchess County Soil Survey information available in GIS and the Natural Resource Conservation Service website.

Table 4-1: Characteristics of Soil Types within Project Site

SOIL SYMBOL	SOIL TYPE	SLOPES	DRAINAGE	DEPTH TO WATER TABLE (FT)	DEPTH TO BEDROCK (INCHES)
Ud	Udorthents, smoothed	mostly 0 to 8% but 8 to 25% on sides of excavations and along highways	somewhat excessively to moderately well	>3.0 Nov-Jun	>60
W	Water	NA	NA	0	NA

Figure 5 shows slopes on the site, which vary from 0% to greater than 20%. Areas of “very steep slopes”, which are defined in Section 223-63 of the zoning regulations 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”, are shown on Sheet C100. Very steep slopes are avoided to the extent practicable. The following addresses the criteria listed in Section 223-16.B of the zoning regulations to be considered by the Planning Board in allowing development in areas of very steep slopes.

- (1) The proposed development is located in the area of previous development, which is in the most suitable area of the site, consistent with criteria B(1). The Creekside slopes are mostly undisturbed, with the exception of small areas of disturbance necessary for the Greenway Trail. Additionally, the majority of disturbance to very steep slopes occurs in areas where the slopes appear to be manmade by the previous development and Metro North, consistent with the Udorthents, smoothed soil type.
- (2) The activity proposed is the minimum necessary to make reasonable use of the land, consistent with criteria B(2).
- (3) All feasible construction standards and precautions will be outlined in the SWPPP and Erosion & Sediment Control plans and reviewed by the Planning Board during site plan approval, consistent with criteria B(3).
- (4) The purpose of Section 223-16.B is satisfied to the maximum degree feasible, consistent with criteria B(4).

Therefore, the project is not expected to result in any significant adverse impacts related to soils or topography.

4.2 Water Resources

According to the NYSDEC Environmental Resource Map (Figure 7), the site does not contain nor is contiguous to a State regulated wetland or associated adjacent area. According to Figure 7, the project site is contiguous to the Fishkill Creek, a NYSDEC stream identified as H-95, a tributary of the Hudson River (NYCRR Title 6 Chapter X Subchapter B Section 862.6 Table 1 Item 237). This stream is classified as a Class C stream in the vicinity of the project site; therefore, it is not regulated by NYSDEC as a protected water. The site was investigated by a Chazen wetland biologist on November 6, 2018, and a Wetland Investigation Memo dated January 30, 2019, was prepared and submitted to the US Army Corps of Engineers (USACOE) for review and determination. The Fishkill Creek flows directly into the Hudson River, a traditionally navigable water, approximately 800 feet to the southwest. The USACOE regulates wetlands and waters with a significant nexus under Section 404 of the Clean Water Act, and specifically regulates the discharge of dredged or fill material into such waters. The USACOE does not regulate a buffer around these aquatic resources. Since this stream flows directly into the Hudson River, a Traditionally Navigable Water, in close proximity to the site, significant nexus is presumed. Since there are no wetlands within the area of disturbance for the proposed project, the project will not result in any wetland impacts or disturbance. If necessary, the Greenway Trail location will be adjusted to avoid any wetland impacts. Therefore, no significant adverse impacts to water resources are anticipated as a result of the project.

4.3 Floodplain

According to the National Flood Insurance Program Flood Insurance Rate Map (FIRM), City of Beacon, New York, Community Panel 360217, a portion of the project site along the Fishkill Creek is located within Flood Zone AE, which is described as an area of the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual (100-year) chance flood can be carried without substantial increases in flood heights. No building construction is proposed within Zone AE.

5.0 UTILITIES

5.1 Water and Wastewater

The project will be served by City of Beacon municipal water and sewer service. A 12" water main and 8" sewer main are located along Tioronda Avenue. Sewage generated from both residential and non-residential buildings will be conveyed via gravity flow to an onsite sewage pump station, where it will be pumped via force main and tapped in to the existing 2-inch fiberglass pipe which extends under the railroad property and ties into the City sewer system.

According to the NYSDEC Design Standards for Intermediate-Sized Wastewater Treatment Systems, March 2014, an apartment is expected to result in 110 gallons per day (gpd) per bedroom water usage and wastewater generation, which incorporates a reduction for the use of water saving plumbing fixtures. An office building is expected to result in 15 gpd per employee, with an additional 20% reduction for the use of water saving plumbing fixtures. Thus, the project with 100 bedrooms would be expected to result in 11,000± gallons per day water usage and wastewater generation. The Urban Land Institute *Employment and Parking in Suburban Business Parks: A Pilot Study*, 1986, Table 14, estimates a mean employment density of 347 SF per employee, which results in an estimated 73 employees for the 25,400 SF office building. Thus, the office building would be expected to result in 876 gpd, after applying the 20%

reduction. Therefore, the total estimated water usage and wastewater generation for the project is estimated to be 11,876 gpd. Detailed plans and specifications will be submitted to the DCDOH for approval of the proposed water and sewer infrastructure as part of the site plan review.

The previously approved project with 100 two-bedroom units was expected to result in 22,800± gallons per day water usage and wastewater generation (FEAF dated March 24, 2014). Thus, the proposed project represents a reduction in estimated water usage and wastewater generation of 10,924 gpd as compared to the approved site plan.

5.2 Stormwater

The project will result in a disturbance area of 5.95 acres of the 9.18-acre site, but virtually all of the disturbance is within the area already disturbed by the factory buildings, parking areas, and other areas associated with the industrial development. The project will increase the impervious area by 0.48 acres. As a redevelopment project with an increase in overall impervious area, treatment of stormwater will be provided for 100% of the additional new impervious area and 25% of the existing disturbed impervious area. The project proposes to use a combination of standard stormwater management practices and alternative practices. The site will continue to discharge stormwater runoff to the Fishkill Creek. A downstream analysis was performed for the previous project. Pre- and post-development surface runoff rates will be evaluated for the 1-, 10-, and 100-year 24-hour storm events. Comparison of pre- and post-development watershed conditions at the design point in the Fishkill Creek will demonstrate that the project will not have a significant adverse impact on the adjacent or downstream properties or receiving water courses. Therefore, extended detention of stormwater will not be required for the proposed redevelopment project. An Erosion and Sediment Control Plan will be provided and shall be employed during the construction phase to protect off-site waters from the adverse effects of sedimentation and erosion. Therefore, the project is not expected to result in any adverse impacts in regard to stormwater.

6.0 TRAFFIC AND PARKING

6.1 Traffic

Access to the project site is provided from Tioronda Avenue over an at grade crossing easement granted by the MTA. This access was used for many years when the Tuck Industries manufacturing facility was in operation. The grade crossing provides access both to the project site and to the adjoining Sisters property, avoiding multiple accesses onto Tioronda Avenue. The Filed Subdivision Map (FM #10970 filed February 20, 2000) provides for a shared access. The Applicant will offer emergency access to other owners of the FCD properties subject to contribution of a fair share of the costs of building the emergency access. The 555 South Avenue property has its own entrance, at a point approximately 2,400 feet south of the entrance to Beacon 248.

The general interior configuration of the project road system is shown on the plans. The road system provides for circulation by means of a left turn inside the site to reach the proposed buildings, and a right turn inside the site to reach Sisters property.

The project will generate new traffic in the vicinity of the project site, since the site is currently vacant. All traffic will be oriented to travel to and from the site via the intersection of Tioronda Avenue with Wolcott

Avenue/Route 9D. The present access design is to prohibit arrivals to the site from the south, and prohibit left turns out of the site to travel south on Tioronda Avenue. This traffic routing meets the needs of travelers, since Wolcott Avenue provides the best routing in either direction to I-84, the train station, and Route 9D going either north or south. It also protects the neighborhoods to the south and west of the site from additional traffic through local neighborhoods. The limitation on turning movements does not create any traffic difficulties for the residents of the project or for the local community.

The Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, 2017, provides trip generation rates by land use categories, using different variables. Table 6-1 provides estimates for traffic generation for the two proposed uses on the site for the weekday a.m. peak hour of adjacent street traffic and the weekday p.m. peak hour of adjacent street traffic.

Table 6-1: Traffic Generation

LAND USE	Land Use Code	AM Peak		PM Peak	
		Rate	vte's	Rate	vte's
Multifamily Housing (Mid-Rise) (64 dwelling units)	221	0.36 vte's per dwelling unit	23	0.44 vte's per dwelling unit	28
General Office Building (25,400 SF)	710	1.16 vte's per 1,000 SF GFA	29	1.15 vte's per 1,000 SF GFA	29
Total			52		57
vte = vehicle trip end					

Thus, the project with 64 dwelling units and 25,400 SF of office space is expected to generate 52 vte's during the weekday a.m. peak hour of adjacent street traffic and 57 vte's during the weekday p.m. peak hour of adjacent street traffic. These rates do not exceed the SEQR threshold of 100 vte's. Consideration of traffic generated by the previous occupancy of the site would further reduce the impacts of the proposed project on traffic conditions at the site.

The previously approved project with 100 dwelling units was expected to generate slightly more traffic, with 53 vte's during the weekday a.m. peak hour of adjacent street traffic and 73 vte's during the weekday p.m. peak hour of adjacent street traffic. Since the estimated traffic generation for the current project is expected to be less than that of the approved project, no significant adverse impacts to traffic are anticipated.

A Traffic Impact Study dated November 13, 2013, was prepared, and was supplemented by another study dated March 20, 2014. The March 2014 Supplemental study evaluated the traffic movements considering also the traffic to be generated by potential development of the Sisters property and the Beacon Terminals 555 South Avenue property, both of which are also within the FCD district. The March 2014 study concludes that even with the development of the FCD parcels to the south, all intersections studied will continue to operate at a Level of Service (LOS) of "A" (excellent) with the exception of the Wolcott Avenue/Tioronda Avenue intersection, where the Wolcott Avenue approaches will operate at LOS "B" (good) and the Tioronda Avenue approaches will operate at LOS "A" (excellent). The 2015 buildout analysis for the intersection of Wolcott Avenue and Tioronda Avenue showed LOS "B" for AM and PM build conditions using Synchro Version 8. Re-creating the 2015 analysis using Synchro Version 10 shows a LOS "A" for AM and PM using Synchro version 10. A change in the LOS at this intersection from "A" to

“B” for the AM peak would require the addition of 300 vehicles eastbound and westbound on Wolcott Avenue, and 50 vehicles southbound on Tioronda Avenue (with no change in northbound vehicles). Delay in this case would be increased by approximately 3 seconds. A change in the LOS from “A” to “B” for the PM peak would require 200 vehicles eastbound and westbound on Wolcott Avenue, and 50 vehicles southbound on Tioronda Avenue, resulting in an increase in delay of approximately 3 seconds. Based on land use trip generation numbers at the am and pm rates for multifamily and general office, the capacity of the intersection could support an additional 833 multifamily units during the am peak and 681 units on the pm peak OR an additional 258,000 SF of general office at the AM peak and 260,000 SF at the PM peak, and still maintain a LOS of “B”. In conclusion, Wolcott Avenue and Tioronda Avenue can support significantly more traffic and still operate with a very good level of service. An updated Synchro analysis was performed by a Chazen transportation engineer which generates the same conclusion (Attachment A).

Additionally, a significant portion of the former manufacturing facility traffic consisted of truck traffic. Truck traffic generated by the proposed office use will be minimal.

A site distance evaluation was completed in the 2013 Traffic Impact Study which examined the two access drive locations. The evaluation determined that sight distance is excellent for vehicles making either a left or right turn into the driveway from Wolcott Avenue.

The existing driveway on Tioronda Avenue is situated on a north-north-west skew to Tioronda Avenue. Existing vegetation between the driveway and Tioronda Avenue obscures vision. With the removal of this vegetation, sight distance along Tioronda Avenue will be in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards for the operating speed on Tioronda Avenue at or adjacent to the exit driveway/Knevels Avenue. Speed data collected during the 24-hour counts indicated that the 85% speed was between 35 and 39 mph, depending on the direction and the day the data was recorded. AASHTO sight distance design criteria for 40-mph operating speed is 445 feet for a left turn out onto Tioronda Avenue, and 385 feet for a right turn out onto Tioronda Avenue. AASHTO sight distance for a left turn into the site driveway is 325 feet and the stopping sight distance is 305 feet. Once the existing vegetation is removed, all sight distances will meet or exceed AASHTO criteria applicable to this location.

Temporary traffic generated during demolition and construction activities includes construction employees and the delivery of equipment and materials. The project is not expected to result in any adverse impacts in regard to temporary traffic during construction.

6.2 Parking

Parking is provided in a surface lot located between the proposed office building and residential buildings, and within a parking garage located below grade that extends under and between the two residential buildings. According to the City of Beacon Zoning Code Section 223-26.F, a multifamily residential use requires 1 space for each dwelling unit plus 1/4 space for each bedroom, and a professional office use requires 1 space for each 200 square feet of gross floor area, excluding utility areas. Therefore, the 64-unit residential development with 28 one-bedroom units and 36 two-bedroom units (100 bedrooms total) requires 89 parking spaces and the 25,400 SF office building requires 127 parking spaces, for a total required parking of 216 spaces. This requirement is both a maximum and minimum for an FCD project.

The proposed site plan provides 89 parking spaces for the residential portion (15 surface lot spaces and 74 garage spaces). The proposed site plan provides the required spaces for the office use, with a portion of the required spaces being land banked spaces which would be reserved for future use if needed.

Per Section 223-26.H(b), a minimum of 1 loading space for the first 20,000 square feet of GFA, is required plus one space for each additional 40,000 square feet of GFA or major portion thereof. Therefore, the project with 25,400 SF of office space is expected to require 1 loading space, which is shown on the site plan.

7.0 NOISE AND LIGHTING

7.1 Noise

The project is not expected to result in an increase in noise levels above local ambient noise levels after completion of construction.

The proposed construction activities may result in temporary noise that exceeds local ambient noise levels. These activities will be limited to the hours of 7:00 AM to 7:00 PM Monday through Saturday, and all motorized equipment used in construction activity shall be operated with a muffler, in compliance with the City of Beacon Code Chapter 149, Noise, Section 149-6.F. Therefore, the project is not expected to result in any adverse impacts with regard to noise.

7.2 Lighting

All exterior lighting will be downward directed, and will be of such type and location and will have such shading to prevent the source of light from being seen from any adjacent residential property or from the street in accordance with Section 223-14.B of the zoning regulations. Lighting will consist of decorative full cut-off lighting with International Dark-Sky Association-approved "dark sky friendly" performance. The average level within the parking lots, access, and sidewalks will be sufficient to promote safety and encourage pedestrian use. Lighting photometrics and details will be provided during the site plan review process. Light pole locations are shown on Sheet C130 of the site plan set.

8.0 SOLID WASTE

FEAF Question D.2.r requests information on solid waste generation for commercial or industrial projects only (not for residential uses). According to the Development Impact Assessment Handbook, Urban Land Institute, 1994, an office use is expected to generate 0.001 tons per employee per day. Thus, the proposed office building with an estimated 73 employees is expected to generate 0.073 tons of solid waste per day or 2 tons per month. Solid waste will be picked up regularly by a licensed solid waste hauler for disposal at the Dutchess County Resource Recovery Agency facility in Poughkeepsie. Recyclable materials will be separated onsite and carted to this facility for recycling.

9.0 CONTAMINATION HISTORY

The project site was listed in the NYSDEC's Environmental Remediation Database as Site Code 314044, formerly owned by Tuck Industries and operated as a tape manufacturing facility. The listing was the result of leaking drums and storage tanks that contained solvents and solvent recovery system waste (primarily heptanes and toluene), which resulted in soil contamination. The NYSDEC website indicates that the has been remediated and assigned a classification of C, which means that the NYSDEC has determined that remediation has been satisfactorily completed under a remedial program. The site has been delisted from the NYS Registry of Inactive Hazardous Waste Disposal Sites per NYSDEC correspondence dated October 11, 2002.

10.0 ENDANGERED, THREATENED AND RARE SPECIES AND SIGNIFICANT HABITAT

The NYSDEC Environmental Resource Map shows the southern portion of the site within an area with a known occurrence of a rare animal (Figure 7). Correspondence from the NYSDEC New York Natural Heritage Program dated July 24, 2013, identified the site as being near a waterfowl winter concentration area and an anadromous fish concentration area, and also indicated the presence of non-breeding Bald Eagle. By email dated August 8, 2013, the NYSDEC indicated that the non-breeding occurrence was associated with wintering eagles and known roosting location, and that this roosting location was at the mouth of Fishkill Creek at the Hudson River at Denning's Point, approximately 0.77 miles from the project site. However, correspondence from NYSDEC dated November 7, 2018, (Attachment B) in response to a request for updated information indicates that there are currently no records of rare or state-listed animals or plants, or significant natural communities, at the project site. The NYSDEC letter continues to note the presence of anadromous fish, several state-listed animals and plants, and significant natural communities at the mouth of the Fishkill Creek, but no longer indicates the occurrence of the Bald Eagle in the vicinity of the project site. The NYSDEC recommends that the project work be conducted so as to avoid significant impacts to the water quality of Fishkill Creek, including erosion and run-off of sediments, nutrients, and pollutants. The project does not propose any marina or boating activities, and the project will retain much of the wooded vegetation along Fishkill Creek. The activities proposed on the site are less disruptive than previous on-site activities associated with the former manufacturing facility and the Metro-North railroad. As discussed in Section 5.2, an Erosion and Sediment Control Plan will be provided and shall be employed during the construction phase to protect off-site waters from the adverse effects of sedimentation and erosion.

The US Fish & Wildlife Service (USFWS) Official Species List (included in Attachment B) indicates the potential for the Indiana Bat, Northern Long Eared Bat, and Dwarf Wedgemussel in the vicinity of the project site. The USFWS List indicates that there are no critical habitats within the project area under USFWS jurisdiction. While the NYSDEC indicated that the closest occurrence of Indiana Bat is more than 2.5 miles away, the USFWS requested that the project limit tree clearing to October 1 to March 31, minimize removal of large trees, use cut-off lighting, and not use pesticides or herbicides in any stormwater basins. The updated Wetland Investigation Memo dated January 30, 2019, indicates that timing of tree removal between November 1st and March 31st would be adequate to avoid impacts to the bat species, since tree removal is less than 10 acres.

According to the Wetland Investigation Memo, the only known locations for Dwarf Wedgemussels in New York are in Delaware/Sullivan County, Orange County, and a small population in Dutchess County. The NYNHP probable associated ecological community is deepwater river, which is the aquatic community of very large, very deep quiet, base level sections of streams with a very low gradient. In places the water is deep enough so that light cannot reach the bottom. The Fishkill Creek represents potential habitat above the dam, although there is no state record of this species at this location. Given that the stream will not be impacted, the project would result in a determination of "No Take" under Section 10 or a determination of "No Effect" under Section 7 of the Federal Endangered Species Act.

Consultation with NYSDEC and USFWS will be completed as required. Therefore, no significant adverse impacts to endangered, threatened or rare species are anticipated as a result of the project.

11.0 HISTORIC AND ARCHEOLOGICAL RESOURCES

According to the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) Cultural Resource Information System (CRIS) mapping (Figure 8), the project site is not substantially contiguous to nor does it contain a building site, or district, listed on the National or State Register of Historic Places. The CRIS mapping indicates that the Wolcott Avenue bridge over the Fishkill Creek (aka Cooperation Bridge) was determined to be eligible for listing on the Register (evaluated under NYSOPRHP Project Number 93PR0331, USN 02741.000362). The mapping also shows the project site as being located within a known archaeologically sensitive area.

A Phase 1A Archeological Investigation dated July 2013 was conducted by Hartgen Archaeological Associates, Inc. The report concluded that as a result of the impacts related to the continuous industrial development of the property combined with the impacts surrounding the removal the buildings associated with the New York Rubber Company facility, it is likely no significant cultural deposits, specific to the early to mid-19th century development of the property remain. The Phase 1A report was submitted to NYSOPRHP for review, under the previously approved project. Correspondence from NYSOPRHP dated September 27, 2013, requested additional project information due to the project's location adjacent to a National Register-Eligible district to the east. The Applicant then submitted the additional requested information, and in correspondence dated December 23, 2013, NYSOPRHP concluded that the massing of the buildings as proposed at that time was appropriate for the site, and determined that the approved project would have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places. Information and plans for the currently proposed project have been uploaded to NYSOPRHP CRIS for review and determination. Since the project is similar to the approved project in regard to disturbance area and architecture, it is anticipated that NYSOPRHP's determination will remain the same, and no impacts to cultural resources will occur.

12.0 COMMUNITY CHARACTER

The project involves the redevelopment of a deteriorated former industrial site. The project will aesthetically improve the site with new landscaping, decorative lighting, and architecturally pleasing new buildings, as well as providing a public Greenway Trail along the Fishkill Creek. The properties north of the project site are vacant residential land and the City of Beacon highway garage. The project site is separated from Tioronda Avenue by a railroad bed owned by MTA, and across Tioronda Avenue are single family residences and a public school. Adjacent to the project site to the south is a vacant industrial property,

also located in the FCD district. Uses across the Fishkill Creek from the project site include single family residences, a two-family residence, vacant residential land owned by the City of Beacon, and an animal rescue facility. The proposed residential and office uses will blend in with the other uses in the area and will be consistent with future development of the FCD property to the north and south.

Architectural elevations have been provided. The architecture and building materials depicted on the exterior elevations of the buildings are quality examples of urban architecture typical of older City of Beacon structures. The buildings are designed to present a subtly varied, yet ordered and cohesive appearance in terms of architectural style. Architecturally pleasing from all sides, they will be consistent with older industrial buildings in the city, but with more residential proportions. Scales, forms and materials used are appropriate to ensure that buildings and other structures are compatible with and add interest to the landscape. The elevations are clad predominately in brick. Third story and cellar level elevations are set back to mitigate the perceived height of the buildings on all sides. The setbacks are clad in black metal panels which complement the brick cladding well. Windows, doors and trim will be black powder coated aluminum. Painted black steel balconies will be provided for a number of units. Proposed retaining walls on the site will be poured in place concrete with fieldstone veneer. Proposed retaining walls will be segmental concrete block walls in earthtone colors. The proposed refuse container will be screened from view by a cedar fence, and will comply with the City's requirements in Section 223-14.C.

Cross sectional views were submitted which show that the properties to the west are much higher in elevation than the project property, and the site drops off to a lower elevation east of the tracks. Since the project site is much lower than much of the surrounding area, only the higher portions of the proposed buildings are expected to be visible. Photo simulations have been prepared which depict the three proposed buildings as seen from eye level vantage points along Tioronda Avenue. These vantage points are shown on the "Vantage Point Location Plan". Starting at the northwest corner of proposed residential Building 300, the vantage points advance southwards, ending at the west side of the proposed commercial building at the south of the property.

The City's Local Waterfront Revitalization Plan designates 13 local viewsheds under Policy 25A that are designated for protection. The applicant's development site is not within any of the designated viewsheds. The proposed development area is not located in a designated LWRP viewshed; however, the project design is consistent with the applicable LWRP recommendations for developing in scenic view sheds.

The proposed layout maintains the original land form, as it utilizes the existing disturbed area from the former heavy industrial development, while the area at the top of the bank of the creek is preserved. The natural grade changes across the site (west to east), serve to screen the parking and lower the height of the buildings as viewed from Tioronda Avenue and from residential properties across Tioronda Avenue.

The access road to Wolcott Avenue does not present adverse visual impacts. The new wall required for the access to Wolcott Avenue is substantially lower than the existing wall associated with Tioronda Avenue itself. The new wall serves to hide some of the graffiti on the Tioronda wall. The applicant intends to design plantings to soften views of the new wall (to be refined during site plan review by the Planning Board).

The Greenway Trail will connect to the property to the South. An official "Greenway Trail" on the property to the south does not currently exist; however, there is a 6-foot trail easement along the property boundary with the Fishkill Creek, which was designated at the time the property was subdivided. At the north end of the project site, the Trail connects to Wolcott Avenue. The Greenway Trail will be constructed to the guidelines of the City's FCG&HT Master Plan. The provision of the trail easement is a major benefit to the City of this project. The trail width is 8 feet, with an easement width of 20 feet. Presently, the City has only a 6-foot wide easement at the property edge, pursuant to the filed subdivision map. The project site contains a very attractive section of waterfront, including views of a waterfall. Extensive existing natural vegetation between the project and the creek will help screen the buildings from views across the creek.

The project will enhance the site, thus improving the value and development capability of nearby properties.

FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF) PART 1 FORM

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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: Proposed Multifamily Development and Office Building		
Project Location (describe, and attach a general location map): Refer to Figures 1 and 2. 248 Tioronda Avenue (along Fishkill Creek), City of Beacon, Dutchess County, NY; Tax Parcels 5954-16-993482 & 6054-45-012574		
Brief Description of Proposed Action (include purpose or need): The Applicant proposes the redevelopment of the northern portion of the former Tuck Industries manufacturing site with a 64-unit multifamily residential development and a 25,400 square foot (SF) office building, with associated parking. A Greenway Trail for public use is proposed along the Fishkill Creek. The 9.18-acre project site consists of two tax parcels identified as parcels 5954-16-993482 and 6054-45-012574 on the City of Beacon tax map. Access to the development is provided from Tioronda Avenue across the Metropolitan Transit Authority (MTA) property via easement. A second gated access for emergency and pedestrian use only is provided from Wolcott Avenue (NYS Route 9D). The proposed development is contained almost entirely within the former Tuck Industries development area. Please refer to site plan.		
Name of Applicant/Sponsor: 248 Beacon Holdings LLC (Bernard Kohn)		Telephone: 917-696-4402
		E-Mail: berry@chaibuilders.com
Address: 120 Route 59 Suite 201		
City/PO: Suffern	State: NY	Zip Code: 10901
Project Contact (if not same as sponsor; give name and title/role): Same as Applicant		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Beacon 248 Development, LLC		Telephone:
		E-Mail:
Address: 104 Rochelle Avenue		
City/PO: Rochelle Park	State: NJ	Zip Code: 07662

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	FCD Concept Plan Approval	Sep 2018
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan Approval; lot consolidation	Sep 2018
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DCDOH for water/sewer; DC Planning 239m referral	To be determined
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC GP-0-15-002	To be determined
h. Federal agencies <input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Refer to FEAF Narrative Section 2.3. 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? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

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? ☒ Yes ☐ No
[Refer to FEAF Narrative Section 2.2.](#)

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ 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?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites:314044 , Remediation Sites:546031 [\(Refer to response to Question E.1.h.iv\)](#)

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? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
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? Fishkill Creek Development (FCD) District; refer to FEAF Narrative Section 2.3.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<hr/>	
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,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? <hr/>	
C.4. Existing community services.	
a. In what school district is the project site located? Beacon City School District	
b. What police or other public protection forces serve the project site? City of Beacon Police Department with support from Dutchess County Sheriff's Department and NYS Police	
c. Which fire protection and emergency medical services serve the project site? City of Beacon Fire District	
d. What parks serve the project site? Hudson Highlands State Park, Memorial Park, South Avenue Park	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? residential and commercial (office)	
<hr/>	
b. a. Total acreage of the site of the proposed action?	9.18 acres
b. Total acreage to be physically disturbed?	5.95 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	9.18 acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? (lot consolidation) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) <hr/>	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If No, anticipated period of construction: _____ 24 months	
ii. If Yes:	
<ul style="list-style-type: none"> • 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: _____ 	
<hr/>	
<hr/>	

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 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	_____	_____	_____	64
At completion of all phases	_____	_____	_____	64

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____ 3 (2 residential buildings and an office building) ii. Dimensions (in feet) of largest proposed structure: 3 stories height; _____ 100' width; and _____ 100' length iii. Approximate extent of building space to be heated or cooled: _____ 101,602 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (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. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No 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? <input type="checkbox"/> Yes <input type="checkbox"/> No 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: There are no wetlands or streams within the area of disturbance. Refer to Section 4.2.	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? [Refer to FEAF Narrative Section 5.1.](#) ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 11,876 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: City of Beacon water district
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? [Refer to FEAF Narrative Section 5.1.](#) ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 11,876 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
sanitary sewage

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

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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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):</p> <p>NA _____ _____ _____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>NA _____ _____ _____</p>	
<p>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? Refer to FEAF Narrative Section 5.2. _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or <u>2.78</u> acres (impervious surface)</p> <p>_____ Square feet or <u>9.18</u> acres (parcel size)</p> <p>ii. Describe types of new point sources. <u>To be determined</u> _____</p> <p>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)?</p> <p><u>Stormwater management system which will discharge to Fishkill Creek</u> _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <u>Fishkill Creek</u> _____ • Will stormwater runoff flow to adjacent properties? _____ 	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>	
<p>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? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	
<p>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? _____</p> <p>If Yes:</p> <p>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) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Refer to FEAF Narrative Section 6.1.</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>To be determined</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Central Hudson Gas & Electric Corp.</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 am to 7:00 pm • Saturday: _____ 7:00 am to 7:00 pm • Sunday: _____ NA • Holidays: _____ NA </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations: office building hours to be determined based on individual tenants</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours (residential) • Saturday: _____ 24 hours (residential) • Sunday: _____ 24 hours (residential) • Holidays: _____ 24 hours (residential) </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 am to 7:00 pm • Saturday: _____ 7:00 am to 7:00 pm • Sunday: _____ NA • Holidays: _____ NA 	<p>ii. During Operations: office building hours to be determined based on individual tenants</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours (residential) • Saturday: _____ 24 hours (residential) • Sunday: _____ 24 hours (residential) • Holidays: _____ 24 hours (residential)
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 am to 7:00 pm • Saturday: _____ 7:00 am to 7:00 pm • Sunday: _____ NA • Holidays: _____ NA 	<p>ii. During Operations: office building hours to be determined based on individual tenants</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 24 hours (residential) • Saturday: _____ 24 hours (residential) • Sunday: _____ 24 hours (residential) • Holidays: _____ 24 hours (residential) 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>Temporary noise from construction activities will be limited to the hours of 7:00 AM to 7:00 PM Monday to Saturday, and all motorized equipment used in construction will be operated with a muffler, in compliance with the City of Beacon Code Chapter 149, Noise, Section 149-6.F.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>n.. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</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>All exterior lighting will be of such type and location and will have such shading to prevent the source of light from being seen from any adjacent residential property or from the street in accordance with Section 223-14.B of the zoning regulations.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Refer to FEAF Narrative Section 8.0. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</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"> • Construction: _____ NA tons per _____ NA (unit of time) • Operation : _____ 2 tons per _____ month (unit of time) <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"> • Construction: NA _____ • Operation: _____ Recyclable materials will be separated and hauled to the DC Resource Recovery Agency Facility in Poughkeepsie for recycling. <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: NA _____ • Operation: _____ Solid waste will be picked up regularly by a licensed solid waste hauler for disposal at the Dutchess County Resource Recovery Agency facility in Poughkeepsie. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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. [Refer to Figure 3 and FEA Narrative Section 2.1.](#)

☒ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☒ Aquatic ☒ Other (specify): school, animal rescue facility

ii. If mix of uses, generally describe:

City of Beacon highway garage, public school, single family residences, two family residence, vacant residential land, animal rescue facility, vacant FCD property, MTA railroad property

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage *	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.30	2.78	+0.48
• Forested	3.5	2.75	-0.75
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	2.37	0	-2.37
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.31	0.31	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0.70	0	-0.70
• Other Describe: <u>lawn/landscaped areas</u>	0	3.34	+3.34

* Prior to demolition of former manufacturing buildings.

<p>c. Is the project site presently used by members of the community for public recreation? <i>i. If Yes: explain:</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<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? If Yes, <i>i. Identify Facilities:</i> Beacon City School District public school across Tioronda Avenue from site</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> _____ <i>iii. Provide date and summarize results of last inspection:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<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? If Yes: <i>i. Has the facility been formally closed?</i> • If yes, cite sources/documentation: _____ <i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i> _____ _____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<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? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i> NYSDEC Remediation Site Code 314044. Refer to FEAR Narrative Section 9.0.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>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? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input checked="" type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): 314044 , 546031 </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____ NA _____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> If yes, provide DEC ID number(s): C314117, 314044 , C314118, 546031</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Refer to FEAR Narrative Section 9.0 for information on Site Code 314044. C314117: Beacon Terminal = Classification A; 546031: Hudson River PCB Contamination = Classification 02; C314118: Churchill Mills = Classification N	

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____ 																			
E.2. Natural Resources On or Near Project Site Refer to Figure 4 and FEAF Narrative Section 4.1.																			
a. What is the average depth to bedrock on the project site? _____ >5 feet																			
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																			
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Udorthents, smoothed</td> <td style="width: 20%; text-align: right;">100 %</td> <td style="width: 20%;"></td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> <td></td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> <td></td> </tr> </table>		Udorthents, smoothed	100 %		_____	%		_____	%										
Udorthents, smoothed	100 %																		
_____	%																		
_____	%																		
d. What is the average depth to the water table on the project site? Average: _____ >3 feet																			
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 30%; text-align: right;">45 % of site</td> <td style="width: 40%;"></td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">45 % of site</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">10 % of site</td> <td></td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	45 % of site		<input checked="" type="checkbox"/> Moderately Well Drained:	45 % of site		<input checked="" type="checkbox"/> Poorly Drained	10 % of site										
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<input checked="" type="checkbox"/> Moderately Well Drained:	45 % of site																		
<input checked="" type="checkbox"/> Poorly Drained	10 % of site																		
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 30%; text-align: right;">15 % of site</td> <td style="width: 30%;"></td> </tr> <tr> <td><input checked="" type="checkbox"/> 10-15%:</td> <td style="text-align: right;">40 % of site</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">45 % of site</td> <td></td> </tr> </table> Refer to Figure 5.		<input checked="" type="checkbox"/> 0-10%:	15 % of site		<input checked="" type="checkbox"/> 10-15%:	40 % of site		<input checked="" type="checkbox"/> 15% or greater:	45 % of site										
<input checked="" type="checkbox"/> 0-10%:	15 % of site																		
<input checked="" type="checkbox"/> 10-15%:	40 % of site																		
<input checked="" type="checkbox"/> 15% or greater:	45 % of site																		
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____																			
h. Surface water features. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Refer to Figure 5 and FEAF Narrative Section 4.2.</td> <td style="width: 20%; text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="width: 20%; text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name <u>Fishkill Creek (NYSDEC Stream H-95)</u></td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name <u>NA</u></td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name <u>Federal Waters, Federal Waters</u></td> <td>Approximate Size Refer to Section 4.2</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2"><u>NA</u></td> </tr> </table>		i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Refer to Figure 5 and FEAF Narrative Section 4.2.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ii. Do any wetlands or other waterbodies adjoin the project site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	• Streams:	Name <u>Fishkill Creek (NYSDEC Stream H-95)</u>	Classification _____	• Lakes or Ponds:	Name <u>NA</u>	Classification _____	• Wetlands:	Name <u>Federal Waters, Federal Waters</u>	Approximate Size Refer to Section 4.2	• Wetland No. (if regulated by DEC)	<u>NA</u>	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Refer to Figure 5 and FEAF Narrative Section 4.2.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																		
ii. Do any wetlands or other waterbodies adjoin the project site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																		
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																		
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• Lakes or Ponds:	Name <u>NA</u>	Classification _____																	
• Wetlands:	Name <u>Federal Waters, Federal Waters</u>	Approximate Size Refer to Section 4.2																	
• Wetland No. (if regulated by DEC)	<u>NA</u>																		
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____																			
i. Is the project site in a designated Floodway? Refer to Figure 6 and FEAF Narrative Section 4.3. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																			
j. Is the project site in the 100 year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																			
k. Is the project site in the 500 year Floodplain? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																			
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">i. Name of aquifer:</td> <td><u>Principal Aquifer</u></td> </tr> </table>		i. Name of aquifer:	<u>Principal Aquifer</u>																
i. Name of aquifer:	<u>Principal Aquifer</u>																		

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ Common urban species _____ Refer to FEAF Narrative Section 10.0. _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres </p>	
<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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Refer to Figure 7 and FEAF Narrative Section 10.0.</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site: _____ 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ 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? Refer to Figure 8 and FEA Narrative Section 11.0.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District ii. Name: <u>St. Luke's Episcopal Church Complex, Wolcott Avenue Bridge (eligible)</u> 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? Refer to Figure 8 and FEA Narrative Section 11.0.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> i. Describe possible resource(s): _____ ii. Basis for identification: _____ 	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Refer to Figure 9.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> i. Identify resource: <u>Refer to Figure 9.</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>SASS, NYSDC trails, NYS Scenic Byway; Federal, State, County, and municipal recreation, State Park scenic trails; Historic Sites</u> iii. Distance between project and resource: <u>0 (adjacent) miles.</u> Wolcott Ave Bridge 	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> 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 248 Beacon Holdings LLC Date Sep 10, 2018; Last reissued April 30, 2019

Signature  Title Planner
 Deborah S Hubbard for The Chazen Companies, Agent for Applicant



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



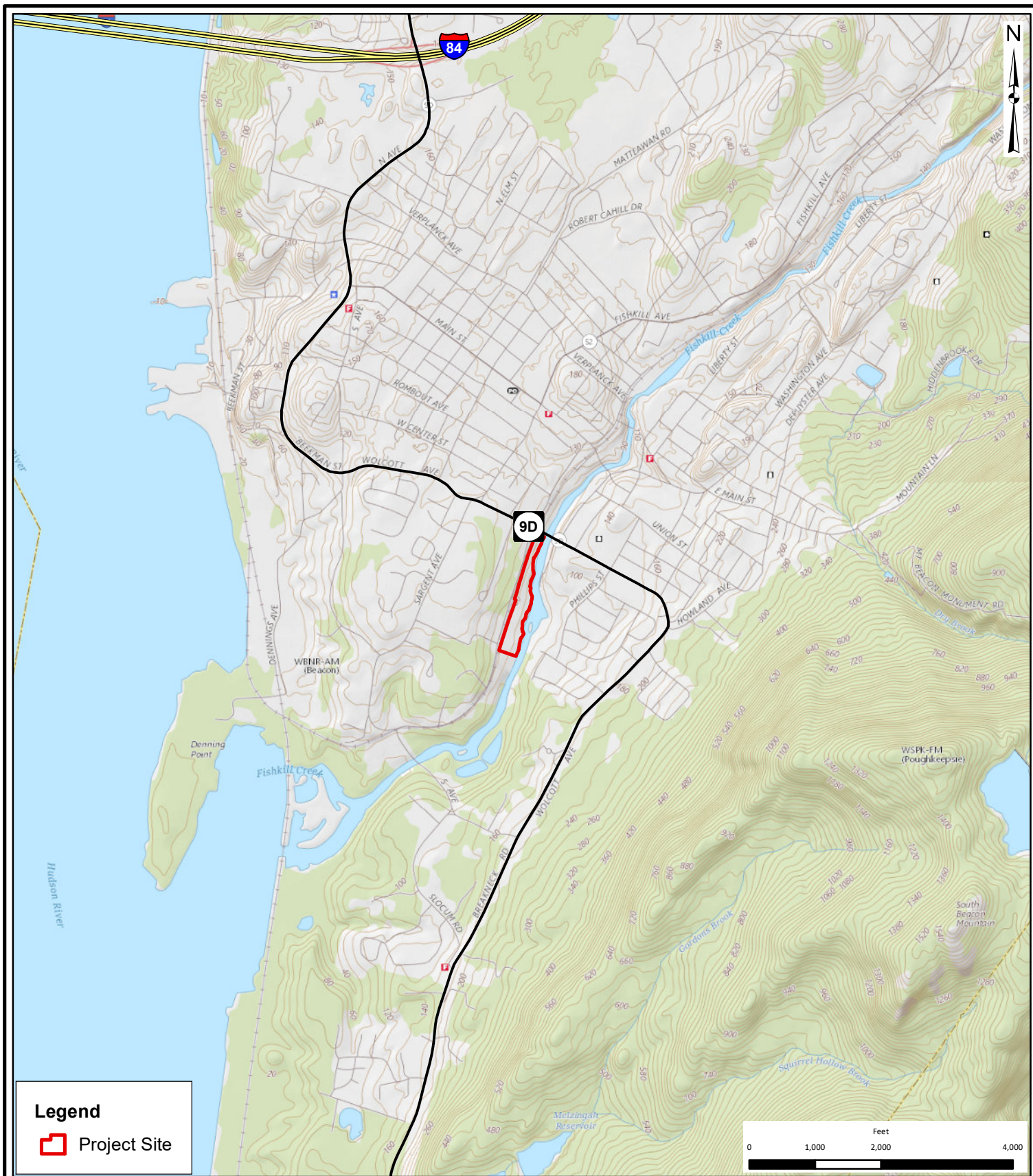
B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:314044 , Remediation Sites:546031
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	314044 , 546031
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	C314117, 314044 , C314118, 546031
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes

E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	St. Luke's Episcopal Church Complex
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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FIGURES

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Legend

 Project Site

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Phone: (845) 454-3980

Capital District Office:
547 River Street, Troy, NY 12180
Phone: (518) 273-0055

North Country Office:
375 Bay Road, Queensbury, NY 12804
Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

USGS Location Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/06/2018
Scale:	1 in = 2,000 feet
Project:	81750.00
Figure:	1



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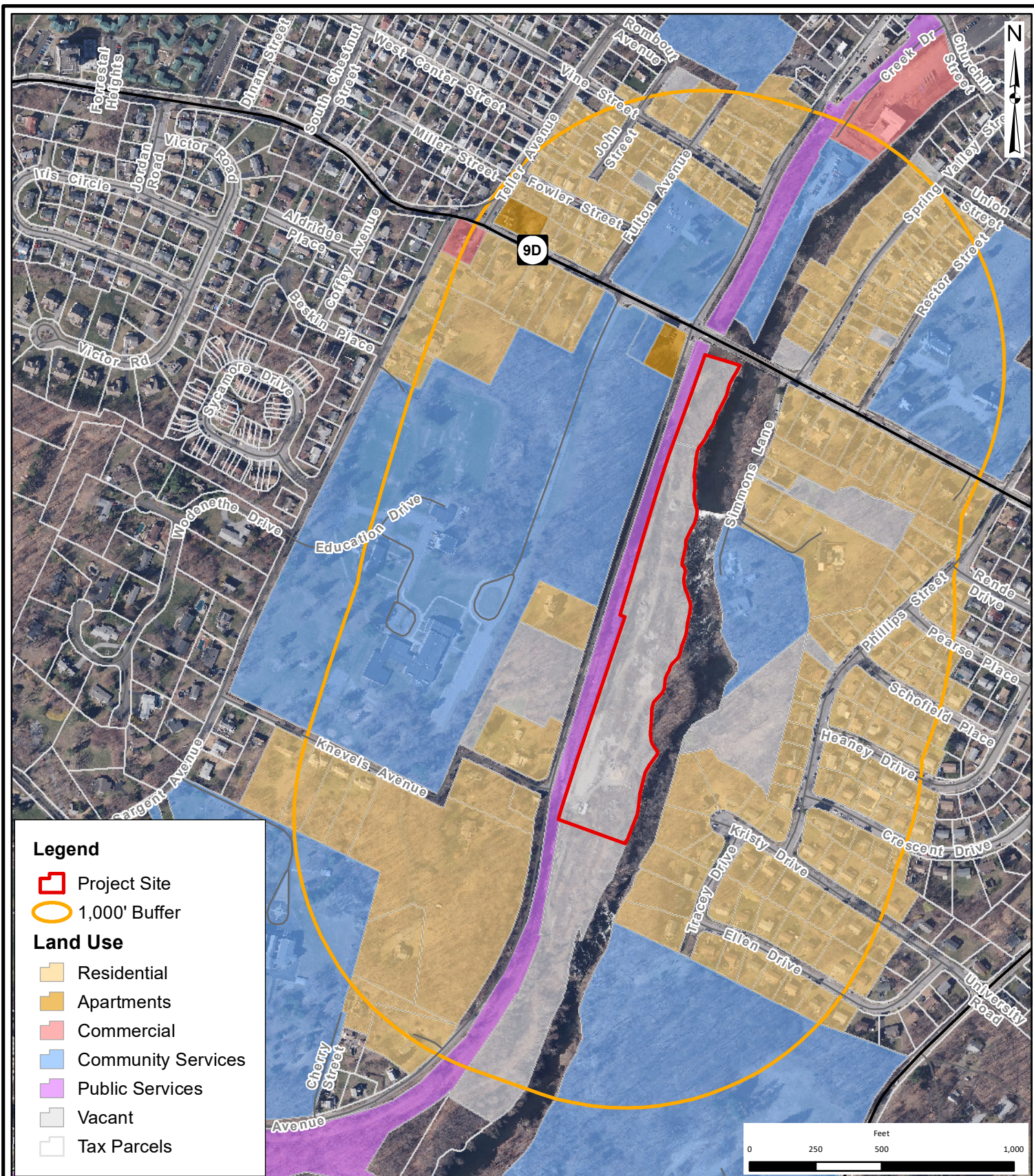
North Country Office:
375 Bay Road, Queensbury, NY 12804
Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

Orthophoto Tax Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/06/2018
Scale:	1 in = 300 feet
Project:	81750.00
Figure:	2



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Phone: (518) 273-0055

North Country Office:
375 Bay Road, Queensbury, NY 12804
Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

Land Use Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/06/2018
Scale:	1 in = 500 feet
Project:	81750.00
Figure:	3



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Capital District Office:
547 River Street, Troy, NY 12180
Phone: (518) 273-0055

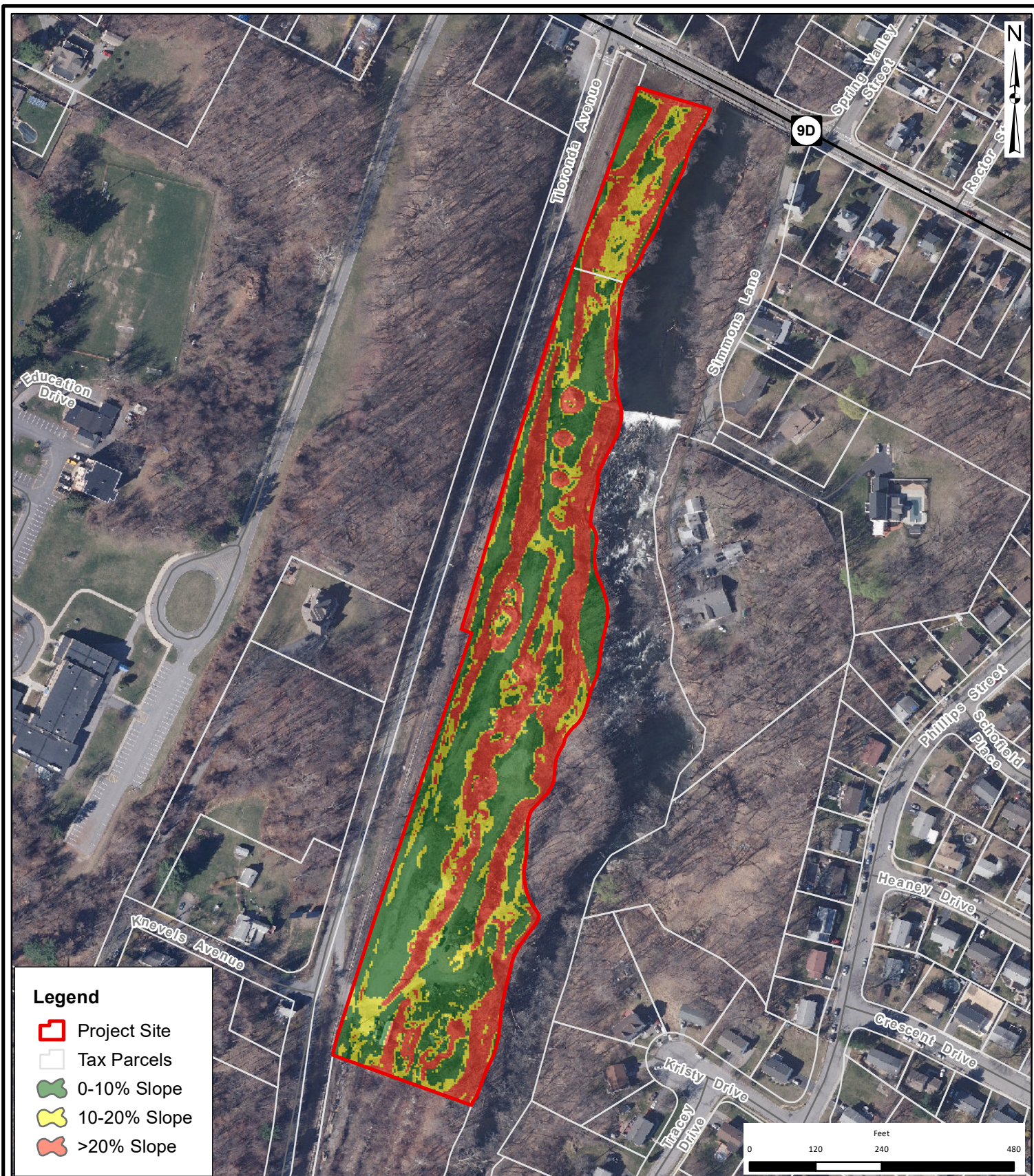
North Country Office:
375 Bay Road, Queensbury, NY 12804
Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

Soils Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/06/2018
Scale:	1 in = 300 feet
Project:	81750.00
Figure:	4



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Phone: (518) 273-0055

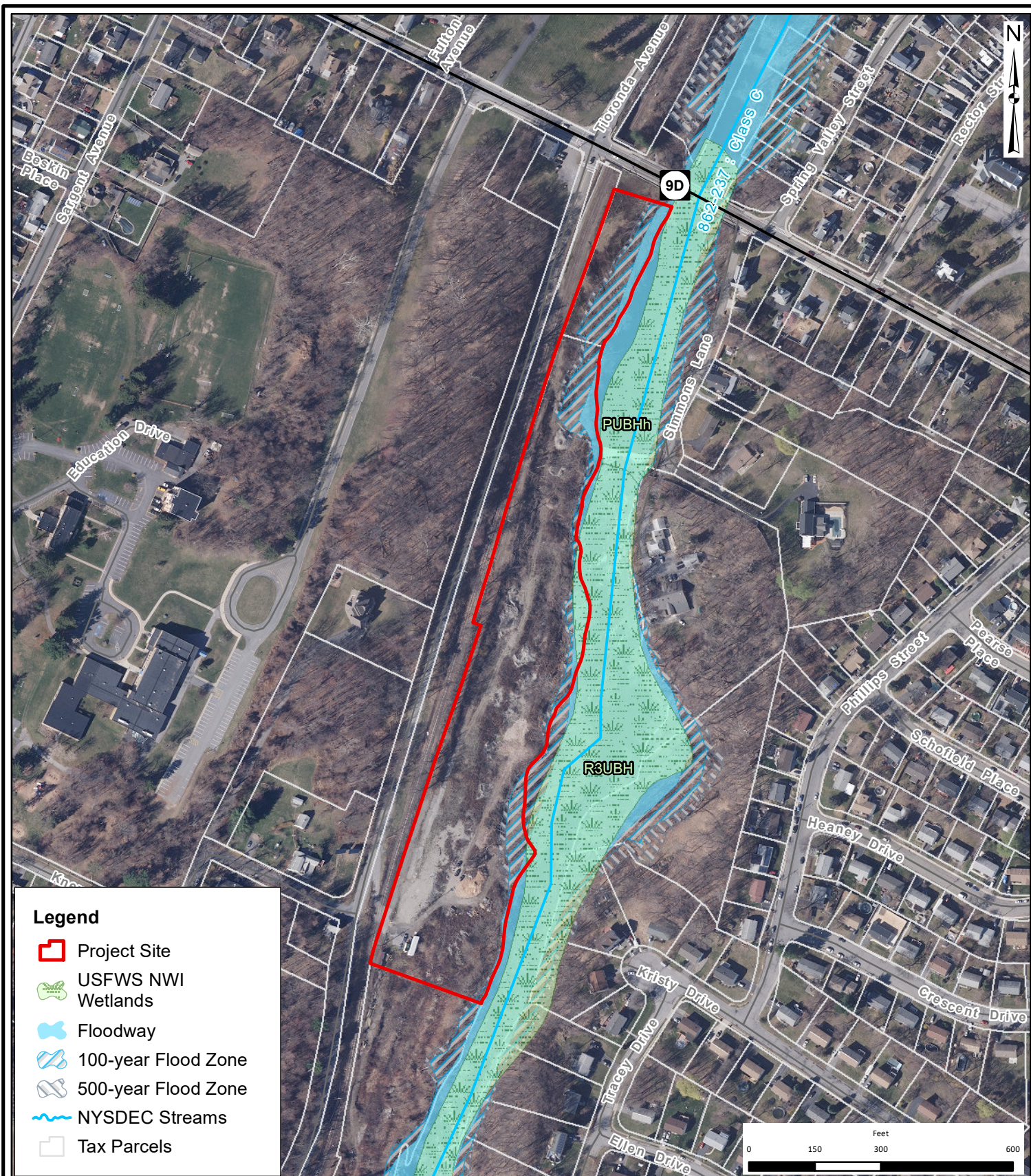
North Country Office:
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Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

Slopes Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/06/2018
Scale:	1 in = 240 feet
Project:	81750.00
Figure:	5



Legend

- ▮ Project Site
- ▮ USFWS NWI Wetlands
- ▮ Floodway
- ▮ 100-year Flood Zone
- ▮ 500-year Flood Zone
- ▮ NYSDEC Streams
- ▮ Tax Parcels

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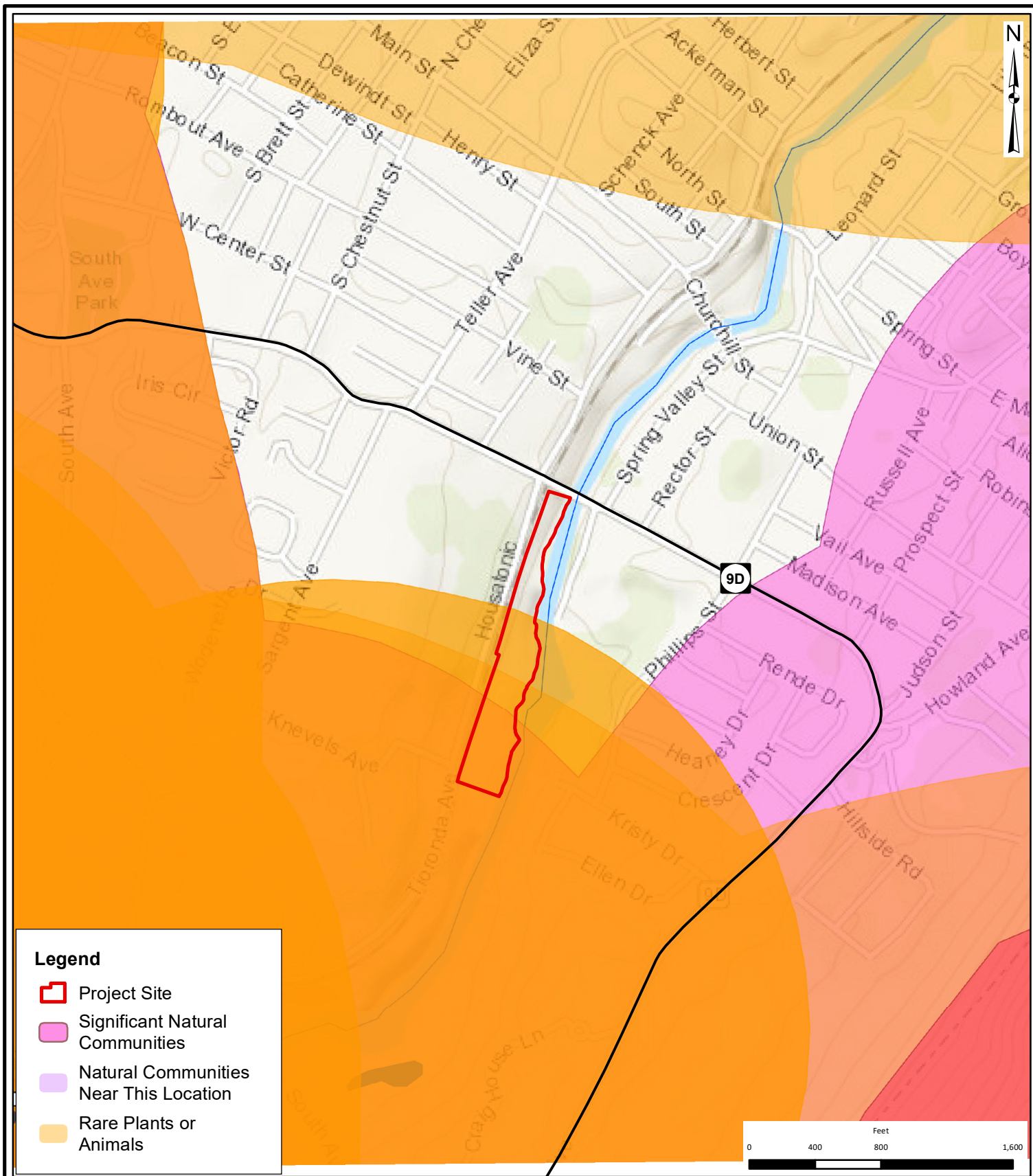
North Country Office:
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Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

Wetland, Streams and Floodplain Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/06/2018
Scale:	1 in = 300 feet
Project:	81750.00
Figure:	6



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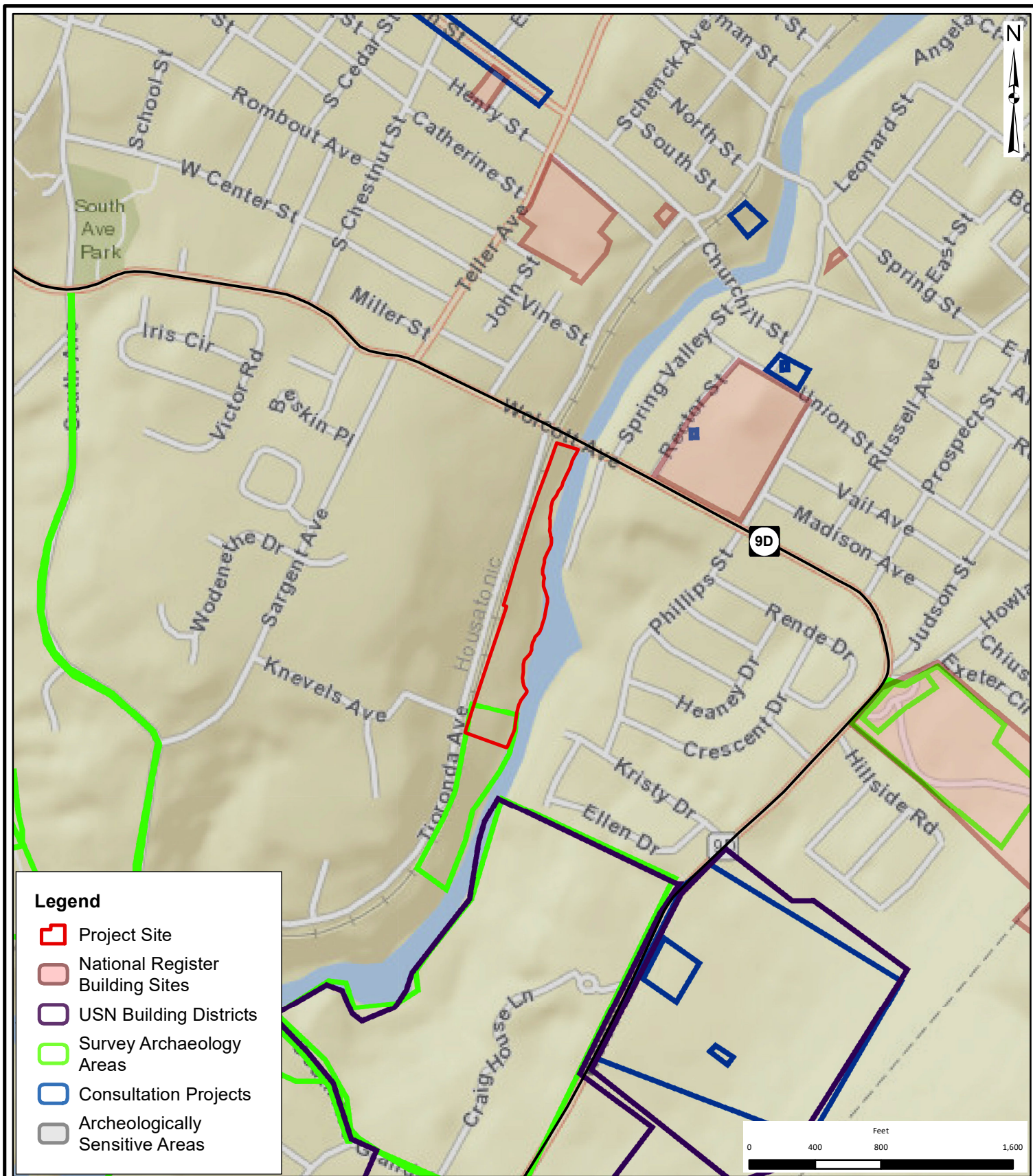
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Proposed Fishkill Creek Development (FCD) Site Plan

NYSDEC Environmental Resource Map

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/07/2018
Scale:	1 in = 800 feet
Project:	81750.00
Figure:	7



Legend

- ▮ Project Site
- ▮ National Register Building Sites
- ▮ USN Building Districts
- ▮ Survey Archaeology Areas
- ▮ Consultation Projects
- ▮ Archeologically Sensitive Areas

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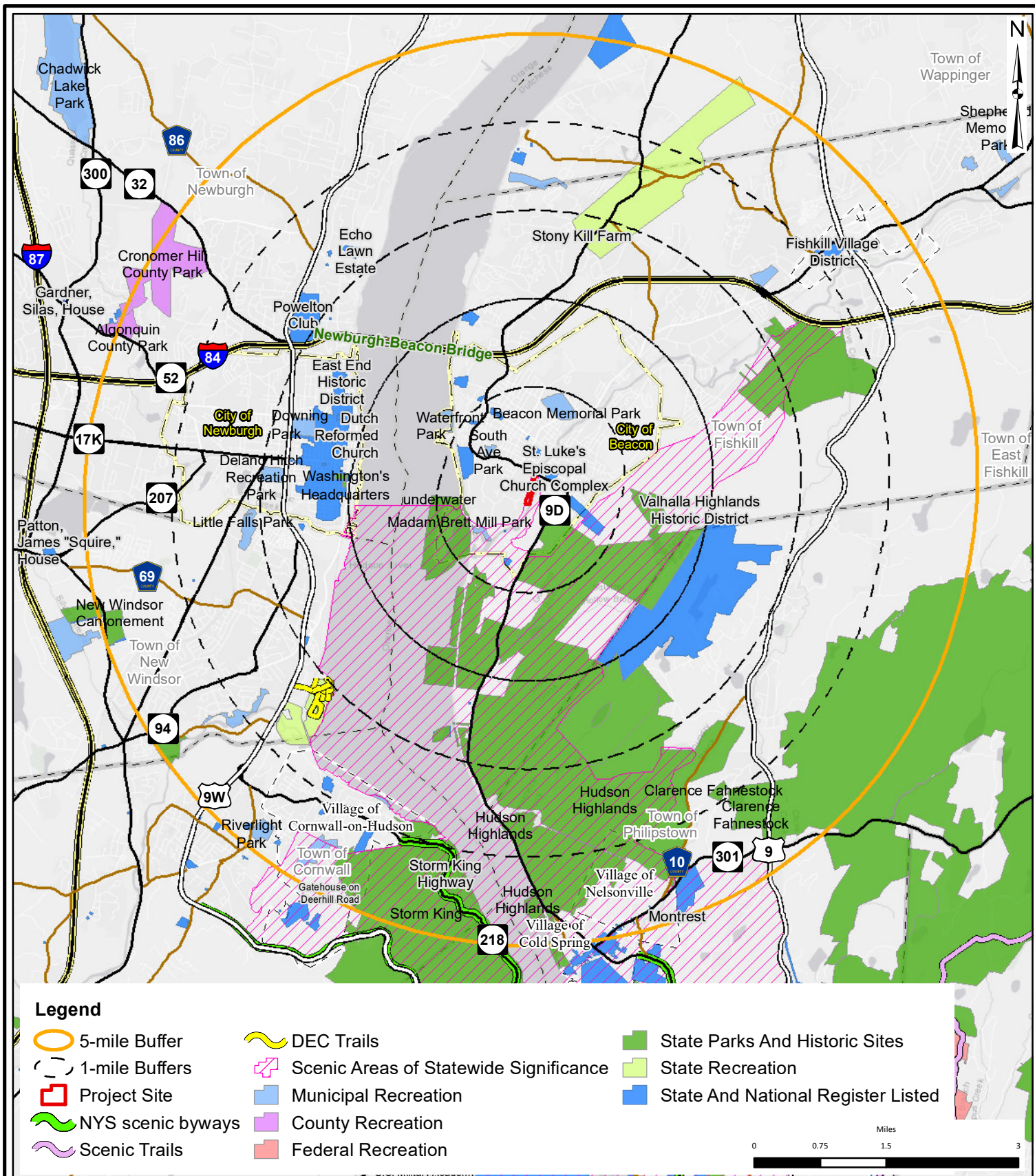
North Country Office:
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Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

NYSOPRHP Cultural Resource Information System (CRIS)

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RLB
Date:	09/07/2018
Scale:	1 in = 800 feet
Project:	81750.00
Figure:	8



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North Country Office:
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Phone: (518) 812-0513

Proposed Fishkill Creek Development (FCD) Site Plan

Publicly Accessible Federal, State, or Local Scenic or Aesthetic Resources within 5 Miles

Tioronda Avenue, City of Beacon - Dutchess County, NY

Drawn:	RL-B
Date:	09/07/2018
Scale:	1 in = 1.5 miles
Project:	81750.00
Figure:	9

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ATTACHMENT A

Updated Traffic Synchro Analysis

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Tom Johnson

From: Tom Johnson
Sent: Monday, October 29, 2018 9:45 AM
To: Larry Boudreau
Subject: RE: Beacon - 248 Tioronda

Larry, previous traffic analysis files are not in the project folder so I re-created them. Here is summary of updated analysis for Wolcott/Tioronda intersection:

1. The 2015 analysis showed LOS B for AM and PM build using Synchro version 8
2. Re-creating the 2015 analysis showed LOS A for AM and PM using Synchro version 10 which is 2 versions after 8
3. To change LOS A to B for AM peak I added 300 vehicles EB on Wolcott, 300 vehicles WB on Wolcott, and 50 vehicles SB on Tioronda (kept NB the same). Delay increased by about 3 seconds.
4. To change LOS A to B for PM peak I added 200 vehicles EB on Wolcott, 200 vehicles WB on Wolcott, and 50 vehicles SB on Tioronda (kept NB the same). Delay increased by about 3 seconds.

Bottom line: intersection can handle a lot more traffic and still operate with very good levels of service.

Thomas R. Johnson, P.E., PTOE
Transportation Services Manager
The Chazen Companies
547 River Street
Troy, NY 12180
Direct: (518) 266-7369
tjohnson@chazencompanies.com
www.chazencompanies.com

From: Larry Boudreau
Sent: Friday, October 26, 2018 2:53 PM
To: 'Ward-Willis, Nicholas M.' <NWard-Willis@kblaw.com>; 'John Russo' <jdr@lanctully.com>
Cc: 'Anthony Ruggiero' <aruggiero@cityofbeacon.org>; 'John Clarke' <jclarkeplandesign@gmail.com>
Subject: RE: Beacon - 248 Tioronda

Yes I understand. The TIS completed at that time indicated that all studied intersections were operating at a health good to excellent service (LOS A and B), and the 2015 build volumes did not change the LOS at the studied intersections. I will prepare a ppt slide to review this Monday night. Thanks Nic.

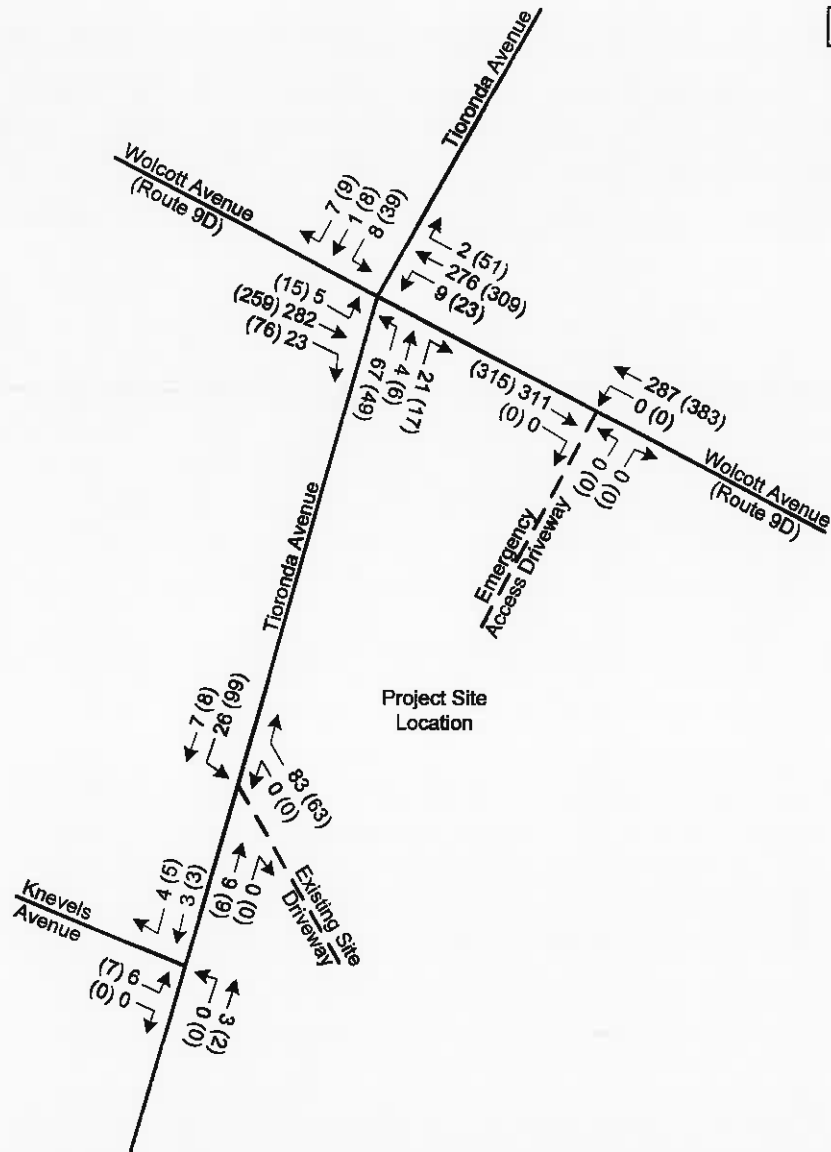
Larry

From: Ward-Willis, Nicholas M. <NWard-Willis@kblaw.com>
Sent: Friday, October 26, 2018 1:51 PM
To: Larry Boudreau <lboudreau@chazencompanies.com>; 'John Russo' <jdr@lanctully.com>
Cc: 'Anthony Ruggiero' <aruggiero@cityofbeacon.org>; 'John Clarke' <jclarkeplandesign@gmail.com>
Subject: RE: Beacon - 248 Tioronda

Larry, thanks. I read that language in the EAF, but my question is more focused on whether given the changes in Beacon in the last 5 years since the report was done, have the traffic counts on Route 9D and Tioronda Avenue and traffic patterns changed, such that the 2013 Study should be updated. As the attorney, I don't know the answer, but in my mind, it is a legitimate question.

Nick

Scenario 1



AM PEAK HOUR TRAFFIC VOLUMES (PM PEAK HOUR TRAFFIC VOLUMES)

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Beacon 248 Development, LLC

Tioronda Avenue
City of Beacon
Dutchess County, New York

2015 Build
Traffic Volumes
(Scenario 1)

Project #: 81056.00

















Date: October 2013

Figure: #A3

Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)













03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	282	23	9	276	2	67	4	21	8	1	7
Future Volume (vph)	5	282	23	9	276	2	67	4	21	8	1	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.990			0.999			0.969			0.940	
Flt Protected		0.999			0.998			0.965			0.976	
Satd. Flow (prot)	0	1842	0	0	1857	0	0	1742	0	0	1709	0
Flt Permitted		0.992			0.983			0.815			0.902	
Satd. Flow (perm)	0	1829	0	0	1829	0	0	1471	0	0	1579	0
Right Turn on Red			Yes			Yes			No			No
Satd. Flow (RTOR)		10			1							
Link Speed (mph)		15			30			25			30	
Link Distance (ft)		964			1319			984			876	
Travel Time (s)		43.8			30.0			26.8			19.9	
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Adj. Flow (vph)	6	320	26	10	314	2	76	5	24	9	1	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	352	0	0	326	0	0	105	0	0	18	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2		1	2		1	2		1	2	
Detector Template	Left	Thru		Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100		20	100		20	100		20	100	
Trailing Detector (ft)	0	0		0	0		0	0		0	0	
Detector 1 Position(ft)	0	0		0	0		0	0		0	0	
Detector 1 Size(ft)	20	6		20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		2.5	2.5		2.5	2.5	

Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)

03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	23.0	23.0		23.0	23.0		8.0	8.0		23.0	23.0	
Total Split (s)	63.0	63.0		63.0	63.0		23.0	23.0		23.0	23.0	
Total Split (%)	73.3%	73.3%		73.3%	73.3%		26.7%	26.7%		26.7%	26.7%	
Maximum Green (s)	58.0	58.0		58.0	58.0		18.0	18.0		18.0	18.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)		0.0			0.0			0.0			0.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)	7.0	7.0		7.0	7.0					7.0	7.0	
Flash Dont Walk (s)	11.0	11.0		11.0	11.0					11.0	11.0	
Pedestrian Calls (#/hr)	0	0		0	0					0	0	
Act Effect Green (s)		13.3			13.3			18.1			18.1	
Actuated g/C Ratio		0.32			0.32			0.44			0.44	
v/c Ratio		0.59			0.56			0.16			0.03	
Control Delay		15.8			15.4			9.2			8.4	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		15.8			15.4			9.2			8.4	
LOS		B			B			A			A	
Approach Delay		15.8			15.4			9.2			8.4	
Approach LOS		B			B			A			A	

Intersection Summary

Area Type: Other

Cycle Length: 86

Actuated Cycle Length: 41.5

Natural Cycle: 50

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.59

Intersection Signal Delay: 14.6

Intersection LOS: B

Intersection Capacity Utilization 35.6%

ICU Level of Service A

Analysis Period (min) 15

Splits and Phases: 3: Tioronda & Wolcott (9D)



Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)

03/22/2019















Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Traffic Volume (vph)	15	259	76	23	309	51	49	5	17	39	8	9
Future Volume (vph)	15	259	76	23	309	51	49	5	17	39	8	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.971			0.982			0.968			0.977	
Flt Protected		0.998			0.997			0.967			0.966	
Satd. Flow (prot)	0	1805	0	0	1824	0	0	1744	0	0	1758	0
Flt Permitted		0.971			0.960			0.808			0.811	
Satd. Flow (perm)	0	1756	0	0	1756	0	0	1457	0	0	1476	0
Right Turn on Red			Yes			Yes			No			No
Satd. Flow (RTOR)		35			20							
Link Speed (mph)		15			30			25			30	
Link Distance (ft)		964			1319			984			876	
Travel Time (s)		43.8			30.0			26.8			19.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	18	305	89	27	364	60	58	6	20	46	9	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	412	0	0	451	0	0	84	0	0	66	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2		1	2		1	2		1	2	
Detector Template	Left	Thru		Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100		20	100		20	100		20	100	
Trailing Detector (ft)	0	0		0	0		0	0		0	0	
Detector 1 Position(ft)	0	0		0	0		0	0		0	0	
Detector 1 Size(ft)	20	6		20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		2.5	2.5		2.5	2.5	

Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)

03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	23.0	23.0		23.0	23.0		8.0	8.0		23.0	23.0	
Total Split (s)	63.0	63.0		63.0	63.0		23.0	23.0		23.0	23.0	
Total Split (%)	73.3%	73.3%		73.3%	73.3%		26.7%	26.7%		26.7%	26.7%	
Maximum Green (s)	58.0	58.0		58.0	58.0		18.0	18.0		18.0	18.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)		0.0			0.0			0.0			0.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)	7.0	7.0		7.0	7.0					7.0	7.0	
Flash Dont Walk (s)	11.0	11.0		11.0	11.0					11.0	11.0	
Pedestrian Calls (#/hr)	0	0		0	0					0	0	
Act Effect Green (s)		16.0			16.0			18.2			18.2	
Actuated g/C Ratio		0.36			0.36			0.41			0.41	
v/c Ratio		0.63			0.70			0.14			0.11	
Control Delay		15.0			17.6			10.6			10.3	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		15.0			17.6			10.6			10.3	
LOS		B			B			B			B	
Approach Delay		15.0			17.6			10.6			10.3	
Approach LOS		B			B			B			B	

Intersection Summary

Area Type: Other

Cycle Length: 86

Actuated Cycle Length: 44.2

Natural Cycle: 50

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.70

Intersection Signal Delay: 15.5

Intersection LOS: B

Intersection Capacity Utilization 41.0%

ICU Level of Service A

Analysis Period (min) 15

















Splits and Phases: 3: Tioronda & Wolcott (9D)



Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)













03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	5	582	23	9	576	2	67	4	21	60	1	7
Future Volume (vph)	5	582	23	9	576	2	67	4	21	60	1	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.995						0.969			0.986	
Flt Protected					0.999			0.965			0.958	
Satd. Flow (prot)	0	1853	0	0	1861	0	0	1742	0	0	1760	0
Flt Permitted		0.995			0.989			0.765			0.721	
Satd. Flow (perm)	0	1844	0	0	1842	0	0	1381	0	0	1324	0
Right Turn on Red			Yes			Yes			No			No
Satd. Flow (RTOR)		5										
Link Speed (mph)		15			30			25			30	
Link Distance (ft)		964			1319			984			876	
Travel Time (s)		43.8			30.0			26.8			19.9	
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Adj. Flow (vph)	6	661	26	10	655	2	76	5	24	68	1	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	693	0	0	667	0	0	105	0	0	77	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2		1	2		1	2		1	2	
Detector Template	Left	Thru		Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100		20	100		20	100		20	100	
Trailing Detector (ft)	0	0		0	0		0	0		0	0	
Detector 1 Position(ft)	0	0		0	0		0	0		0	0	
Detector 1 Size(ft)	20	6		20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		2.5	2.5		2.5	2.5	

Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)

03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	23.0	23.0		23.0	23.0		8.0	8.0		23.0	23.0	
Total Split (s)	63.0	63.0		63.0	63.0		23.0	23.0		23.0	23.0	
Total Split (%)	73.3%	73.3%		73.3%	73.3%		26.7%	26.7%		26.7%	26.7%	
Maximum Green (s)	58.0	58.0		58.0	58.0		18.0	18.0		18.0	18.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)		0.0			0.0			0.0			0.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)	7.0	7.0		7.0	7.0					7.0	7.0	
Flash Dont Walk (s)	11.0	11.0		11.0	11.0					11.0	11.0	
Pedestrian Calls (#/hr)	0	0		0	0					0	0	
Act Effect Green (s)		28.8			28.8			18.4			18.4	
Actuated g/C Ratio		0.50			0.50			0.32			0.32	
v/c Ratio		0.75			0.72			0.24			0.18	
Control Delay		16.4			15.7			19.7			19.2	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		16.4			15.7			19.7			19.2	
LOS		B			B			B			B	
Approach Delay		16.4			15.7			19.7			19.2	
Approach LOS		B			B			B			B	

Intersection Summary

Area Type: Other

Cycle Length: 86

Actuated Cycle Length: 57.5

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.75

Intersection Signal Delay: 16.5

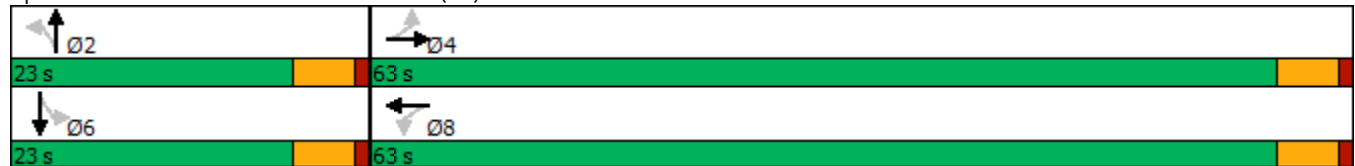
Intersection LOS: B

Intersection Capacity Utilization 49.7%

ICU Level of Service A

Analysis Period (min) 15

















Splits and Phases: 3: Tioronda & Wolcott (9D)



Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)













03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	15	459	76	23	509	51	49	5	17	90	8	9
Future Volume (vph)	15	459	76	23	509	51	49	5	17	90	8	9
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.981			0.988			0.968			0.988	
Flt Protected		0.999			0.998			0.967			0.960	
Satd. Flow (prot)	0	1826	0	0	1837	0	0	1744	0	0	1767	0
Flt Permitted		0.976			0.965			0.767			0.714	
Satd. Flow (perm)	0	1783	0	0	1776	0	0	1383	0	0	1314	0
Right Turn on Red			Yes			Yes			No			No
Satd. Flow (RTOR)		21			12							
Link Speed (mph)		15			30			25			30	
Link Distance (ft)		964			1319			984			876	
Travel Time (s)		43.8			30.0			26.8			19.9	
Peak Hour Factor	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
Adj. Flow (vph)	18	540	89	27	599	60	58	6	20	106	9	11
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	647	0	0	686	0	0	84	0	0	126	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		0			0			0			0	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane												
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Number of Detectors	1	2		1	2		1	2		1	2	
Detector Template	Left	Thru		Left	Thru		Left	Thru		Left	Thru	
Leading Detector (ft)	20	100		20	100		20	100		20	100	
Trailing Detector (ft)	0	0		0	0		0	0		0	0	
Detector 1 Position(ft)	0	0		0	0		0	0		0	0	
Detector 1 Size(ft)	20	6		20	6		20	6		20	6	
Detector 1 Type	Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex		Cl+Ex	Cl+Ex	
Detector 1 Channel												
Detector 1 Extend (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Queue (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 1 Delay (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Detector 2 Position(ft)		94			94			94			94	
Detector 2 Size(ft)		6			6			6			6	
Detector 2 Type		Cl+Ex			Cl+Ex			Cl+Ex			Cl+Ex	
Detector 2 Channel												
Detector 2 Extend (s)		0.0			0.0			0.0			0.0	
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		4			8			2			6	
Permitted Phases	4			8			2			6		
Detector Phase	4	4		8	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		2.5	2.5		2.5	2.5	

Lanes, Volumes, Timings

3: Tioronda & Wolcott (9D)

03/22/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Minimum Split (s)	23.0	23.0		23.0	23.0		8.0	8.0		23.0	23.0	
Total Split (s)	63.0	63.0		63.0	63.0		23.0	23.0		23.0	23.0	
Total Split (%)	73.3%	73.3%		73.3%	73.3%		26.7%	26.7%		26.7%	26.7%	
Maximum Green (s)	58.0	58.0		58.0	58.0		18.0	18.0		18.0	18.0	
Yellow Time (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)		0.0			0.0			0.0			0.0	
Total Lost Time (s)		5.0			5.0			5.0			5.0	
Lead/Lag												
Lead-Lag Optimize?												
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)	7.0	7.0		7.0	7.0					7.0	7.0	
Flash Dont Walk (s)	11.0	11.0		11.0	11.0					11.0	11.0	
Pedestrian Calls (#/hr)	0	0		0	0					0	0	
Act Effect Green (s)		26.9			26.9			18.4			18.4	
Actuated g/C Ratio		0.48			0.48			0.33			0.33	
v/c Ratio		0.74			0.79			0.18			0.29	
Control Delay		16.3			18.7			17.8			19.2	
Queue Delay		0.0			0.0			0.0			0.0	
Total Delay		16.3			18.7			17.8			19.2	
LOS		B			B			B			B	
Approach Delay		16.3			18.7			17.8			19.2	
Approach LOS		B			B			B			B	

Intersection Summary

Area Type: Other

Cycle Length: 86

Actuated Cycle Length: 55.5

Natural Cycle: 60

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 17.7

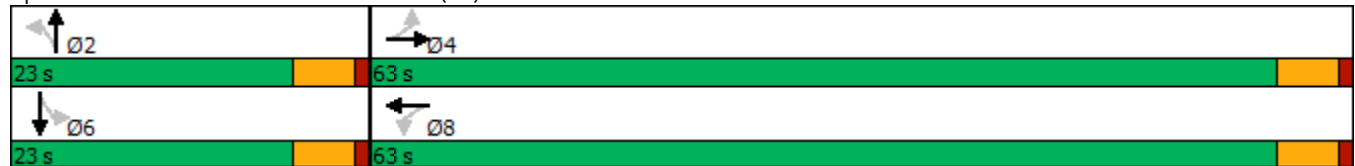
Intersection LOS: B

Intersection Capacity Utilization 56.1%

ICU Level of Service B

Analysis Period (min) 15

Splits and Phases: 3: Tioronda & Wolcott (9D)



ATTACHMENT B
NYSDEC Correspondence and
USFWS Official Species List

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

November 7, 2018

Deborah Hubbard
The Chazen Companies
21 Fox Street
Poughkeepsie, NY 12601

Re: Chai Builders Multifamily Development and Office Building (formerly Beacon 248 Development)
County: Dutchess Town/City: City Of Beacon

Dear Ms. Hubbard:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site.

The project site is situated on Fishkill Creek. From just downstream of the project site to its mouth, Fishkill Creek is a designated significant concentration area for anadromous fish, including alewife and blueback herring. At the mouth of Fishkill Creek are several state-listed animals and plants, and significant brackish tidal marsh and brackish intertidal mudflats. We recommend that the project work be conducted so as to avoid significant impacts to the water quality of Fishkill Creek, including erosion and run-off of sediments, nutrients, and pollutants.

For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 3 Office, Division of Environmental Permits, at dep.r3@dec.ny.gov.

Sincerely,



Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program



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United States Department of the Interior

FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office

3817 Luker Road
Cortland, NY 13045-9385

Phone: (607) 753-9334 Fax: (607) 753-9699

<http://www.fws.gov/northeast/nyfo/es/section7.htm>



In Reply Refer To:

September 10, 2018

Consultation Code: 05E1NY00-2018-SLI-3255

Event Code: 05E1NY00-2018-E-09923

Project Name: Chai Builders Proposed Multifamily Development and Office Building

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (<http://www.fws.gov/windenergy/>)

[eagle_guidance.html](#)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

Project Summary

Consultation Code: 05E1NY00-2018-SLI-3255

Event Code: 05E1NY00-2018-E-09923

Project Name: Chai Builders Proposed Multifamily Development and Office Building

Project Type: DEVELOPMENT

Project Description: The Applicant, Chai Builders Corp., proposes the redevelopment of the northern portion of the former Tuck Industries manufacturing site with a 64-unit multifamily residential development and a 25,400 square foot (SF) office building, with associated parking. A Greenway Trail for public use is proposed along the Fishkill Creek. The proposed development is contained almost entirely within the former Tuck Industries development area.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.49552009435731N73.96812773240211W>



Counties: Dutchess, NY

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Clams

NAME	STATUS
Dwarf Wedgemussel <i>Alasmodonta heterodon</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/784 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/363/office/52410.pdf	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



Hudson Valley Office

21 Fox St., Poughkeepsie, NY 12601

P: (845) 454-3980 F: (845) 454-4026

www.chazencompanies.com

Capital District Office (518) 273-0055

North Country Office (518) 812-0513

June 21, 2019

Mayor Randy Casale and
Members of the Beacon City Council
Beacon City Hall
1 Municipal Center
Beacon, NY 12508

VIA HAND DELIVERY

*Re: Chai Builders - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
Formerly Beacon 248 Development, LLC, Multifamily Development
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81056.00*

Dear Mayor Casale and Members of the City Council:

At its June 11, 2019, Planning Board meeting, the City of Beacon Planning Board issued a SEQR Negative Declaration, LWRP Consistency Determination, and provided a positive recommendation to the City Council for concept plan approval. The Applicant is now seeking Concept Plan Approval by the City Council. As requested by the City attorney, the following items are enclosed:

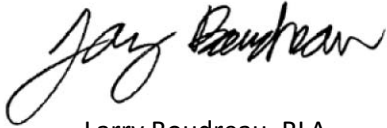
- Document entitled Consistency with FCD District Criteria for Granting Concept Plan Approval by the City Council (8 copies)
- Letters to the Planning Board, including responses to comments and attachments.
- Full Environmental Assessment Form Part 1 (8 copies)
- Architectural Section and Elevation Drawings (8 copies)
- Photo Simulations (8 copies)
- Concept Plan Set (8 copies)

A link to pdfs of the submitted documents will be provided via email.

Mayor Randy Casale and Members of the Beacon City Council
June 21, 2019
Page 2

Please place this project on the agenda of the of the Monday, June 24th, City Council workshop meeting if possible. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Boudreau". The signature is fluid and cursive, with the first name "Larry" being more prominent than the last name "Boudreau".

Larry Boudreau, RLA
Director of Land Development

Hudson Valley Office

21 Fox St., Poughkeepsie, NY 12601
P: (845) 454-3980 F: (845) 454-4026
www.chazencompanies.com

Capital District Office (518) 273-0055
North Country Office (518) 812-0513

June 21, 2019

Mayor Randy Casale and
Members of the Beacon City Council
Beacon City Hall
1 Municipal Center
Beacon, NY 12508

VIA EMAIL

*Re: Summary of Concept Plan Changes and Significant Project Advancements
Chai Builders - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
Formerly Beacon 248 Development, LLC, Multifamily Development
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81056.00*

Dear Mayor Casale and Members of the City Council:

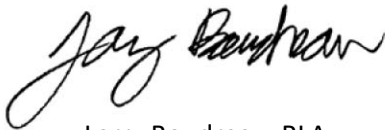
The purpose of this letter is to summarize the most significant enhancements made to the Concept Plan which have been developed through the Planning Board process. Additional detail is outlined in the comment response letters included with today's submittal. All comments, including public, are noted and were responded to. Also attached are all available Planning Board minutes.

- 1) Greenway Trail – The Greenway Trail has been designed iteratively in close coordination with John Clark, City of Beacon Planning Consultant, and Thomas Wright, Chair of the Greenway Trail committee. The most significant change since the last City Council submittal is the addition of a handicapped accessible component to the trail connecting the upper greenspace area to the lower trail.
- 2) Wetlands – The Army Core of Engineers is scheduled to visit in the month of July. The project is designed to the previous more conservative wetland line. The only area that would be impacted if the new line is not accepted is the spurs of the greenway trail, which would be redesigned to avoid any wetland impacts.
- 3) Greenspace – Through modification of the parking layout and land banking of parking spaces, a larger greenspace is provided between the residential and commercial buildings.
- 4) Access to Sister's property – A curb cut, driveway stub and crosswalk has been added to accommodate future access to the Sister's property. The updated concept plan set has been provided to the attorney for the Sister's.

- 5) NYSOPRHP Review - The current plans were submitted to NYSOPRHP, and correspondence from NYSOPRHP dated May 6, 2019, (attached) indicated that it is NYSOPRHP's opinion that the proposed project, as amended, will have "No Adverse Impact" to historic and cultural resources.
- 6) The FEAF was revised to include calculations for public school children anticipated to be generated by the project, and John Clarke indicated that the new students were not expected to result in any significant adverse impacts on the school district.
- 7) The Planning Board held a Public Hearing on March 12, 2019. At its June 11, 2019, Planning Board meeting, the City of Beacon Planning Board issued a SEQR Negative Declaration, LWRP Consistency Determination, and provided a positive recommendation to the City Council for concept plan approval.

In an effort to keep this project moving forward, we respectfully request that this project be placed on the Monday, June 24th, City Council workshop meeting to allow us to present an update on the project in person, and perhaps to schedule the public hearing. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Boudreau". The signature is fluid and cursive, with the first name "Larry" being more prominent than the last name "Boudreau".

Larry Boudreau, RLA
Director of Land Development



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

May 6, 2019

Ms. Doborah Hubbard
The Chazen Companies
21 Fox Street
Poughkeepsie, NY 12601

Re: DEC
Beacon 248 Development LLC; Tioronda Avenue
248 Tioronda Avenue
Beacon, NY 12508

Dear Ms. Hubbard:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

We understand that the proposed project plan has changed since our last review, and that the current proposal consists of a 64-unit multifamily residential development within two buildings (reduced from 100 units) and a 25,400 SF office building.

Based on this review, it is the opinion of the SHPO that the proposed project, as amended, will have No Adverse Impact to historic and cultural resources.

If you have any questions, I can be reached at (518) 268-2164.

Sincerely,

Weston Davey
Historic Site Restoration Coordinator
weston.davey@parks.ny.gov

via e-mail only

**Planning Board
February 13, 2019**

The Planning Board meeting was held on Wednesday, February 13, 2019 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman John Gunn; Members Gary Barrack, Rick Muscat, David Burke, Jill Reynolds and Pat Lambert. Also in attendance were Building Inspector David Buckley, City Administrator Anthony Ruggiero, City Attorney Jennifer Gray, City Engineer John Russo (in for Art Tully), and City Planner John Clarke. Member Randall Williams was absent.

Training Session

Mr. Gunn explained the City Council is undertaking plans to replace the former Tioronda Bridge, once listed in the National Register of Historic Places and situated in the City's Historical Landmark and Overlay District on South Avenue. During the Council's review of the project, discussion of whether Chapter 134 of the City Code regarding Historic Preservation and the requirement to obtain a Certificate of Appropriateness would apply to the design of a new bridge. City Administrator Anthony Ruggiero reported the bridge will be designed as one-lane with a pedestrian walkway. He explained a study done to determine whether historic spans of the bridge could be reused for structural purposes revealed that their condition would only allow use as a demonstrative feature. A lengthy discussion took place with regard to the existing abutments, location of the bridge relative to the historic nature of buildings on either side of the creek, and whether the new design should come before the Board for review and comment. Consideration was given to establishing a provision in the City's law to remove parcels or items from the historic individual list of structures. After reviewing the matter, members felt a new bridge would qualify for review under Chapter 134, that it should be reviewed for a Certificate of Appropriateness, and recommended a provision be added to the law for delisting items or areas no longer deemed historical.

Regular Meeting

The regular meeting started at 7:30 with Mr. Gunn calling for corrections/additions or a motion to approve minutes of the January 8, 2019 meeting. Mr. Muscat made a motion to approve the minutes of the January 8, 2019 meeting as presented, seconded by Ms. Reynolds. All voted in favor. Motion carried.

ITEM NO. 1 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATIONS FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, 6 UNIT RESIDENTIAL "FERRY LANDING AT BEACON", BEEKMAN STREET, SUBMITTED BY FERRY LANDING AT BEACON, LTD.

This item was adjourned to the March 12, 2019 meeting.

ITEM NO. 2 CONTINUE PUBLIC HEARING ON APPLICATION TO AMEND AN EXISTING SITE PLAN APPROVAL, RESIDENTIAL/PROFESSIONAL OFFICE/RESTAURANT WITH OUTDOOR SEATING AND ENTERTAINMENT AREA, 554 MAIN STREET, SUBMITTED BY DANA COLLINS

This item was adjourned to the March 12, 2019 meeting.

ITEM NO. 3 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR SUBDIVISION, 2-LOT RESIDENTIAL, SUBMITTED BY DELAPORTAS ENTERPRISES I, INC., 52 DENNINGS AVENUE

This item was adjourned to the March 12, 2019 meeting.

Miscellaneous Business

Consider request for two 90-day extensions of Subdivision Approval – 25 Townsend Street, submitted by AK Property Holding, LLC

On behalf of AK Property Holding, LLC, a letter was submitted by Attorney Taylor Palmer of Cuddy & Feder requesting two 90-day extensions of Subdivision Approval to finalize items that must be completed before the plat can be filed with the County. After some consideration, Mr. Muscat made a motion to grant two 90-day extensions as requested, seconded by Mr. Lambert. All voted in favor. Motion carried.

Consider request for two 90-day extensions of Subdivision Approval – 22 Edgewater Place, submitted by Scenic Beacon Developments, LLC

On behalf of Scenic Beacon Developments, LLC, a letter was submitted by Engineer Michael Bodendorf of Hudson Land Design requesting two 90-day extensions of Subdivision Approval to finalize items that must be completed before the plat can be filed with the County. After some consideration, Mr. Muscat made a motion to grant two 90-day extensions as requested, seconded by Ms. Reynolds. All voted in favor. Motion carried.

Consider request for one 90-day extension of Subdivision Approval – 1181 North Avenue, submitted by Normington Schofield (North Avenue Properties, LLC

On behalf of Normington Schofield, a letter was submitted by Engineer Daniel Koehler of Hudson Land Design requesting one 90-day extensions of Subdivision Approval to finalize items that must be completed before the plat can be filed with the County. After some consideration, Mr. Barrack made a motion to grant one 90-day extension as requested, seconded by Mr. Burke. All voted in favor. Motion carried. City Attorney Jennifer Gray noted they also requested an administrative amendment to the resolution, specifically General Condition B(4) to change the individual “Normington Schofield” to the entity “North Avenue Properties, LLC”. After some consideration, Mr. Lambert made a motion to include the name change with the extension as requested, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 4 CONTINUE PUBLIC HEARING ON APPLICATION TO AMEND AN EXISTING SITE PLAN APPROVAL, BREWERY AND RELATED USES, SUBMITTED BY JEFF O’NEIL, 511 FISHKILL AVENUE

Architect Aryeh Siegel described his client’s proposal to amend the existing Site Plan Approval for Industrial Arts Brewery and event space, warehouse space, and commercial recreation/arcade space. Site Plan drawings were revised to include a new sidewalk connection to the parking lot and removal of the chain link fence along Fishkill Avenue. Discussion took place with regard to shared parking and Mr. Siegel explained zoning requirements for the warehouse and brewery parking are higher than what they will actually need. He reported work has begun on the traffic study which will include response to NYS Department of Transportation’s comment letter.

Mr. Clarke summarized his review comments and asked for a clearer explanation on the use of the mezzanine and office area, and to include those in the Shared Parking Report. He recommended the ramp and landing area in front of the entrance include a handrail for ADA compliance. Mr. Russo reviewed his comments and advised the applicant to utilize components from standard parking manuals to provide more accurate parking data. Mr. Gunn opened the floor for public comment.

Theresa Kraft, 315 Liberty Street, asked how parking, water use, and sewer use for the brewery would be handled. She expressed concern that hours of operation may change or an increase in use could occur in the future which would affect the parking requirements.

Discussion took place with regard to parking and how water use estimates were determined. Mr. Siegel reminded members that the laundry facility on Front Street is no longer operational so water use should balance. He reported snow will be stored on the grass so as not to affect or reduce the number of parking spaces available. The traffic study will be prepared in time for the March meeting. There were no further comments and the public hearing will remain open for the March 12, 2019 meeting.

ITEM NO. 5 PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL RELATED TO SPECIAL USE PERMIT, THREE-UNIT RESIDENTIAL, 21 SOUTH AVENUE, SUBMITTED BY PROTESTANT EPISCOPAL DIOCESE OF NEW YORK

Architect Tomasz Mlynarski of Barry Donaldson Architects described the church's proposal to renovate an existing abandoned building to create three residential apartments (two one-bedroom on first floor and one three-bedroom on the second floor) at 21 South Avenue. The plan was reviewed to show the number of new shrubs, the caliper of trees, and six over six windows with exterior dividing muntins. The building will be restored to its original character with restored windows and soffits, and clapboard siding.

Discussion took place with regard to the location of the sewer lateral which may run over neighboring property because it is unclearly noted on the site plan. The location of the sewer lateral must be shown on the plan to determine if an easement is needed, or if it should be re-routed altogether. Mr. Gunn opened the floor for public comment.

Gary Simmons, 226 Liberty Street and financial secretary of Tompkins Hose Firehouse, reported they own the lot behind the church and spoke about parking spaces that were set aside for use by the Historical Society. He felt traffic should be directed out to Beacon Street. Mr. Simmons explained they are having difficulty securing the parking lot so will be fencing it in which will block access for the Historical Society. Lastly, he asked that signage be put into place to direct people to the Historical Society's parking spaces so no one parks in their lot.

A lengthy discussion took place with regard to parking for the Historical Society, location of the sewer line, and the need for an easement or relocation of the sewer lateral. There were no further comments and the public hearing will remain open for the March 12, 2019 meeting. Mr. Muscat made a motion to authorize the City Attorney to draft a resolution of approval for consideration if the sanitary sewer location is finalized, seconded by Mr. Lambert. All voted in favor. Motion carried.

ITEM NO. 6 CONTINUE REVIEW OF APPLICATION FOR SITE PLAN APPROVAL, CONVERT EXISTING RETAIL AND GARAGE TO RESTAURANT, 296 MAIN STREET, SUBMITTED BY RIVER VALLEY RESTAURANT GROUP

Aryeh Siegel described his client's proposal to convert an existing retail storefront and one-story rear garage into a restaurant at 296 Main Street at the corner of North Cedar Street. He noted the City Attorney's office was authorized to draft a resolution of approval for consideration.

Mr. Clarke advised the applicant that the window between the garage doors on North Cedar Street should have the same vertical proportions as the existing window. Mr. Russo said the plans have been revised to correct the illegal connection to the sanitary sewer system, and advised a performance bond for the public improvements and escrow for construction observation must be posted. Discussion took place with regard to the style of the rounded gate which accesses the outdoor garden area and it was suggested it be changed to an arch.

Members reviewed the draft resolution and City Attorney Jennifer Gray explained the resolution was updated to require a performance bond and construction observation escrow for corrections needed to address the I & I condition. After careful consideration, Mr. Muscat made a motion to approve the resolution of Site Plan Approval as amended, seconded by Mr. Lambert. All voted in favor. Motion carried. The applicant agreed to create an arched, rather than circular, gateway to the garden area.

ITEM NO. 7 REVIEW APPLICATION TO AMEND AN EXISTING SITE PLAN APPROVAL, EMPLOYEE PARKING LOT, 3 BEEKMAN STREET, SUBMITTED BY DIA CENTER FOR THE ARTS

Engineer Tom DePuy, of T.M. DePuy Engineering and Land Surveying, introduced Tom Shannon representing Dia Center for the Arts at 3 Beekman Street. He described their proposal to construct a 28-space employee parking lot off the secondary road near the rear portion of the bus entrance. They are starting to have a problem with parking due to the art center's popularity therefore this lot will be for employees only.

Mr. Clarke summarized his review comments, advising the applicant to show species and label all trees over 6-inches in diameter within the area of disturbance. He reported the property is located in the LWRP area therefore LWRP consistency justification is required. A sidewalk or gravel path from the new parking lot to the building should be provided. Mr. Russo summarized his review comments, pointing out photometrics of the proposed lighting should be provided on the plan. Discussion took place with regard to parking lot material, the degree of stone removal needed, lighting, and hours of operation.

Mr. Muscat made a motion to authorize the circulation of the Planning Board's notice of intent to act as Lead Agent in the SEQRA environmental review process if any other interested agencies are discovered, seconded by Mr. Barrack. All voted in favor. Motion carried.

There were no further comments and Ms. Reynolds made a motion to schedule a public hearing on the application for Site Plan Approval for March 12, 2019, seconded by Mr. Burke.

All voted in favor. Motion carried. Mr. Gunn made a motion to authorize the City Attorney to draft a resolution of approval for consideration if appropriate, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 8 REVIEW APPLICATION FOR SITE PLAN APPROVAL, 2 ART GALLERIES, 1154 NORTH AVENUE, SUBMITTED BY PAOLA OCHOA

Engineer Dan Koehler of Hudson Land Design, described his client's proposal to convert an existing two-story building previously used for storage into two art galleries. The .11 acre parcel is located in the CMS zoning district which allows galleries as a permitted use. Mr. Koehler reported the galleries will be open mainly on weekends. A total of nine parking spaces are required however the site lacks space for parking. Mr. Koehler requested the board consider exercising their right to waive the required parking as the lot is under 8,000 sq. ft. and the building is under 5,000 sq. ft. This is a Type II action under new SEQRA regulations therefore environmental review is not necessary. Mr. Koehler explained they will be upgrading the mechanical system to provide heat to the second floor however no other interior work will be done until Site Plan Approval is granted. He respectfully asked members to consider scheduling a public hearing and authorize the City Attorney to draft a resolution of Site Plan Approval for the next meeting.

Discussion took place with regard to an easement that exists over 1156 North Avenue which provides access to the rear of 1154 North Avenue. A gravel walk will be provided to the rear access which will also serve as a loading area for artwork. A removable barricade to delineate the easement line was considered, and hours/days of operation were reviewed.

Mr. Clarke summarized his review comments and explained that although the property is not currently located in the Historic District and Landmark Overlay zone, it is on a list of parcels being considered for inclusion. He suggested opening up the large scale window areas that were sealed up to bring the building back to its original architecture when used as a car dealership. Mr. Koehler explained the owners have a larger grand scheme for the entire corner of North Avenue and Main Street so they are hesitant to make changes at this time. He noted the office space within the building is specific to the art galleries.

Discussion took place with regard to parking, loading and unloading artwork from the second floor rear access, the parcel's proximity to Main Street, and available municipal parking. Gallery owner Paola Ochoa said they don't anticipate displaying any large artwork. After careful consideration of the applicant's request, members were generally in favor of waiving the parking requirement as requested.

Mr. Lambert made a motion to set a public hearing on the application for Site Plan Approval for March 12, 2019, seconded by Mr. Barrack. All voted in favor. Motion carried. Mr. Muscat made a motion to authorize the City Attorney to draft a resolution of approval for consideration, seconded by Ms. Reynolds. All voted in favor. Motion carried.

ITEM NO. 9 REVIEW CONCEPT PLAN, UNDERTAKE SEQRA AND LWRP REVIEW AS REQUESTED BY CITY COUNCIL, 248 TIORONDA AVENUE, SUBMITTED BY CHAI BUILDERS CORP.

Owner/Applicant Berry Kohn, Engineers Larry Boudreau and Chris LaPorta of Chazen Companies, and Architect Alexander Blakely of AB Architekten were in attendance to present the revised proposal for 248 Tioronda Avenue. Mr. Boudreau reported the applicant was before the Board 13 months ago with a model of the site's buildings and layout to introduce the project. He provided members with a paper handout to go along with a Power Point presentation of the project. Mr. Boudreau reported that after several meetings with the City Council on the concept plan, the application was referred to the Planning Board for a report and recommendation, as well as for SEQRA and LWRP review. Mr. Boudreau explained that once the SEQRA and LWRP process is completed, the applicant will return to the City Council for Concept Plan Approval before returning to the Planning Board for Site Plan review.

Mr. Boudreau described his client's proposal to construct two multi-family buildings with a total of 64 units and a separate non-residential office building on the 9.18 acre parcel at 248 Tioronda Avenue. Although there are no view sheds, the LWRP extends into the development site thus requiring an LWRP consistency review. The development features parking under each of the three buildings and a Greenway Trail traversing the site.

The City Council tentatively approved the concept plan, however architectural aspects of the building will be reviewed as the approval process continues. Architect Alexander Blakely of AB Architekten summarized the site layout which includes three brick clad buildings, three stories in height facing Tioronda Avenue and four stories facing the Fishkill Creek.

After some consideration, Mr. Muscat made a motion to declare the Planning Board's intent to act as Lead Agency in the SEQRA environmental review process and authorize circulation of a Notice of Intent to act as Lead Agency, seconded by Mr. Lambert. All voted in favor. Motion carried. Mr. Barrack made a motion to schedule a SEQRA environmental review public hearing for the March 12, 2019 meeting, seconded by Ms. Reynolds. All voted in favor. Motion carried.

Architectural Review

Single Family House – 19 Russell Avenue; elevations approved 9/11/18; colors/materials only

Paula Dowd reported elevations for the new house under construction at 19 Russell Avenue were approved at the September 11, 2018 meeting subject to returning for approval of colors and materials. Members reviewed proposed color schemes and materials relative to neighboring housing stock. After careful consideration, Ms. Reynolds made a motion, seconded by Mr. Muscat, to approve the color and material scheme as presented with the following: Siding – Hardi Plank Clapboard in Benjamin Moore Iron Gray; Roof Shingles – GAF SG Timberland Architectural Charcoal; Windows – Jeld Wen Aluminum Clad with Black Exterior; Trim – Benjamin Moore Iron Gray Satin. All voted in favor. Motion carried.

**Planning Board
March 12, 2019**

The Planning Board meeting was held on Tuesday, March 12, 2019 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman John Gunn; Members Gary Barrack, Rick Muscat, David Burke (in at 7:05 p.m.), Jill Reynolds, Pat Lambert and Randall Williams (in at 7:30 p.m.). Also in attendance were Building Inspector David Buckley, City Attorney Jennifer Gray, City Engineer Art Tully, and City Planner John Clarke.

Training Session

Mr. Clarke reviewed new zoning charts and zoning changes under consideration by the City Council. The new charts will consolidate many changes that have taken place over the years making them much more user friendly. Mr. Clarke explained this is the first step in the process and noted changes to the text of the zoning code will be necessary. Dimensional tables are also being revised and updated to include minimal lot sizes and related setback information. Mr. Williams joined the meeting at 7:30 p.m.

Regular Meeting

The regular meeting started at 7:30 with Mr. Gunn calling for corrections/additions or a motion to approve minutes of the February 13, 2019 meeting. Mr. Gunn made a motion to approve the minutes of the February 13, 2019 meeting as presented, seconded by Mr. Lambert. All voted in favor. Motion carried.

ITEM NO. 1 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR SUBDIVISION, 2-LOT RESIDENTIAL, SUBMITTED BY DELAPORTAS ENTERPRISES I, INC., 52 DENNINGS AVENUE

This item was adjourned to the April 9, 2019 meeting.

ITEM NO. 2 PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL RELATED TO SPECIAL USE PERMIT, THREE-UNIT RESIDENTIAL, 21 SOUTH AVENUE, SUBMITTED BY PROTESTANT EPISCOPAL DIOCESE OF NEW YORK

This item was adjourned to the April 9, 2019 meeting.

ITEM NO. 3 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATIONS FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, 6 UNIT RESIDENTIAL "FERRY LANDING AT BEACON", BEEKMAN STREET, SUBMITTED BY FERRY LANDING AT BEACON, LTD.

Mr. Williams made a motion to reopen the public hearing (which was re-noticed since it was first opened in June 2018), seconded by Mr. Muscat. All voted in favor. Motion carried. Tom Elias described his client's proposal to construct a six-unit condominium building on property located on Beekman Street. Discussion took place with regard to a paved snow storage area and members advised that it should be a landscaped or grassy area rather than pavement.

Chris Mansfield of Tinkelman Architecture provided a digital virtual reality view of the project which included models of neighboring homes to depict view sheds from all angles of the property. The four story building height is 44 ft. and will be below the view of houses that sit

above the site. The fourth floor is set back as required which also breaks up the building's appearance when approaching from the train station. The building is brick on ground floor and gray Hardee Board on the upper floors. Discussion took place with regard to sight distance and landscaping which will be tucked near the building. Written responses to the City's traffic consultant reported are needed before a SEQRA determination can be made. Mr. Gunn opened the floor for public comment.

Charles Kelly, 5 Bayview Avenue, handed out a copy of Policy 25 of the City's LWRP as it relates to his objections. He felt the size of the building does not maintain the character of the City's intentions because it exceeds standards in terms of height, bulk and scale; and expressed concern that it is located directly behind a steep vertical rock outcropping. Mr. Kelly felt the applicant's proposal was not consistent with LWRP requirements and believed the community's strong dislike for four story buildings is well known. The video simulation of the project appears inaccurate because trees and bushes have been cut back and the presentation shows full, untrimmed trees. Mr. Kelly was not opposed to the development but felt this project is overreaching and will adversely impact the neighborhood. He felt the four-story building was not appropriate for the character of Beacon.

Mr. Clarke reported the height restriction for this zoning district is 48 ft. and permits four stories with a 15 ft. setback on the top floor. This proposal does not exceed the maximum restrictions.

Theresa Kraft, 315 Liberty Street, opined that just because it is permitted, doesn't mean you have to construct a building that large. She felt the building was too big for the lot, that it will impact neighboring properties, and urged the board to save the City's quality of life.

John Bono, 10 Stratford Avenue, announced that they had not received proper notice. He felt the building too tall and one less story would be much more appropriate. He asked where additional cars will park and felt there would be a problem with snow removal and storage.

Stosh Yankowski, 86 South Chestnut Street, had concern that this is an entrance to the City therefore the property should only be used for a Welcome Center. He felt four story buildings to be inappropriate and recommended the City proceed to the property over through eminent domain.

George Mansfield, 5 Churchill Street, supported the project because it meets standards set for in the Linkage District and aligns with the intention of TOD development. It provides higher density near a transit hub and is appropriate for the area. He reported that 10 years ago the owner allowed a "Welcome to Beacon" installation, and has maintained the property and sign ever since. Mr. Mansfield felt the project will still welcome visitors to Beacon.

Bradley, Dillon, 8 Bayview Avenue, felt the architectural presentation and renderings do not appropriately reflect the conditions of houses that sit above the project. He reported the trees have been trimmed and shrubbery sits lower than shown in the presentation. Mr. Dillon believed they will now see at least half a story and full roof of the four story building. He put his life

savings into new windows of this recently purchased house to take advantage of the view which will now be obscured. Mr. Dillon asked that the building be reduced to three stories.

Mr. Clarke asked that the building height (44 ft.) be added to the zoning table and elevation drawings. Discussion took place with regard to the LWRP, height limits, and setback requirements. Mr. Clarke reported this application has met all code conditions in terms of protecting river views, albeit the neighbors may see the roof.

Mr. Gunn explained the Planning Board is an administrative body only, noting City Council establishes laws that the board must follow. The board makes decisions based on those laws and rights of property owners considering nuances of property surroundings with as much care as possible. He pointed out the Planning Board cannot change the law and members understand the importance that this particular property is Beacon's front door. Care will be given about what is there, just as attention is given to every development.

Mr. Clarke explained that property along this corridor was built up before Urban Renewal removed blighted buildings, and thereafter zoning was changed to make key use of the train station. The applicant worked with the architectural review committee on elevations and has been responsive to requests of the board. The project is in compliance and has changed quite a bit from the original design.

Mr. Gunn spoke about the Comprehensive Plan which is updated every ten years and encouraged the public to get involved to steer the direction of development in the City. Being involved in the last update, Mr. Gunn noted public hearings and outreach workshops were held yet lightly attended.

After some consideration Mr. Lambert made a motion to schedule a public hearing on the application Site Plan Approval for the April 3, 2019 meeting, seconded by Mr. Muscat. All voted in favor. Motion carried. Mr. Williams made a motion to schedule a public hearing on the application for Subdivision Approval for the April 3, 2019 meeting, seconded by Mr. Barrack. All voted in favor. Motion carried.

Mr. Muscat made a motion to authorize the City Attorney to draft a Negative SEQRA Declaration and LWRP Consistency Determination for consideration at the next meeting, seconded by Mr. Lambert. All voted in favor. Motion carried.

ITEM NO. 4 CONTINUE PUBLIC HEARING ON APPLICATION TO AMEND AN EXISTING SITE PLAN APPROVAL, RESIDENTIAL/PROFESSIONAL OFFICE/RESTAURANT WITH OUTDOOR SEATING AND ENTERTAINMENT AREA, 554 MAIN STREET, SUBMITTED BY DANA COLLINS

Engineer Steve Burns reported his client hired a sound consultant who prepared a sound mitigation plan, and proposed the creation of a musician's nook in the southwest corner of the pavilion. Sound panels will be added and sound will be controlled with a compact Bose speaker system. Mr. Burns reported they removed two spaces to improve circulation in the parking lot leaving 16 regular spaces and two handicap spaces. He felt the planters recommended for screening will compromise sight distances exiting the site. Mr. Clark explained design standards

must be followed and screening from parking lot is required. He recommended planting a small hedge which would provide adequate sight distance. After some discussion about ownership of fencing surrounding the site, the applicant agreed to remove the chain link fence along Verplanck Avenue and replace it with an alternative approved fence.

Attorney Patrick Moore Hedge felt installation of a hedge or planters to screen the parking area will create a safety concern due to reduced sight distance. Mr. Clarke advised the applicant to the sight distance issue on the site plan.

Ron Sanderson of Audio Video Forensic Lab reviewed the space and believed it more a sound design challenge rather than noise abatement. He believed proper low level high quality equipment and appropriate controls will allow use of the space without loud or projected sound. Mr. Sanderson recommended use of the L1 Bose system which has a small mixer, no monitors, and provides no feedback. They reviewed the City consultant's report and agreed to add the recommended measures. Mr. Sanderson advised that he will be on site for testing and will monitor sound in order to make adjustments that keep levels within the City's noise ordinance. Discussion took place with regard to the location of the musician's nook and protections that will contain the sound.

City Attorney Jennifer Gray summarized comments from the City's consultant Eric Zwerling, of The Noise Consultancy, and advised members that he was also hired to advise the City Council on changes to the outdated noise ordinance. Discussion took place with regard to decibel readings and the applicant agreed to undertake recommendations outlined in Mr. Zwerling's report.

Roger Goodhill, 10 Ackerman Street, felt the applicant should be required to provide data on actual music levels, how many meals will be served, and more information on specifics of the entire operation before approvals are granted. He expressed concern that the operation will have a negative impact on the neighborhood and that all standards of the CMS district should be followed. Mr. Goodhill also asked that the parking situation along Main Street should be considered due to congestion in the area.

Rachel Hutani, 10 Ackerman Street, had concerns about use of the smoker and musician noise levels so near a residential area. She felt more businesses will want to do the same type of operation if this project is approved.

Theresa Kraft, 315 Liberty Street, expressed concerns for pedestrian safety of the music venue because the internal parking lot is mixed with alcohol consumption. She reported the public hearing signage was not properly maintained which is not fair to the public. Ms. Kraft felt the project will adversely affect nearby residents' quality of life.

There were no further comments and the public hearing was closed on a motion made by Mr. Lambert, seconded by Mr. Muscat. All voted in favor. Motion carried.

The applicant was advised to add the hours that the pavilion will be used, and that use of the smoker will be limited to one weekday per week. Mr. Clarke advised the public to provide the City Council with input when public hearings are held for the noise ordinance.

After careful consideration, Mr. Muscat made a motion to authorize the City Attorney to draft a resolution of approval to include conditions as discussed, submission of a noise findings report, meeting with the City's noise consultant, and returning to the Planning Board after operating for three months for follow-up review. The motion was seconded by Mr. Lambert. All voted in favor. Motion carried.

ITEM NO. 5 CONTINUE PUBLIC HEARING ON APPLICATION TO AMEND AN EXISTING SITE PLAN APPROVAL, BREWERY AND RELATED USES, SUBMITTED BY JEFF O'NEIL, 511 FISHKILL AVENUE

Architect Aryeh Siegel described his client's proposal to amend Site Plan Approval for 511 Fishkill Avenue to include a brewery, warehouse space and arcade use. Response was received from NYSDEC and the tree removal schedule will be coordinated to stay within boundaries established to protect the Indiana Bat species. Response was also received from NYSDOT and a traffic report was submitted. Mr. Siegel reviewed changes that were made to the site plan and a revised shared parking study was submitted. The brewery portion of the project will be approximately a year out with other proposed uses to be completed. A study done by WSP on behalf of the City determined adequate water supply is available for the brewery. A note will be added to the plan indicating the fire access road behind the building will be properly maintained.

Richard D'Andrea, P.E. of Maser Consulting reviewed their traffic study, which included the intersection of Red Schoolhouse Road, and in general found no significant impacts. Timing changes at the intersection of Red Schoolhouse Road were recommended and a stop sign must be added at the flashing light at the Mill Street intersection of Route 52.

Frank Filiciotto, P.E. of Creighton Manning on behalf of the City, reviewed his traffic study comments and in general agreed with findings outlined in Maser Consulting's report. He asked that more information on uses in the event space be provided, additional site control around the tear-shaped island in the entrance area be added, and dimensions of the emergency fire access road should be confirmed. In terms of parking for the event space, Mr. Siegel explained they considered square footage and occupancy limits based on building code standards. Brewery owner Jeff O'Neil reported Saturday afternoons will typically be the highest use of the site.

Mr. Clarke suggested monitoring the shared parking scheme to see if it needs to be reconfigured. He asked that that new fencing match the entire site frontage. Mr. Gunn opened the floor for public comment.

Theresa Kraft, 315 Liberty Street, had concern for water usage and advised the brewery will emit CO₂ gasses which will contribute to global warming. She also expressed concern for odor emissions.

Stosh Yankowski, 86 South Chestnut Street, cautioned that arcade users should be aware that virtual reality games are harmful to eye retinas.

Brewery owner Jeff O'Neil reported he is not new to complying with various regulating entities and explained his operation is not in violation of any regulations. The brewery operation will not be in violation of CO2 emissions as the technology they use does not create any adverse discernable odors outside the property line.

After careful consideration Ms. Reynolds made a motion to authorize the City Attorney to draft a Negative SEQRA Declaration for consideration, seconded by Mr. Muscat. All voted in favor. Motion carried.

There were no further comments from the public and Ms. Reynolds made a motion to close the public hearing, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 6 PUBLIC HEARING ON APPLICATION TO AMEND AN EXISTING SITE PLAN APPROVAL, EMPLOYEE PARKING LOT, 3 BEEKMAN STREET, SUBMITTED BY DIA CENTER FOR THE ARTS

Mr. Williams made a motion to open the public hearing to amend an existing Site Plan Approval, seconded by Mr. Lambert. All voted in favor. Motion carried. Engineer Tom DePuy, of T.M. DePuy Engineering and Land Surveying, described his client's proposal to construct a 28-space employee parking lot off the secondary road near the rear portion of the bus entrance. More people are visiting the art center and this will shift employee parking to a separate parking area. The lot will be lit with low level lighting until 7:00 p.m. and just before 7:00 a.m. as needed. A walkway and stairway will be provided from the new parking lot leading to the main building. Most trees that will be removed are Locust and Ash, the lot will be landscaped, and additional evergreens will be planted toward the residential area. The area to the south near the bleachers because was not chosen for parking because it is used for occasional outdoor exhibition space. Mr. Gunn opened the floor for public comment.

William Wyche, 315 Hudson Avenue, has a view of the site and had concern for the storm drain between his and the neighbors' property. Mr. DePuy reported the water will be channeled appropriately down to the site and all fallen trees and pallets will be removed.

Laura Parker-Bey, 326 Hudson Avenue, reported this is the first certified letter she received to announce a public hearing. She asked if an ordinance exists to allow helicopters landing at the Dia site because she had concern that they would be landing in the new employee parking lot. Tom Shannon representing Dia reported owners and trustees utilize helicopters to access the site occasionally and permission is regulated through federal aviation regulations.

Patricia Lassiter, 328 Hudson Avenue, had concern for the additional parking because they will be encroaching on wildlife open space. She suggested they utilize the bus parking area or that employees could be bussed into the site. Mr. Shannon explained the staff parking lot will be used mostly on the weekends. They have worked on balancing open space by planting additional shrubs and landscaping on other portions of the site. He explained utilizing the bus parking area is not practical because vehicles would need to be stacked.

There were no further comments from the public and Mr. Lambert made a motion to close the public hearing, seconded by Mr. Muscat. All voted in favor. Motion carried.

Members reviewed the SEQRA Parts 2 and 3 drafted by the City Attorney and circulated prior to the meeting. It was noted that approximately 60 trees over 6-inches in diameter will be removed and 42 trees will be planted on various locations on the site. Tree removal must take place before March 31, 2019 as required by the DEC to protect the Indiana Bat population. After careful consideration Ms. Reynolds made a motion to issue a Negative SEQRA Declaration, seconded by Mr. Muscat. All voted in favor. Motion carried.

Members reviewed the draft resolution for LWRP Consistency Determination and after careful consideration Mr. Muscat made a motion to approve the resolution, seconded by Mr. Lambert. All voted in favor. Motion carried.

Members reviewed the draft resolution of Site Plan Approval and after careful consideration, Mr. Muscat made a motion to approve the resolution of Site Plan Approval, seconded by Ms. Reynolds. All voted in favor. Motion carried. The applicant was advised to submit a revised Site Plan showing the location of trees that will be planted on the property.

ITEM NO. 7 PUBLIC HEARING ON THE APPLICATION FOR SITE PLAN APPROVAL, 2 ART GALLERIES, 1154 NORTH AVENUE, SUBMITTED BY PAOLA OCHOA

Ms. Reynolds made a motion to open the public hearing on the application for Site Plan Approval at 1154 North Avenue, seconded by Mr. Barrack. All voted in favor. Motion carried. Engineer Dan Koehler of Hudson Land Design described his client's proposal to create art galleries (Mother Gallery and Parts & Labor Gallery) in two stories of the building at 1154 North Avenue. A new gravel path, new overhead door, and lighting will be installed as part of the project. The applicant is seeking relief from the parking requirement based on the site size, geometry, and location as permitted by zoning.

Mr. Clarke reported the project qualifies for a parking waiver because the lot is under 8,000 sq. ft. and parking spaces cannot be safely provided on site. Discussion took place with regard to temporary barriers proposed to guide visitors to the rear of the building. The right-of-way documentation with 1156 North Avenue revealed the easement is for ingress and egress therefore the owner's consent to create the gravel walkway must be provided. Mr. Gunn opened the floor for public comment.

Theresa Kraft, 315 Liberty Street, asked if the application would go through architectural review. She was informed that there are no exterior changes proposed and the property is not located in the historical overlay district at this time.

There were no further public comments and Mr. Lambert made a motion to close the public hearing, seconded by Mr. Burke. All voted in favor. Motion carried.

Members reviewed the draft resolution of Site Plan Approval which was circulated prior to the meeting. After careful consideration, Ms. Reynolds made a motion to approve the resolution of Site Plan Approval, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 8 PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR CONCEPT PLAN AND SITE PLAN APPROVAL, 248 TIORONDA AVENUE, SUBMITTED BY CHAI BUILDERS CORP.

Engineers Larry Boudreau, with Chris LaPorta, of Chazen Engineering described the proposal to construct two residential buildings (64 units) and one commercial building on the site at 248 Tioronda Avenue located in the Fishkill Creek Development zoning district. The Planning Board is tasked with the SEQRA environmental review and LWRP consistency determination. A greenway trail will traverse through the property to Wolcott Avenue.

Mr. Clarke summarized his review comments and explained that although they are waiting for a final determination from the Army Corp. of Engineers with regard to wetland delineation, the proposed layout will not change. The only change their determination will make is with regard to the greenway trail spurs. Mr. Clarke advised justification that Section 223-16(B) regarding very steep slopes has been satisfied to the maximum degree feasible before a SEQRA determination can be made. Although response is needed from the NYSDOT regarding impacts to traffic, the thresholds are less than the previously approved plan. Mr. Tully reported the applicant has adequately addressed engineering comments on the concept plan. Mr. Gunn opened the floor for public comment.

Erin Giunta, 9 Knevels Avenue, spoke about traffic speeding above the 15 m.p.h. limits on Wolcott Avenue and had concern about additional traffic considering Sargent Elementary School is nearby. She believed a crossing guard should be posted at the traffic light because it is a dangerous and busy intersection. Ms. Giunta reported the applicant reported no endangered species will be affected however she often sees Bald Eagles near the site. She questioned the steep driveway as it is near the Knevels Avenue intersection and felt sight distance could be compromised. She felt the new private road "Coyne Hill Road" should be noted on the site plan. Lastly Ms. Giunta asked if consideration had been given to the number of students that would be added to the school system.

Attorney Taylor Palmer, Cuddy & Feder, PC representing the neighboring property owner The Sisters Properties, LLC, asked about access space to their property. Mr. Taylor reported his client supports the project but wanted to be certain adequate space for access to their site and emergency access will be maintained. Mr. Clarke asked that the stub driveway access be shown on the site plan. Mr. Gunn opened the floor for public comment.

Theresa Kraft, 315 Liberty Street, asked the developer to do the right thing by making certain the greenway trail has full ADA compliance with no stairs.

The public hearing will remain open for the April 9, 2019 meeting.

**Planning Board
April 9, 2019**

The Planning Board meeting was held on Tuesday, April 9, 2019 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman John Gunn; Members Rick Muscat, Jill Reynolds, Pat Lambert and David Burke (in at 7:25 p.m.). Also in attendance were Building Inspector David Buckley, City Attorney Jennifer Gray, City Engineer Art Tully, and City Planner John Clarke. Members Gary Barrack and Randall Williams were excused.

Training Session

Mr. Clarke reviewed updates to the City's zoning code and mapping changes under consideration by the City Council. Changes include elimination of the PB and OB zoning districts along Main Street as they will become a new Transitional zoning district permitting low impact uses that blend in with the adjacent residential districts. Discussion took place with regard to additions to the Historical and Landmark Overlay District. Mr. Burke joined the meeting at 7:25 p.m.

Regular Meeting

The regular meeting started at 7:30 p.m. with Mr. Gunn calling for corrections/additions or a motion to approve minutes of the March 12, 2019 meeting. Mr. Gunn made a motion to approve the minutes of the March 12, 2019 meeting as presented, seconded by Mr. Burke. All voted in favor. Motion carried.

ITEM NO. 1 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR SUBDIVISION, 2-LOT RESIDENTIAL, SUBMITTED BY DELAPORTAS ENTERPRISES I, INC., 52 DENNINGS AVENUE

This item was adjourned to the May 14, 2019 meeting.

ITEM NO. 2 CONTINUE PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL RELATED TO SPECIAL USE PERMIT, THREE-UNIT RESIDENTIAL, 21 SOUTH AVENUE, SUBMITTED BY PROTESTANT EPISCOPAL DIOCESE OF NEW YORK

Architect Tomasz Mlynarski of Barry Donaldson Architects returned to finalize approval for renovations to the existing residential church owned building to create three residential apartments at 21 South Avenue. The location of the sewer line was determined to be completely on their property which connects to the sewer main in Beacon Street therefore no easement is needed. Mr. Mlynarski reported revised plans include improved grading lines and adjustment to the accessible parking space as requested.

Mr. Gunn opened the floor for public comment. No one from the public wished to speak and Ms. Reynolds made a motion to close the public hearing, seconded by Mr. Lambert. All voted in favor. Motion carried.

Members reviewed the draft resolution of approval prepared by the City Attorney and circulated to members for review prior to the meeting. After careful consideration, Mr. Muscat made a motion to adopt the draft resolution of Site Plan Approval and Certificate of Appropriateness, seconded by Ms. Reynolds. Barrack. All voted in favor. Motion carried.

ITEM NO. 3 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW AND OPEN PUBLIC HEARINGS ON APPLICATIONS FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, 6 UNIT RESIDENTIAL “FERRY LANDING AT BEACON”, BEEKMAN STREET, SUBMITTED BY FERRY LANDING AT BEACON, LTD.

This item was adjourned to the May 14, 2019 meeting at the request of the applicant and Mr. Gunn opened the floor for public comment.

Lee Kyriacou, 1076 Wolcott Avenue, thanked Planning Board members for their service. He spoke about zoning changes under consideration by the City Council and explained their review will be thorough and well thought out. Mr. Kyriacou recognized the Planning Board serves as the executor of the zoning code and expressed his appreciation for the board's hard work in administering the zoning code. He looked forward to the joint meeting with members of the City Council, Planning Board, and Zoning Board of Appeals on Monday, April 22, 2019.

Theresa Kraft, 315 Liberty Street, reported at least 10 people were present to talk about this project but left because the agenda listed the item as adjourned. She asked members to visit Bayview Avenue to see the spectacular views that would be compromised by this development, and urged members to protect view sheds.

Arthur Camins, 39 Rombout Avenue, was not in favor of this development. He reported the developer cut down virtually all trees on the property, even on the cliff where no construction is proposed. He felt something amiss in the process because the developer appears to presume approvals will be granted. Mr. Camins understood zoning may permit this development yet felt it should not be built because this property is the first thing one sees when coming from the train station. He believed this parcel should not be developed.

Kevin Byrne, 61 Tioronda Avenue, was pleased the zoning code is being updated because it is not currently user friendly. He requested zoning changes be done in a transparent manner.

Stosh Yankowski, 86 South Chestnut Street, felt nothing should be developed on this property and that the City Council should pay the developer to take it over by eminent domain. He understood a four story structure is permitted however pointed out that mechanical equipment on the roof turns into a fifth story. Mr. Yankowski was amazed that trees were cut and asked that the project be denied.

Theresa Kraft, 315 Liberty Street, reported the site was formerly a gas station and investigation should be done to see if there is underground contamination.

ITEM NO. 4 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR CONCEPT PLAN, SUBDIVISION AND SITE PLAN APPROVAL, MIXED USE DEVELOPMENT, 248 TIORONDA AVENUE, SUBMITTED BY CHAI BUILDERS CORP.

Mr. Gunn summarized progress on the application process, and engineers Larry Boudreau, with Chris LaPorta, of Chazen Engineering were present to continue review of the proposed residential/office project located along Tioronda Avenue. Mr. Boudreau provided an overview of the environmental constraints, described building layouts and elevations, and outlined the proposed greenway trail location. Photo simulations of the project were presented.

Mr. Clarke asked that a detailed explanation of how the City's steep slope legislation is satisfied in regard to the proposal be submitted for review. He compared the applicant's school impact study with Rutgers multipliers and determined the development would potentially add 9-16 students. This would not be a significant impact considering the school district has experienced an enrollment decline. Mr. Clarke explained the ADA compliant section of the greenway trail should be shown on the concept plan with the understanding that more details will be worked out during Site Plan review. He asked that the "no adverse impact" statement issued in 2013 from the Office of Historic Preservation be made part of the EAF narrative.

Mr. Boudreau reported the Army Corp of Engineers has been contacted and the NYS Department of Transportation is currently reviewing their traffic study. In response to public comment about the site entrance, he explained this location was part of the previous approval and was also the MTA approved location for crossing. In addition a guiderail will be installed, signage will be added, and clearing will take place to increase sight distance. Mr. Gunn opened the floor for public comment.

Lisa Alvarez, 23 Hammond Plaza, felt the board should look at the number of apartment units that are currently empty before approving more projects. She felt attention should be given to the impacts the development will have on water usage, flooding, and infrastructure. Ms. Alvarez asked who will clean up creek and dead fish when the water is low. She estimated nearly 300 unoccupied apartment units exist and urged the board wait until there is 80% occupancy before approving another lasting development that will be harmful to Beacon.

Theresa Kraft, 315 Liberty Street, felt attention should be given to stormwater runoff that will cause oil and gas to drain into the creek. The environment should be protected.

Arthur Camins, 39 Rombout Avenue, thought a four story building required a variance and believed the argument that fewer stories would not be economically viable to be an invalid justification for a variance. He felt it should not be the City's responsibility to make a development economically viable for an applicant. Mr. Camins expressed concern for the loss of existing views of the creek and dam.

Kevin Byrne, 61 Tioronda Avenue, had concern for environmental impact mitigations to protect landscaping, steep slopes, and stormwater runoff. He felt the dam should be available and open to the public.

Mr. Tully explained areas on the site are set aside for stormwater mitigation however the design is not finalized yet. He added that if space set aside for mitigation is not adequate the applicant must adjust the site plan to make it comply with all environmental requirements. Ms. Reynolds had concern for proper remediation because in its day the former Tuck Tape site was one of the biggest polluters. Mr. Boudreau explained the previous owner went through complete site remediation and upon completion the DEC decommissioned the property from their list of contaminated sites.

Mr. Clarke explained building height is measured from the side of the building that faces the public street. In this case the side of the building that faces Tioronda Avenue is three stories therefore a variance is not needed for building height. No protected view sheds exist on this site, and one of the two proposed greenway trail spurs extends to the dam located on the creek. Discussion took place with regard to the easement which provides access to the adjacent Sisters' property. Further negotiations will be taking place with them in regard to extending an easement to the Wolcott Avenue emergency access. Mr. Boudreau reported their traffic study considered potential future development of the Sisters' property and 555 South Avenue. The applicant will return to continue review at the May meeting.

ITEM NO. 5 PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL, 9 APARTMENTS IN 3 BUILDINGS, 53 ELIZA STREET, SUBMITTED BY PIE DEVELOPMENT COMPANY

Design team Attorney Taylor Palmer, Engineer Mike Bodendorf and Architect Aryeh Siegel were present to review their client's proposal to change the existing commercial operation at 53 Eliza Street into a residential development. Mr. Palmer reported the application was referred to the Architectural Review Subcommittee however work on changes to the elevations had not been completed in time for submission deadline. The public hearing was subject to a meeting with the Subcommittee however it was properly noticed and the applicant was willing to continue review of other site plan aspects. Mr. Muscat made a motion to open the public hearing, seconded by Mr. Lambert. All voted in favor. Motion carried.

Mr. Siegel described his client's proposal to change the commercial contractor yard and offices into nine condominium units within three buildings organized around a landscaped court yard. Work has taken place on adjusting building design and elevations to make certain the height and number of stories are within permitted limits. Floor and landscape plans will be submitted for review at the next meeting, and building elevation renderings will be done next week to meet with the Architectural Review Subcommittee. Discussion took place with regard to the covered driveway entrance, and height of the arch covered drive was reviewed and accepted by the City's Fire Chief.

Mr. Clarke reviewed his comments and advised front yard setbacks must fit in with adjacent houses and porches need to be at least five feet wide. He felt the proposed portico entry into the site would not fit in with the neighborhood. Mr. Tully advised the applicant to be aware that the Health Department has different requirements for a condo development, and explained more information on soil testing is needed. Remaining comments are listed in his review letter. Mr. Gunn opened the floor for public comment.

**Planning Board
May 14, 2019**

The Planning Board meeting was held on Tuesday, May 14, 2019 in the Municipal Center Courtroom. The meeting commenced at 7:10 p.m. with Acting Chairman Randall Williams (in at 7:35 p.m.), Members Rick Muscat, Jill Reynolds, and Pat Lambert. Also in attendance were Building Inspector David Buckley, City Attorney Jennifer Gray, City Engineer John Russo (in for Art Tully), and City Planner John Clarke. Chairman John Gunn and Member David Burke were excused.

Training Session

City Attorney Jennifer Gray reviewed the application process pre-application process – review with city attorney, building inspector, secretary, and board consultants. Reviewed the application procedures outlined in the Code for subdivisions, as well as specifications required for plats and site plans. General provisions for Special Use Permits were reviewed.

Regular Meeting

The regular meeting started at 7:38 p.m. with Mr. Williams calling for corrections/additions or a motion to approve minutes of the April 9, 2019 meeting. Mr. Lambert made a motion to approve the minutes of the April 9, 2019 meeting as presented, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 1 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR SUBDIVISION, 2-LOT RESIDENTIAL, SUBMITTED BY DELAPORTAS ENTERPRISES I, INC., 52 DENNINGS AVENUE

This item was adjourned to the June 11, 2019 meeting.

ITEM NO. 2 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW AND OPEN PUBLIC HEARINGS ON APPLICATIONS FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, 6 UNIT RESIDENTIAL “FERRY LANDING AT BEACON”, BEEKMAN STREET, SUBMITTED BY FERRY LANDING AT BEACON, LTD.

This item was adjourned to the June 11, 2019 meeting at the request of the applicant.

ITEM NO. 3 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATION FOR CONCEPT PLAN, SUBDIVISION AND SITE PLAN APPROVAL, MIXED USE DEVELOPMENT, 248 TIORONDA AVENUE, SUBMITTED BY CHAI BUILDERS CORP.

Engineer Larry Boudreau, with Chris LaPorta, of Chazen Engineering were present to continue review of the proposed residential/office project located along Tioronda Avenue. Mr. Boudreau summarized progress on the project and provided responses to consultant and public comments. The EAF was revised with regard to the number of school children that would be generated from the project, work with the NYS Department of Transportation and Creighton Manning on traffic information took place, and sight line information for the Tioronda Avenue access point was provided. Mr. Williams opened the floor for public comment.

Kevin Byrne, 61 Tioronda Avenue, commended the applicant on the building design. He felt the grade change at the Wolcott Avenue emergency access should be reviewed because it appeared too steep and asked that amenities to greenway trail be improved by working with the Greenway Committee. Mr. Byrne suggested the trail remain by the creek by creating a cantilevered walkway under the bridge to avoid steep grade changes where the trail meets Wolcott Avenue.

Theresa Kraft, 315 Liberty Street, expressed concern that there could be additional contaminants unearthed during construction because it is a former industrial site. She thought materials could still be remaining underground and new contaminants introduced from the development.

Arthur Camins, 39 Rombout Avenue, felt use of permeable pavement and a green roof system would be better for the environment.

Frank Filiciotto with Creighton Manning reported worked with the applicant on updating their traffic study. He confirmed that sufficient capacity exists at the intersection of Wolcott and Tioronda Avenue to accommodate the additional vehicular traffic that will be generated from this project.

Mr. Clarke reported the applicant sufficiently addressed his comments in order to move forward with the LWRP and SEQRA determinations for a recommendation to the City Council on the Concept Plan. The wetland delineation from Army Corps of Engineers remains but the environmental review process is complete and further site plan review will take place once conceptual approval is granted by the City Council. Mr. Clarke reported his environmental review comments have been addressed.

Mr. Boudreau reported the greenway trail follows the emergency access to Wolcott Avenue which is 20 ft. wide with a 10% grade as permitted. They will consider permeable pavement and green roofing as suggested. He reported remediation of the site was completed and the property was delisted. Concern was raised that new standards may be in place since it was delisted however NYSDEC does not require an applicant to revisit a site unless there is indication that more contaminants were introduced to the site. Mr. Boudreau reported each building has their own sanitary sewer pump station with generator back up. He will provide the board with a letter from SHPPO with regard to archeological and historic resources on the site.

Members will advise the City Council that they support the use of permeable pavement and green measures but don't feel it should be mandatory since the applicant agreed to work in good faith during the site plan review. The number of land banked spaces will also be reevaluated during site plan review. Members were comfortable with the conceptual layout knowing that specific site plan issues will be dealt with after conceptual review.

After careful consideration, Mr. Barrack made a motion to close the SEQRA public hearing, and direct the City Attorney to draft SEQRA documents, an LWRP Consistency Determination, and a recommendation to the City Council for consideration at the June meeting, seconded by Mr. Muscat. All voted in favor. Motion carried.

City of Beacon Workshop Agenda
7/29/2019

Title:

Main Street Parking Issues

Subject:

Background:

ATTACHMENTS:

Description	Type
Dutchess County Planning and Development Beacon Parking Analysis 2014	Backup Material

Beacon Center City Parking Analysis



*Prepared by the Dutchess County Department of Planning and Development
With assistance from the City of Beacon
November 2014*

Urban problems often become widely recognized only after solutions become available, and now that performance parking prices are available it is easier to recognize all the problems caused by requiring too much parking. Minimum parking requirements maximize the likelihood that everyone will own a car and drive wherever they go. They do provide the free parking we want, but we give up a lot to get it. As Little Richard once sang, “He got what he wanted, but he lost what he had.”

- Shoup, Donald, The High Cost of Free Parking. American Planning Association Planner's Press, page 705

Introduction

With the aim of measuring and managing current and projected parking impacts, Beacon City leaders requested that the Dutchess County Department of Planning and Development (“the Planning Department”) lead a Center City Parking Analysis. The Planning Department, which hosts the Poughkeepsie-Dutchess County Transportation Council (PDCTC), has completed numerous transportation and land use analyses for local municipalities. We applaud Beacon’s efforts to proactively address parking concerns and we hope that this Analysis enhances Beacon’s progress as a thriving, diverse, healthy, and multi-modal community.

Several factors propel development in Beacon. The City is served by major highways and a rail station which conveniently connects to New York City and cities throughout the Northeast and beyond. The Hudson River, Fishkill Creek and Hudson Highlands are close at hand. Main Street contains a variety of public and private uses, including government, residential, non-profit, varied services, galleries, offices, restaurants, grocers and entertainment venues. Beacon’s reputation as a desirable place to live, work and play has grown and dovetails with strong demographic and cultural trends favoring mixed-use, vibrant communities that are walkable, bikeable and provide transportation options beyond the single occupancy vehicle. The opening of DIA: Beacon in 2003 helped establish Beacon as “up and coming.” Subsequent projects along Main Street, the waterfront, and the Fishkill Creek have further set the stage for the significant activity currently underway. While it is true that no new buildings have been constructed on Main Street in several decades, many existing structures were rehabilitated in the last ten years. The pace of activity has quickened, particularly in

the West and East Ends. The Roundhouse at Beacon, a very significant East End project, is nearing completion.

Land Use Decisions & Parking Policy

Key City policy directives reflect broad support for center city development. The City’s 2007 Comprehensive Plan promotes infill on vacant parcels and parking lots and establishment of a string of activity nodes/public greens along Main Street (p. 12). Main Street is forwarded as *“the most important civic space... and the City expects to benefit from (increased development) through the physical revitalization of the area, economic revitalization of local businesses where new residents will shop, and increased property tax revenues”* (p. 56). In 2013, the City Council rezoned a large portion of downtown into the Central Main Street (CMS) District. The CMS encourages infill development by raising development potential and lowering parking requirements. The Planning Department supports new development on Beacon’s Main Street and Linkage Districts as a matter of policy.

Land use decisions by the City Council, Zoning Board of Appeals and Planning Board typically accommodate reasonable requests to reduce parking provisions for specific projects below required minimums. Residents, business owners and elected representatives, however, recognize that vehicle parking can be a “limiting factor” to Beacon’s continued revitalization. High parking demand is likely a sign of success, but the costs that it imposes cannot be ignored. Excessive parking provision will undercut Beacon’s potential by keeping buildings widely spaced apart, rendering walking and bicycling unpleasant and unsafe. Greenway Connections states that: “Centers work best when they are close-knit and compact in form, supporting central utilities and having a mixture of uses

within a five to ten minute walk of surrounding residential areas.” (p. 24) Parking facilities generate environmental costs, such as air, noise and water pollution and heat island effects. Despite the high cost to build and maintain, parking in Beacon is free to users; on-street and off-street parking is not charged and time restrictions are not enforced. When parking is provided for free, economically rational consumers use it at a high rate and are less inclined to choose alternative means of transportation. Parking demand is greater in some portions of center city and at certain time periods. Concern about the impact of anticipated development is high, given these projects will increase parking demand. This Analysis quantifies utilization of existing parking resources and seeks to project and plan for growing demand.

Analysis Methodology

The Planning Department and the City jointly developed a methodology that sought to answer the following key questions:

- What is the available supply of downtown parking spaces on city streets and in private and municipal parking lots?
- What are the parking utilization rates at different days and time periods? When and where do they exceed the optimal rate?
- How much will parking demand increase over the next 10 years and how can this increase be effectively accommodated?

The Study Area includes the area within one block of Main Street from Route 9D to just east of the Fishkill Creek. It is one mile long and 0.14 mile across at its widest point (see Overview Map on page 3). A quarter-mile buffer shown on

this map demonstrates the large area of the City that lies within a short walk of Main Street.

Using in-house digital resources and Google Maps, Planning Department staff determined the parking capacity of street segments/parking lots and developed forms and maps which City staff used to record parking counts. Data was then entered into the County’s Geographic Information System (GIS), where utilization rates were generated and displayed.

Department staff reviewed key documents including the Zoning Code, Comprehensive Plan, and prior parking studies. Parking regulations within the City Code were mapped. The City Building Inspector provided data about recently approved and anticipated downtown development projects from which staff projected anticipated parking demand increase. Lastly, the Planning Department developed strategy recommendations to address current and future parking needs.

Previous Studies

In 2007 Frederick Clark Associates completed a *Traffic and Parking Study: Zoning Changes Transportation Study for the Proposed Comprehensive Plan*. The Study identified 250 private lot spaces, 346 municipal lot spaces and 260 on-street spaces along Main Street-facing blocks. A parking count determined that “for each block face along Main Street, the total current parking demand was substantially lower than available parking.” (p. 14). For the entire corridor, observed weekday parking utilization was 61% on-street, 51% within municipal lots and 45% within private lots. The East End, however, revealed a “generally high demand for day, evening and overnight parking with little or no available off-street parking areas.” (p. 14) The Frederick Clark study recommended that

developments along Main Street and other areas should include adequate off-street parking spaces within each development site and that additional municipal/private parking lots and garages should be constructed “within reasonable walking distance of Main Street and each of the developments around Main Street.” (p. 1) The City was encouraged to pursue public/private shared parking arrangements for specified existing off-street lots.

In 2008, BFJ Planning completed the *Beacon Transportation Linkages Program Final Report*. This study did not include parking counts but recommended expanded use of shared parking, off-site parking, structured parking facilities and reduced parking requirements in areas well served by transit. (p. 38) The Study also made recommendations for parking signage which have been implemented to some degree. (p. 58)

Parking Regulations and Enforcement

Beacon’s City Code restricts parking on several downtown streets. During weekdays, parking on Main Street is limited to two hours between 9 AM to 5 PM and along Dewindt, Henry



and Van Nydeck Streets is restricted to two hours between 7 AM to 5 PM. Other than site specific limitations bounding fire hydrants, loading zones and stop signs, parking on side streets is unrestricted. A few side streets prohibit parking at any time. Field observations by Department staff indicate that most street segments are adequately signed. Parking at municipal lots is limited to 24 hours. Parking at private lots is

typically limited to on-site business patrons, but it is not known if or where these rules are enforced or towing occurs. Some private lots, such as at Key Foods, seem to function almost as public lots. Only one private lot is gated.

The City does not enforce parking restrictions but plans to hire enforcement personnel to do so in the near future. Department staff observed low turnover at parking stalls, indicating that lack of enforcement might be impacting functional parking capacity.

Parking requirements in Zoning Code

Zoning regulations have an important impact upon the amount and type of parking provided in new construction. The Zoning map to the right shows that most of the center city lies within the Central Main Street (CMS) or Central Business (CB) Districts with



lesser amounts in the Business Off-Street Parking (PB), Residential (R1-5) and Light Industry (LI) Districts.

Within the PB and CB Districts, minimum parking requirements can be waived or reduced by the Zoning

south of the Study Area contains minimum and maximum parking requirements. The City might consider application of maximum standards in center city Districts.

Current Conditions

This Analysis quantifies parking supply and demand. Department staff derived capacity figures through a review of aerial photography. Where streets and lots are striped, capacity figures are verifiable. Several lots and side streets, however, are not striped and in these cases, staff generated approximate capacity figures in consideration of parking lot area and geometry, street length, curb cuts and other obstructions. On-site observations helped to verify relative accuracy of these estimates.

The industry-standard 85% utilization (15% vacancy) rate is

Center City Parking Capacity

Type	# Spaces
on-street (Main Street)	326
on-street (other than Main Street)	778
on-street TOTAL =	1,104
Private lots	316
Municipal lots*	478
parking lot TOTAL =	794
Study Area TOTAL=	1,898

*Includes lots owned/operated by the City of Beacon, Dutchess County

the benchmark for this Analysis. 85% occupancy is defined as “optimal” because enough vacant spaces remain to accommodate newly arriving vehicles looking for a space, which facilitates ingress and egress and minimizes the amount of wasteful “cruising.” 85% utilization indicates that the supply of parking is being efficiently maximized. Note: the reader should bear in mind that the varying capacity of lots and blocks results in a different absolute number of vacant

spaces for a given utilization rate. The examples below illustrate this point:

Block #1 example

$$85\% \text{ utilization rate} = \frac{17 \text{ parked cars}}{20 \text{ space capacity}} = 3 \text{ vacant spaces}$$

Block #2 example

$$85\% \text{ utilization rate} = \frac{51 \text{ parked cars}}{60 \text{ space capacity}} = 9 \text{ vacant spaces}$$

Parking count results

City staff and volunteers recorded point-in-time parking counts in the morning (9-11 AM), afternoon (1-3 PM) and evening (5-7 PM) on Tuesday August 5th, Thursday August 14th and Saturday September 6th. For reporting purposes, the two weekday counts for each time period have been averaged into one figure. It is important to acknowledge that the counts are representative. The City may wish to conduct additional counts to refine precision or to capture data from other time periods, such as later in the evening.

Analysis of count data indicates that, outside of specific street segments or lots at specific time periods, utilization rates generally do not exceed the 85% optimal rate. This demonstrates that, generally speaking, capacity is sufficient to meet demand. Utilization is generally low along streets perpendicular and parallel to Main Street and on several private lots. The fairly low number of instances where counts exceeded the 85% optimal utilization rate is reflected in the low values for the entire Study Area in the table at the top of the next page.

The East End and West End contained most of the counts exceeding 85% utilization. In the East End (the area east of Fishkill Avenue), the highest number of these occurred on Saturday evening. In the West end (the area west of Elm

Utilization Rates for entire Study Area

Time Period of count	In Parking Lots	On-street
Weekday morning	53%	38%
Weekday afternoon	59%	47%
Weekday evening	31%	40%
Saturday morning	43%	43%
Saturday afternoon	43%	44%
Saturday evening	38%	40%

that there is underutilized capacity on streets and lots around high utilization clusters on the East and West Ends. Most side streets, portions of Main Street, and numerous lots remained well below the 85% rate. On Saturday evening, the East End's highest utilization period, 273 cars were counted on- and off-street, yet the sub-area contains approximately 455 total available spaces. During the weekday afternoon, the West End's highest utilization period, 270 cars were counted where the area contains approximately 491 spaces.

Utilization – projected future condition

Indications from the parking counts completed for this project echo those from the 2007 Frederick Clark Associates study; current center city parking supply is adequate to meet demand. Anticipated development projects, however, will significantly increase demand. The City Building Inspector provided a list of downtown projects that have obtained or are seeking

Street) the time period with the most such counts was during the weekday afternoon. The parking counts also indicate

approvals/permits. Some projects are less certain to be developed than others, but herein we assume it is likely that the subject parcels will be developed in some fashion. In the list of “Anticipated Center City Projects with Parking”, the column “# Spaces Required” indicates the minimum number of parking spaces required per the use proposed and Zoning District designation. The column “# Spaces to be Provided (est.)” indicates how many on-site spaces are proposed (or assumed) to be built. As described above, the Planning and Zoning Boards can authorize less on-site parking than is required. The “Shortfall” column = (“# Spaces Required” minus “# Spaces to be Provided”). The Analysis utilizes this shortfall as an indication of potential development induced parking demand that is not provided on-site and thus must be absorbed on streets and lots.

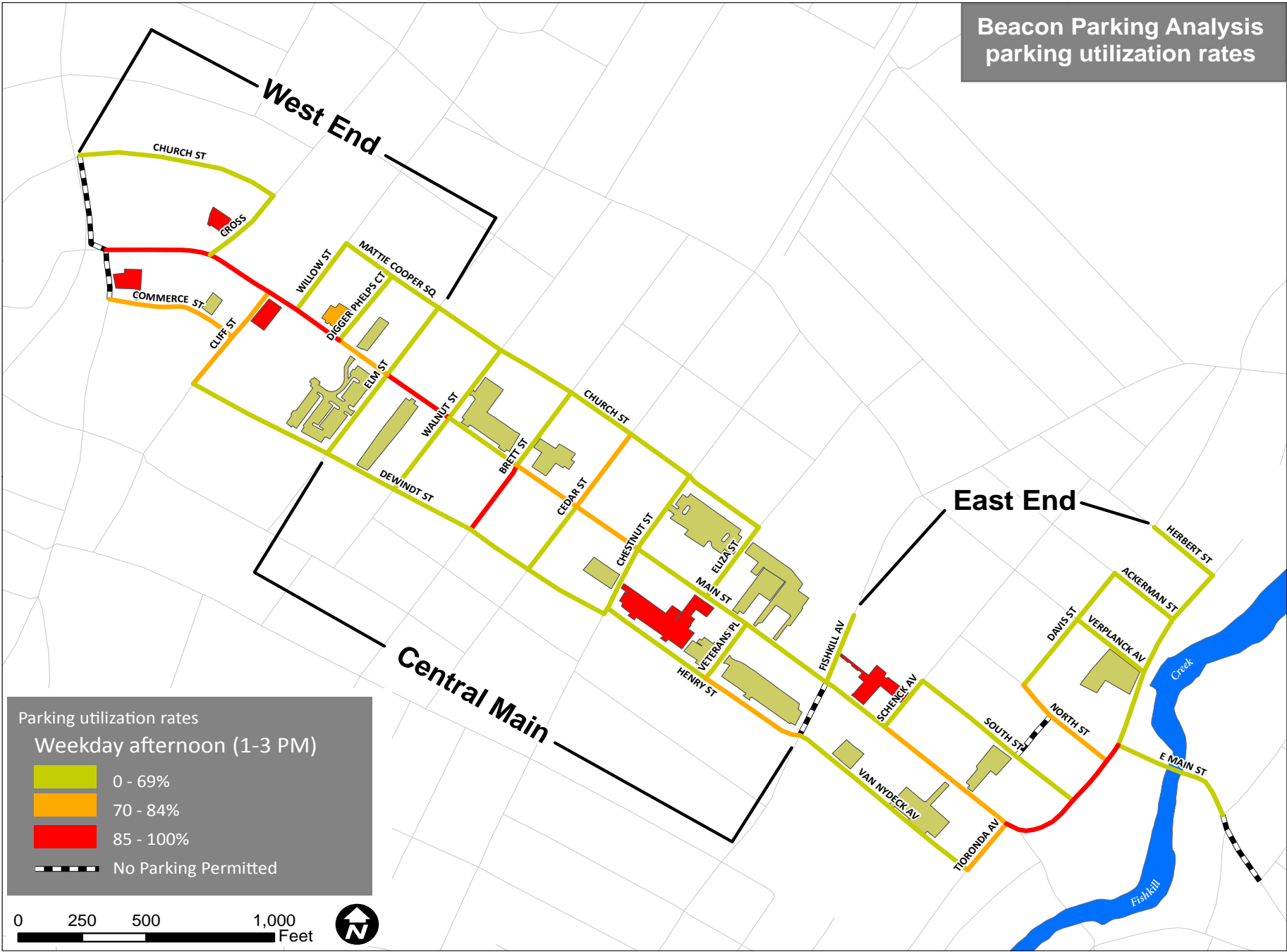
Anticipated Center City projects with parking

Sub-area	Address	Project Type	# Spaces Required	# Spaces to be Provided (est.)	Shortfall
West End	151 Main St.	Long View Hotel	15	--	(15)
West End	Main & Cross St.	Commercial/residential	8	8	
Central	378 Main St.	Office space 3rd floor	14	--	(14)
Central	344 Main St.	Commercial/residential	8	8	--
Central	395 Main St.	Apartments/restaurant	20	--	(20)
East End	416 Main St.	Triplex dinner theater	36	6	(30)
East End	426 Main St.	Mt. Beacon Hotel	30	20	(10)
East End	425 Main St.	Commercial	30	--	(30)
East End	445 Main St.	Theater	125	--	(125)
East End	1 East Main St.	Brewery/restaurant	80	8	(72)
East End	448 Main St.	Apartments	6	6	--
East End	536 Main St.	Commercial/residential	8	5	(3)
		Total West End	54	15	(39)
		Total East End	357	53	(304)
		TOTAL Downtown	411	68	(343)

Beacon Parking Analysis parking utilization rates



Beacon Parking Analysis parking utilization rates



Beacon Parking Analysis
parking utilization rates



Beacon Parking Analysis parking utilization rates



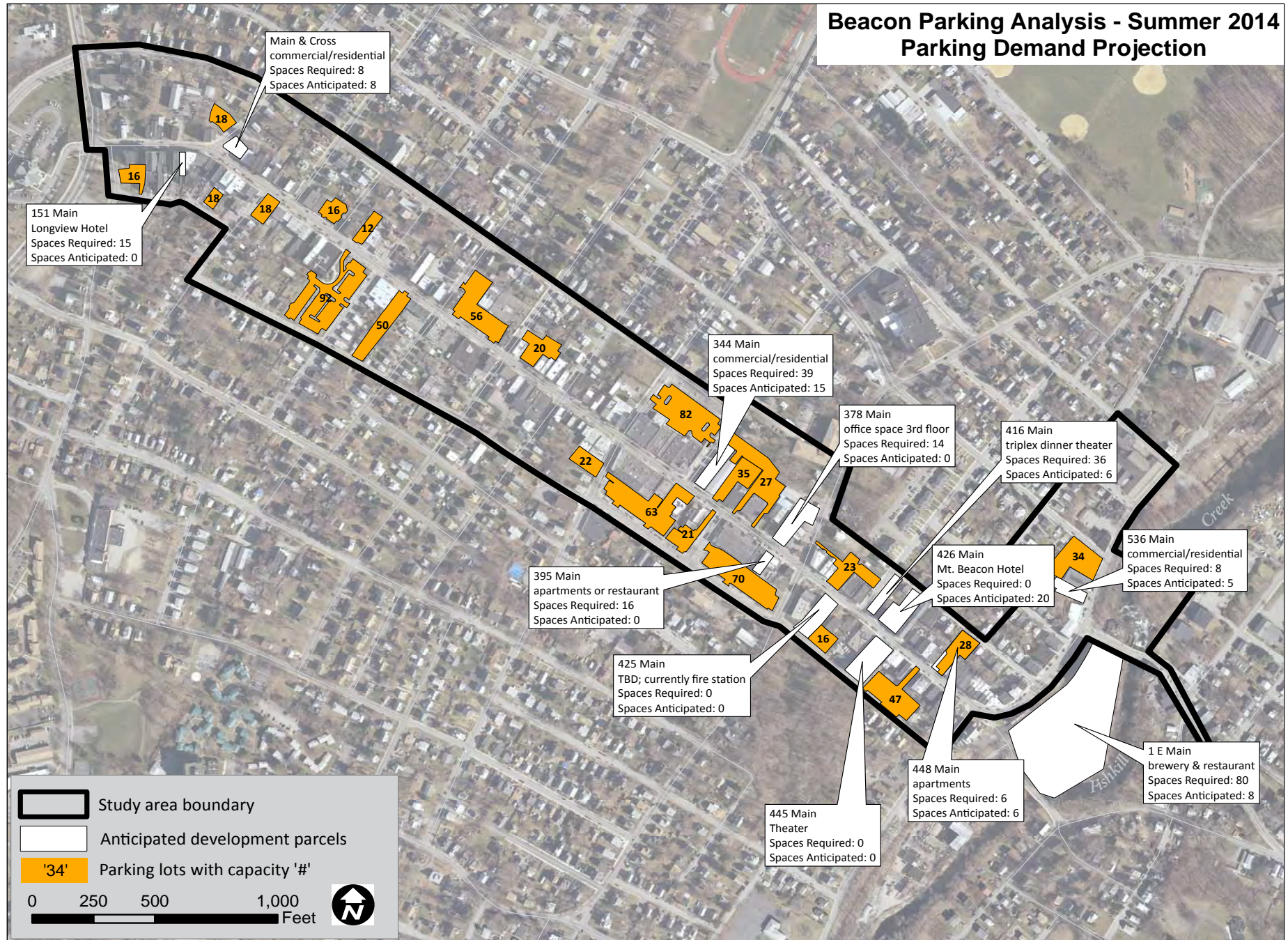
Beacon Parking Analysis
parking utilization rates



Beacon Parking Analysis parking utilization rates



Beacon Parking Analysis - Summer 2014 Parking Demand Projection



The potential increase in parking demand represented by anticipated projects is large and, in the East End, dramatic. On an existing base of 455 total existing spaces, the projects above would increase demand in the East End by 304 spaces or 75%. The increase in the West End would be more modest at an increase of 39 spaces on a base of 491 for an increase of 8%. The projected increase indicates that, within certain sections of downtown, anticipated development will result in large increases of greater than 85% utilization. The challenge facing City government and stakeholders, is to accommodate this rising demand without degrading the downtown environment and curtailing continued revitalization. In order to achieve this balance, two main goals must be sought 1) efficiently utilize capacity and 2) manage demand.



Recommended Strategies

High parking utilization is an unavoidable effect of revitalization within a compact urban environment. Given that parking demand is projected to increase significantly

in the near future, the Planning Department recommends consideration of several strategies to utilize capacity more efficiently and to manage demand. Implementation involves changes to policy, parking infrastructure and modes of transport and emphasizes flexibility in response to changing conditions. Development of prime properties to their best use is an important goal and, with few exceptions, parking lots do not meet that standard. This Analysis provides a baseline of actual parking conditions. As strategies are implemented amid ever changing conditions, we recommend that the City regularly gather data to gauge strategy impacts.

Recommendation #1: Increase shared use of parking lots

Parking lots typically experience parking associated with office and retail uses during the morning and afternoon periods. Residential, restaurant and entertainment uses account for a greater share of demand in the evening. City-owned lots allow parking for 24 hours and, therefore, accommodate demand generated by many types of uses. The Towne Crier entertainment venue is adjacent to a large municipal lot which experiences high utilization during the morning and afternoon, but typically low utilization in the evening. During its evening and weekend events, Towne Crier employees and guests park in this lot. A different lot, at the corner of Verplanck and East Main contains cross-access easements that permit parking by the public and for private use associated with an adjacent apartment building.

Shared parking at private lots should particularly be encouraged and incentivized. Parking counts indicate that several private lots are poorly utilized at one or all time periods. Two adjacent private lots with high capacity but very low utilization rates all day are located on the northeast

corner of Main and Eliza Street. These lots are close-by the high utilization East End and, if they could be opened up for broader use, available capacity in that area would be significantly increased. Shared parking arrangements typically generate revenue for the property owner. The City could provide incentives for private owners to open up lots for public use by placing parking stations in them and splitting the resulting revenue.



Recommendation #2: Develop additional capacity along the Van Nydeck Street corridor

Anticipated development will likely necessitate development of additional parking capacity in the East End. The City is considering purchase of land at Churchill and Main Streets within the 1 East Main Street project site. Development of a large parking lot at this site is perhaps not the best use of this valuable Creek frontage, but including amenities such as a Greenway trail and park features could ameliorate such impact.

It appears that the Van Nydeck Street corridor between Tioranda and Teller Avenues presents a unique opportunity to significantly increase parking capacity within the East End, while also enhancing streetscape, pedestrian access, and infill development opportunities. Current parking capacity within this small corridor consists of approximately 73 off-street and 16 on-street spaces for a total of 89 spaces. Conservative estimates indicate that the corridor could be improved to accommodate a total of 177 spaces which is a net increase of 88 spaces by:

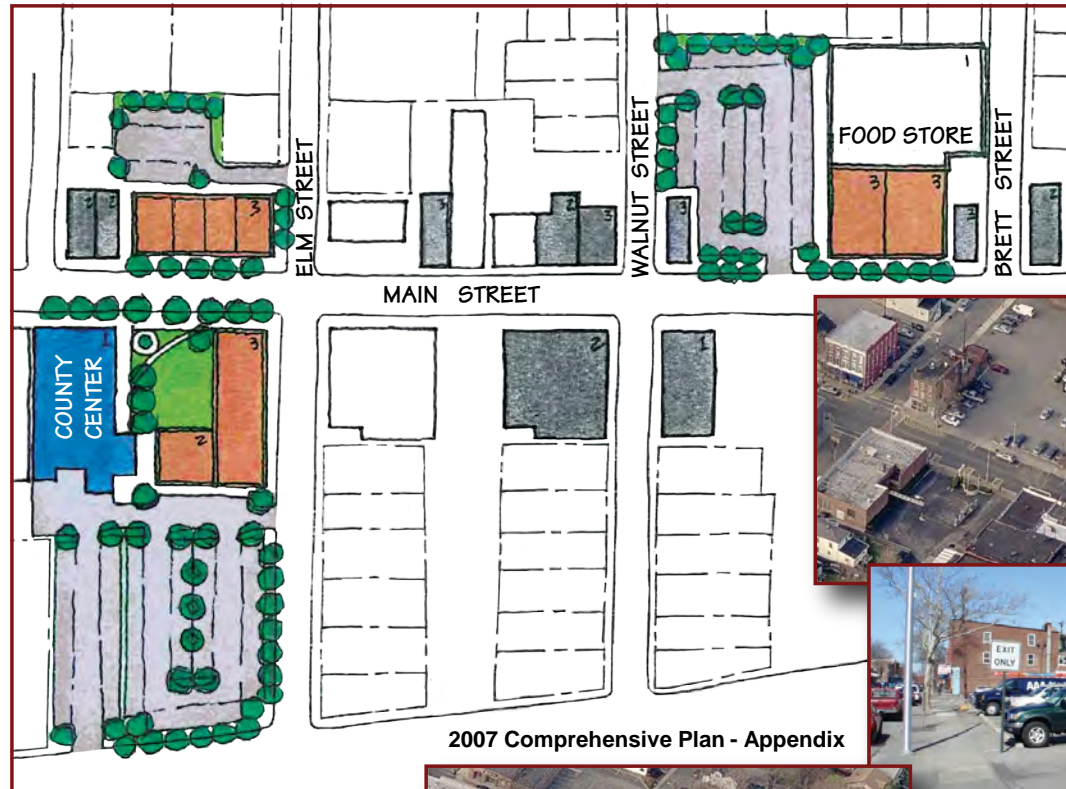
- Increasing capacity at the existing 47 space municipal lot to 52 spaces;
- Developing a parking lot on the east side of the Madam Brett House property. An attractive, well-screened and compatible lot at the site could yield 85 spaces; and
- Organizing on-street parking along the south side of Van Nydeck Street could yield a total of approximately 40 spaces.



A parking lot near the Madam Brett House, the County's oldest extant house, could generate significant revenue for its upkeep and increase visitorship by increasing local foot traffic and improving the streetscape. Infill opportunities at underutilized properties such as the firehouse would also be enhanced.

Recommendation #3: Increase functional capacity on existing lots and streets

Parking is permitted all-day on most downtown streets perpendicular and parallel to Main Street, but their current utilization is low. Many of these streets are not striped for parking. The City can encourage better parking utilization of roadways by striping parking spaces, closing defunct curb cuts, deploying way-finding and adjusting access to and from Main Street (one-way/two-way



- Expand food store to street frontage;
- Multi-story buildings face Main Street;
- Relocate parking behind storefronts;
- Add trees and landscape screening.



Main Street Infill Strategies Illustrative Sketch Plan

streets). It is recognized that a few side streets are too narrow to accommodate more parked cars. Van Nydeck Street and Tioranda Avenue are notable examples of underutilized East End streets where parking capacity could be far better utilized.

Publicly accessible parking lots should provide the maximum number of parking spaces feasible. Opportunities to increase the number of parking spaces in municipal lots should be examined. The County Government Center, for example, is currently striped for 92 parking spaces. The site layout is inefficient, and the Illustrative Sketch Design by Department staff, completed for the Beacon Comprehensive Plan, shows how parking capacity could be increased to 107 spaces while also adding Main Street liner buildings and a small public green. This site could possibly accommodate a parking garage.

Recommendation #4: Charge for parking & enforce regulations

Parking in Beacon is currently free to users, but is expensive to build and maintain. Excluding land costs, nationwide parking construction costs in 2012 averaged to \$4,000-\$8,000 per space¹. Because downtown parking is free to the user, taxpayers pay for construction and maintenance. Free parking subsidizes and, hence, encourages use of single occupancy vehicles. Where parking is free and restrictions not enforced, drivers are encouraged to park their cars in the most valuable on-street spaces and leave them there for hours. Their good fortune in securing a convenient parking space on a given day is a misfortune for others who are then unable to park. Lower turnover means foregone consumer spending. Free parking perversely discourages infill development.

The countermeasure to free parking is paid parking. Professor Donald Shoup has famously documented the beneficial changes that can accrue when communities charge for parking, increased municipal revenue being only one. The truly transformative effect is that parking demand becomes more

¹ Shoup, Donald, The High Cost of Free Parking. American Planning Association Planner's Press, page 185.

evenly distributed, creating availability in the most desirable center city locations.² Pricing drives parking behavior. Where utilization exceeds the optimal 85% utilization rate, parking prices should be raised until the utilization rate falls below that threshold. Where utilization is well below 85%, pricing is too high. Modern electronic stations facilitate discrete price toggling. Pricing has strong potential to maximize efficient use of capacity in Beacon's center. In the West and East Ends, at times when curb parking is over-utilized, pricing will cause some portion of drivers to make use of slightly more distant but "free" side streets and parking lots, thus stalling needless and expensive expansion of parking facilities. There are a range of detailed decision points to consider before implementing paid parking in the city center (payment station type, financing options, maintenance, etc.) that are best addressed by vendors. Start-up costs can be significant. Old-style meters have been supplanted by better looking and functioning electronic pay stations that collect data and facilitates management of the parking system. We suggest that in concert with charging for parking, the City seriously consider implementing a parking benefit district (see Recommendation #5 below). The City can also consider implementing paid parking in phases. Phase One, for example, could include pay stations just at on-street parking along Main Street (approximately 326 spaces). Later phases could expand to municipal lots, side streets and even private lots.

It is important to emphasize that business owners and center city residents stand to gain the most from paid parking in Beacon's center city, yet revenue generation can also be significant. An initial estimate of projected income from a

² Shoup (p. 205)

Phase One implementation (326 spaces along Main Street) could generate between \$612,000 to \$867,000 gross annual revenue. Subsequent Phases would increase gross revenue (as well as marginal costs).

Effective implementation of paid parking in Beacon will require enforcement. The City is reportedly already hiring such personnel. Enforcement will ensure that meters achieve the desired parking turnover crucial to center city business and also meet revenue potential. Enforcement will also generate revenue from issuance of violations.

Recommendation #5: Develop a Center City Benefit Fund

Maintaining, expanding or improving center city parking requires money. We recommend creation of a Center City Benefit Fund to implement parking strategies and other center city transportation improvements. Expensive structured parking could even be contemplated if the fund grows large enough and/or the garage is developed in partnership with a private development project.

This Fund would be maintained via two main sources: The experience of other communities suggests that paid parking is more readily embraced when the resulting funds are reinvested into parking and target area needs. The City should consider reserving funds generated at parking stations for improvements within the center city. Beacon decision-makers have provided generous relief to developers seeking to build less parking than is required by Code. It can be argued that such relief is a (justifiable) public subsidy to new development, where the newly generated off-site parking impact is absorbed on-street or in municipal lots. Parking variances or waivers, however, allow development to proceed without providing the

money necessary for construction and upkeep of the actually needed parking facilities. The City should consider instituting a ‘payment-in-lieu of parking’ system that captures the costs of parking provision. Such a system facilitates infill development particularly on parcels that cannot provide required spaces on-site, pooling funds from multiple small developments to invest in facilities available to all. The City may find that spreading payments over time via quarterly billing may ease resistance from property owners and establish a larger ongoing revenue stream.

Recommendation #6: Adjust parking regulations in Zoning Code

Some parking requirements for the Central Business (CB) and Business Off Street Parking (PB) Districts resemble suburban standards. The frequency with which the Planning and Zoning Boards issue waivers and variances for parking requirements seems to indicate that the requirements are not in line with the development market or what the center city can to accommodate. We recommend that the City consider the following changes:

Apply Central Main Street (CMS) parking standards, which better serve downtown’s needs, to the CB and PB Districts. In addition, consider that the Fishkill Creek Development District established minimum and maximum parking requirements and that maximum standards may also be advantageously applied along Main Street.

Extend the Planning Board parking waiver process used in the CMS throughout downtown. This process is streamlined in comparison to a Zoning Board of Appeals variance process and is supportive of affordable infill development.

The PB Zone appears to, at least indirectly, encourage conversion of homes, businesses and vacant parcels to principal use parking lots. Consider eliminating the District. Concurrent adjustments to the Planning Board parking waiver process would be necessary.

Recommendation #7: Wayfinding

The City should facilitate use of existing parking capacity. We recommend improving municipal lot signage by ensuring that they are all of the same design and are correctly situated.



Several of the existing municipal lot signs along Main Street are pointing in the wrong direction or are absent. A sign in front of the Beacon Center is of a different design and difficult to read. The City may consider installing all new signs with a more visible dark background and white letter design. The City should create an

easily located webpage on its website. This page should include a map of municipal and (perhaps) private lots, indicate parking limits on streets and contain information on meters if and when these are installed. The map should also be placed along Main Street at lots, kiosks or other streetside gathering areas.

Recommendation #8: Improve the biking and walking environment

The goal of a balanced transportation system is to offer community residents a variety of travel choices. Beacon is already well suited to alternative transportation, exhibiting the County's highest percentage of zero car and one-car households.(p. 112) Ample opportunity exists to provide

meaningful, relatively inexpensive improvement to the City's walking and bicycling environment. The Overview Map on page 3 demonstrates the large area of the City that lies within a quarter-mile buffer of Main Street. Parking demand can be reduced by encouraging and equipping shifts from single occupancy vehicles to other travel modes.

Adopted in 2014, *Walk-Bike Dutchess* is a County-wide transportation planning tool that includes recommendations specific to Beacon:

- Install bicycle parking at key locations such as City Hall, the Beacon Welcome Center, Post Office, Library, Dutchess County Building, DIA-Beacon, Beacon High School, Riverfront Park, and along Main Street, and provide bicycle lockers at the Beacon train station;
- Mark sharrows on Beekman Street and Red Flynn Drive between Route 9D and the Beacon train station and ferry dock. Sharrows were recently added to Main Street and should be regularly painted;
- Provide a sidewalk on the northwest side of Beekman Street to complete the gap between West Main Street and the existing sidewalk south of River Street;
- Create a new sidewalk or path south of City Hall between Beekman Street and Wolcott Avenue/Route 9D to connect the train station and Main Street; and
- Consider a formal path or sidewalk connection between Ferry Street and Wolcott Avenue/Route 9D.

Very recently the City was awarded \$958,064 to construct pedestrian improvements at intersections along Main Street in the City Center.



Recommendation #9: Enhance Main Street bus service

Beacon is served by intercity and County bus service. We recommend that the City confer with County officials to develop convenient and frequent service along Main Street in order to reduce parking demand by supporting zero- or one-car households, indeed, those households most likely to choose to live in Beacon's Center City. The transit experience could be further enhanced by establishing a small number of Main Street "transit activity centers" complete with benches, route signage, shelters, retail kiosks and landscaping. These could be developed as part of scheduled projects and one potential location would be in front of the County-owned Beacon Center.

City of Beacon Workshop Agenda
7/29/2019

Title:

City of Beacon Moratorium

Subject:

Background:

ATTACHMENTS:

Description	Type
Dutchess County Planning and Development Comments Regarding Moratorium	Cover Memo/Letter
City of Beacon Planning Board Comments Regarding Local Law to Enact Moratorium	Cover Memo/Letter
Local Law Regarding Enactment of a Moratorium	Local Law

MARCUS J. MOLINARO
COUNTY EXECUTIVE



EOIN WRAFTER, AICP
COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

July 26, 2019

To: City Council, City of Beacon
Re: Referral #19-210, LL: Enactment of a Moratorium

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (GML) (Article 12B, §239-l/m).

ACTION

The City Council is considering the adoption of a city-wide moratorium that would limit development (with some exceptions) for a period of up to 6 months, beginning June 11, 2019.

COMMENTS

In the Legislative Intent and Purpose, the City states the moratorium would be "to protect the City and its residents, businesses and visitors from the potential impacts of new development on the City's water supply given the condition of Well #2" and "to give the City time to review and revise proposed zoning legislation that would amend the City's dimensional tables and establish new regulations for the Linkage District."

The establishment of a moratorium to halt development is not a small consideration and has cascading effects on residents, business owners and developers. Not enough information has been provided regarding the City's concerns with the current zoning code. As presented, the proposed zoning changes under consideration could appear to be more of a review and tweaking of the zoning code and not as a result of a pointed concern, or to address a significant issue not currently covered in the code. Without this information, it is difficult to justify the use of a moratorium as routine changes are more regularly handled without the need for one.

Regarding the turbidity and repair of Well #2, the City's consultant has determined that even without well #2 online, there is an adequate supply of water and even a surplus of ~170,000 gpd which takes into account both current and pending projects.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By

Jennifer F. Coccozza
Deputy Commissioner

**Dutchess County Department of
Planning and Development**

Fax Info	To	Jennifer Cocozza	Date	6/28/19	# pgs	2
	Dept	Co./Dept. Planning	From	Collin Milone		
	Fax #	845-486-3610	Phone #	845-838-5010		

239 Planning/Zoning Referral - Exemption Communities

Municipality: City of Beacon

Referring Agency: ☐ Planning Board ☐ Zoning Board of Appeals ☒ Municipal Board

Tax Parcel Number(s):

Project Name: Local Law Regarding Enactment of a Moratorium

Applicant: City of Beacon

Address of Property: n/a

Please fill in this section

**Parcel(s) within
500 feet of:**

- ☒ State Road _____
- ☐ County Road _____
- ☐ State Property (w/public building or recreation area)
- ☒ County Property (w/public building or recreation area)
- ☒ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Rezoning Involving all map changes
- ☒ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses

**Exempt Actions:^{*}
239 Review is NOT Required**

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals
- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Date Response Requested (if less than 30 days): Public Hearing Scheduled for July 15, 2019

If subject of a previous referral, please note County referral number(s): Previous Moratorium LL referral # ZR17-327 and ZR17-355

^{*} These actions are only exempt in municipalities that signed an Intermunicipal agreement with Dutchess County to that effect.

FOR COUNTY OFFICE USE ONLY

Response from Dutchess County Department of Planning and Development
No Comments:

- ☐ Matter of Local Concern
- ☐ No Jurisdiction
- ☐ No Authority
- ☐ Project Withdrawn
- ☐ Exempt from 239 Review

Comments Attached:

- ☒ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete — municipality must resubmit to County
- ☐ Incomplete with Comments — municipality must resubmit to County
- ☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: 6/28

Date Received: 6/28

Date Requested:

Date Required: 7/26

Date Response Faxed: 7/26

Notes:

☐ Major Project

Referral #: ZR 19-210

☐ Also mailed hard copyReviewer: 



Memorandum

Planning Board

TO: Mayor Randy Casale and City Council Members

FROM: Etha Grogan
for Planning Board Chairman Gunn and Planning Board Members

RE: Moratorium

DATE: July 12, 2019

The Planning Board reviewed the proposed Local Law Regarding Enactment of a Moratorium on Residential and Commercial Development at its July 9, 2019 meeting. A lengthy discussion took place about the stated legislative intent and purpose of the moratorium, as well as the terms and scope of the moratorium.

The Planning Board members present did not support the enactment of the moratorium. The board members discussed the stated reasons for the moratorium (i.e. to protect against potential impacts of new development on the City's water supply while Well #2 is under repair, and to allow a measured amount of time to review and revise targeted zoning laws, specifically focusing on the City's use and dimensional tables, Linkage District, and evaluating properties eligible for the Historic District and Landmark Overlay Zone). The board members unanimously agreed that whether the moratorium is based upon the stated issues of Well #2, the stated zoning amendments, or both, there does not seem to be a necessity for a moratorium to address these stated objectives, particularly a moratorium extending 4-6 months. The board members did not see the need to adopt a moratorium for zoning amendments that could be reviewed and adopted in regular due course. If the City Council decides to adopt the moratorium, the Planning Board recommends consideration of a shorter term. For further details of the Planning Board's comments, please refer to the video of the July 9, 2019 Planning Board meeting.

If you have any questions, please feel free to contact me.

LOCAL LAW NO. ____ OF 2019

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW REGARDING
ENACTMENT OF A MORATORIUM**

A LOCAL LAW to
enact moratorium on
residential and
commercial
development

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

SECTION 1. TITLE

This local law shall be entitled, “A Local Law, pursuant to Municipal Home Rule Law § 10, to enact a moratorium with respect to land use approvals to review certain special use, site plan, and subdivision applications involving residential, commercial and mixed use developments within the City of Beacon, by means of amending Chapter 223, Zoning, of the Code of the City of Beacon.”

SECTION 2. LEGISLATIVE INTENT AND PURPOSE

The City Council hereby finds as follows:

1. The City of Beacon has seen an increase in development over the past several years. In 2017, the City was concerned that development of a large number of residential units in such a short period of time would stress the City's water supply. In response, on October 16, 2017, the City Council adopted a moratorium on residential development, including single family and mixed use developments, within the City of Beacon to protect the City and its residents, businesses and visitors from the potential impacts of new development on the City's water supply given the increased rate of development in the City.
2. Thereafter, the City of Beacon retained the services of WSP (Formerly LBG Hydrogeologic & Engineering Services) in order to perform a Comprehensive Water Supply Plan (the “Plan”) for the City. The Plan included evaluating the storage

capacity of the City's three reservoirs to estimate the safe yield of the reservoirs; conducting an extended yield test on the existing bedrock water-supply wells to determine the safe yield of the bedrock wells; conducting a groundwater exploration program at the City's Pump House Road well field to evaluate the potential to develop a high yielding sand and gravel production well; and the evaluation of current and projected City build-out populations to determine if the City has an adequate supply of drinking water to meet the current and projected water demand. The Plan was issued in March 2018 and concluded that the City had an adequate water supply to meet the City's current demands and projected demands through 2035 with existing resources.

3. The City's Water Supply is made up of the following resources:

Water Supply	Water Supply Capacity (Million Gallons Per Day-MGD)
Melzingah Reservoir	0.38 mgd
Mount Beacon Reservoir	0.43 mgd
Cargill Reservoir	0.60 mgd
Well #1	0.58 mgd
Well #2	1.15 mgd
Village of Fishkill	1.20 mgd
Total Water Production	4.34 mgd

4. In February 2019, Well #2 was taken off line because tests of the well showed high turbidity from silting. WSP examined Well #2 and determined that the excessive silting was entering the well from a fracture about 240 feet down. Well #2 has remained off line while the City developed a mitigation plan to restore the well.
5. WSP performed a Water Supply Adequacy review with Well #2 out of service, incorporating and assessing the water needs of existing developments, and projects in the process of being built, recently approved and pending before the Planning Board. WSP's review concluded that there is an adequate supply of water and an approximate surplus of 170,000 gpd (gallons per day).
6. The City has developed a course of action to correct the silting and bring Well #2 back on line. It is estimated that this work will take approximately three (3) months. The City is concerned that approving new development proposals while repairs are being made to Well #2 would be imprudent and it would not be fair to applicants to entertain new applications during this time of uncertainty because the success of the repairs to Well #2 will be unknown until the work is completed in three (3) months.
7. It is the intent and purpose of this Local Law to establish another temporary moratorium on residential and commercial development in order to protect the City and its residents, businesses and visitors from the potential impacts of new development on the City's water supply given the condition of Well #2. Imposition

of this moratorium will allow the City sufficient time to repair Well #2 and regulate residential and commercial development within the City of Beacon to further protect the City's water supply.

8. In addition, the intent and purpose of this Local Law is to allow the City a measured amount of time to review and revise targeted zoning laws, specifically focusing on amending the City's use and dimensional tables and establishing new regulations for the Linkage Zoning District. The City Planner is in the process of amending the City's Schedule of Dimensional Regulations, in its entirety, and Schedule of Use Regulations, in its entirety, for all residential and non-residential zoning districts in the City of Beacon. The proposed amendments will greatly impact the type and scale of development permitted in each Zoning District. The moratorium will allow the City to complete and adopt these new comprehensive regulations to promote efficient and sustainable long-term growth in the City of Beacon. As the City of Beacon grows, the current land use regulations are inadequate to deal with the sale of and resulting pressure of such development on the City and its resources. The City's updates to its zoning will create a comprehensive guide for the City to encourage and regulate progressive development that will benefit the community and minimize the impacts of future development.

SECTION 3. MORATORIUM

1. Effective immediately and continuing for a period of six (6) months from June 11, 2019, no application for a building permit (other than a building permit for a project previously approved by a land use board), area variance, use variance, special use permit, site plan approval, or subdivision approval will be processed by the Building Department, or City Council, Planning Board or Zoning Board of Appeals ("Land Use Boards"), and no permit or approval will be issued by the Building Department or any Land Use Board for the modification, expansion or establishment of residential, commercial or mixed use developments within the City until this ordinance has expired or has been repealed according to applicable law.
2. All applications for building permits, use variance, area variance, special use permit, site plan approval and subdivision approval submitted to the City on or before June 11, 2019, or pending before the Building Department or Land Use Board are exempt from this moratorium. Any application submitted after June 11, 2019 may be heard and reviewed by any Land Use Board, but may not be subject to a vote. The Land Use Board may hold public hearings and discuss the application, but the Land Use Board may not formally approve or deny such application. Any building permit application for a single family home and any application seeking a modification or extension of an existing approval that does not increase the density (by unit or bedroom count) shall be exempt from this moratorium and any residential application that would result in an increase in water usage of less than 330 gallons of water per day, as determined by the City Building Inspector, is exempt from this moratorium. Any non-residential application that would result in an increase in water

usage of less than 2,000 gallons per day, as determined by the City Building Inspector, is exempt from this moratorium. In addition, this moratorium shall not apply to the reuse of any existing non-residential building for industrial or manufacturing uses, as determined by the Building Inspector, where such use does not increase the existing building footprint or otherwise increase the building square footage.

3. The City Council may, by resolution, terminate this moratorium prior to its expiration, or alternatively, extend the moratorium for a period of ninety (90) days or such other time period, as the City Council, in its sole discretion, deems necessary to allow for repair of the City's water system.

SECTION 4. ADMINISTRATIVE RELIEF FROM MORATORIUM

4. In order to prevent an unlawful taking of property and to prevent irreparable harm, the City Council is authorized to grant limited relief from this moratorium pursuant to the standards and requirements herein. An applicant seeking such relief shall be required to show by clear and convincing evidence, including credible dollars and cents proof, that the applicant cannot make any reasonable use of its property due solely to the moratorium; that the moratorium prohibits fulfillment of the applicant's reasonable investment-backed expectations; that the moratorium causes irreparable injury to the applicant; and that it would be unreasonable and unjust not to grant relief from the moratorium.
5. An application may be made in writing to the City Council requesting an exemption from the provisions herein. After due notice and a public hearing on such application, the City Council may grant an exemption with such conditions as it may deem reasonable and necessary, provided such exemption is the minimum relief necessary.
6. All such applications to the City Council shall be deemed Unlisted actions under SEQRA. In the event relief from the moratorium is granted by the City Council, the applicant shall proceed to the City's Land Use Boards to apply for required development approvals. Notwithstanding any relief granted pursuant to this section, a development approval shall not be granted unless the approved application complies with all zoning and all other requirements in effect on the date of approval.
7. The applicant or any other person aggrieved by a decision of the City Council made pursuant to this section may apply to the state supreme court pursuant to article seventy-eight of the civil practice laws and rules.

SECTION 5. CONFLICTING LAWS SUPERSEDED

All local laws, ordinances, or parts of local laws and ordinances, of the City of Beacon that are in conflict with the provisions of this Local Law are hereby suspended to the extent necessary to give this Local Law full force and effect during the effective period of the moratorium. Pursuant to Municipal Home Rule Law Section 10, this Local Law shall supersede any inconsistent provisions of New York State General City Law for the entire duration of this moratorium, including any extension thereof.

SECTION 6. SEPARABILITY

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 7. EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State as provided by the Municipal Home Rule Law.

**City of Beacon Workshop Agenda
7/29/2019**

Title:

Discussion of Entity Disclosure Law

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from Keane and Beane Regarding Entity Disclosure Law	Cover Memo/Letter
City of Beacon City Code Regarding Disclosures	Local Law
Creek Drive Entity Disclosure Form	Backup Material


■ **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**
505 Park Avenue
New York, NY 10022
Phone 646.794.5747

MEMORANDUM

TO: City of Beacon City Council

FROM: Nicholas M. Ward-Willis 

RE: Entity Disclosure Local Law

DATE: July 24, 2019

At Monday night's Council Meeting, a resident asked a specific question concerning the Entity Disclosure Form filled out by 23-28 Creek Drive, LLC. Section 223-61.4 of the City Code is entitled Disclosure and requires an individual or entity to complete a disclosure form which is used by the City Building Department to determine if there is a conflict of interest presented by the applicant and for other purposes. The disclosure form is provided to all reviewing Boards and their members should be reviewing it at the time of submission to determine if they have any conflict with any of the individuals listed in the disclosure form.

The question with regard to the 23-28 Creek Drive LLC Entity Disclosure Form was that in Section B, only one individual's name was listed as a member of the LLC. As the resident acknowledged last night, it is possible for an LLC to only have one member, but in her opinion, she questioned whether that was the case for this particular entity. The City Administrator reached out to representatives for 23-28 Creek Drive LLC and was advised there is only one (1) Member of the LLC and the corporate stock is not being pledged, mortgage etc.

Be advised that there is no publicly available form that discloses the identity of the members of an LLC or, for that matter, the identity of shareholders. Therefore, all documents that we might request to disclose the shareholders or members of the corporation will be internally generated documents. For example, an LLC has an operating agreement that would typically list the members of the LLC, but we have to have confidence that we are being provided with the most current list and that there not subsequent amendments. There is a K-1 Form filed with the LLC member's personal income tax return and we could ask for copies of all K-1 Forms but again, there is no master list so we could only be provided with, for example, eight out of the ten K-1 Forms that were generated for that particular LLC. Like many of the forms provided by the City, we are relying on people to be honest. Fact checking can occur by Board Members asking questions of the applicants, but again if they are being dishonest in filling out a form, it is likely they will be dishonest when answering the question.

The current entity and disclosure form requires that all principal (members, shareholders, etc.) of an entity be disclosed. While I understand one can only question if people are being honest, is this a concern?

I've attached for your convenience a copy of Section 223-61.4 and the Entity Disclosure Form completed by 23-28 Creek Drive, LLC.

Let me know if there are any questions. This matter will be discussed at the July 29, 2019 Workshop as requested.

NMW/lt

Encl.

cc: Anthony Ruggiero

§ 223-61.4. Disclosure.

Every application, petition or request submitted for a variance, amendment, change of zoning, any license, certificate or permit, special use or exception, approval of plot plans or subdivision maps, with respect to the use, improvement, change or alteration of any land, building or structure erected or to be erected thereon and every application for a building permit or certificate of occupancy shall, in addition to the general requisites for such application, petition or request and at the time of filing such application, petition or request, be accompanied by a sworn statement which shall contain the following information, where required:

- A. If the affiant is an individual, he or she shall set forth his or her name, residence address and his or her residence telephone number.
- B. If the affiant is a partnership, joint venture or other business entity, except a corporation, it shall set forth:
 - (1) The name, address and telephone number of the business entity or partnership.
 - (2) The date such business entity or partnership was established or created.
 - (3) The place where such business entity or partnership was created or established and the official Registrar's or Clerk's office where the documents and papers creating or establishing such business entity or partnership were filed.
 - (4) The names, residence addresses and residence telephone numbers of all parties in interest in such business entity or partnership, showing the nature and extent of the interest.
- C. If the affiant is a corporation, it shall set forth the following:
 - (1) The name, principal business address and telephone number of the corporation.
 - (2) The place, date and method of incorporation and the official place where the documents and papers of incorporation have been filed and the name and address of each incorporator.
 - (3) The name, residence address and telephone number of every officer, director and shareholder as of the date of filing or submission of the application, request or petition.

- (4) The name and business or residence address and telephone number of all persons to whom corporate stock has been pledged, mortgaged or encumbered and with whom any agreement has been made to pledge, mortgage or encumber said stock.
- D. The name, residence or business address and telephone number of all owners of record of the subject property or any part thereof; the date and manner title was acquired; and the date and place where the deed or document of conveyance was recorded or filed.
- E. The name, residence or business address and telephone number of each person having any mortgage, encumbrance or other interest (recorded or unrecorded) in the subject property, together with the nature and extent thereof.
- F. Whether any owner, of record or otherwise, is an officer, director, stockholder, agent or employee of any person referred to in Subsection A, B, C or E of this section.
- G. Whether any person referred to in Subsection A, B, C, D or E of this section was known by any other name within five years preceding the date of the application, request or petition, and, if so, such other names.
- H. Whether any person named in Subsection A, B, C, D or E of this section is an official, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to an official or employee of the City of Beacon and, if so, the nature of such relationship.
- I. The name and address of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five years next preceding the date of the application, request or petition.
- J. If the applicant is not one of the record owners of the subject property, the interest of the applicant in the subject property and the relationship to the record owners. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modifications and amendments thereto, shall be submitted with the application.
- K. Where the record owner or contract vendee is a corporation, the following additional information shall be submitted with the application:

- (1) The name and principal business address and telephone of the corporation.
 - (2) The method, date and place of incorporation, together with the name and address of each incorporator and the place where the documents of incorporation have been filed.
 - (3) The name, residence or business address and telephone number of each officer, director and shareholder of the corporation.
 - (4) Whether any shares of the stock of the corporation or of any stockholder have been pledged, mortgaged or encumbered and, if so, the name and address of each person having, holding, owning or claiming such interest.
- L. Whether the present owners, or any of them, have entered into any contract for the sale of all or any part of the subject property and, if in the affirmative, there shall be submitted a duplicate original or photocopy of the full and complete contract of sale, including all riders, modifications and amendments thereto.
- M. Such additional information as may be requested by the board, agency or commission having jurisdiction over such application, request or petition, pertaining to ownership, operation or control of the subject property.
- N. The provisions of § 223-61.4C(2), (3) and (4) and K(2), (3) and (4) shall not apply where the corporation named in said sections is a corporation the shares of stock of which are publicly traded on a recognized stock exchange.
- O. In the event that there is any change in any matter set forth on any affidavit submitted hereunder prior to the time a determination is made concerning the subject application, request or petition, the affiant shall file a supplemental affidavit within 48 hours after such change has occurred, giving the full details thereof and in compliance with the requirements of this chapter, and shall thereafter be subject to all the requirements set forth in this chapter.

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

ENTITY DISCLOSURE FORM

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

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

SECTION A. IF AFFIANT IS A PARTNERSHIP, JOINT VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:

Name of Entity 23-28 Creek Drive, LLC	Address of Entity 111 Creek Drive, Suite 102A, Beacon, NY 12508
Place where such business entity was created County of Dutchess, State of New York	Official Registrar's or Clerk's office where the document and papers creating entity were filed New York State Department of State – NYSDOS#5241271
Date such business entity or partnership was created November 28, 2017	Telephone Contact Information (917)622-0657

IF AFFIANT IS A CORPORATION:

Name of Entity	Telephone Contact Information
Principal Place of Business of Entity	Place and date of incorporation
Method of Incorporation	Official Place where the documents and papers of incorporation were filed

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

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
Rodney Weber	11 Creek Drive, Suite 102A, Beacon, NY 12508	(917) 622-0657	Managing Member

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
City of Beacon	One Municipal Plaza Beacon, NY 12508	845-838-5000	Deed	Dutchess County Clerk, Recorded in Liber 328 at page 447.

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

_____ YES

___X___ NO

Name	Employer	Position

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

See attached Purchase and Sale Agreement.

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

 X YES NO

See attached Purchase and Sale Agreement.

I, RODNEY WEBER, being first duly sworn, according to law, deposes and says that I am the managing member, an active and qualified member of 23-28 Creek Drive, LLC, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) RODNEY WEBER

(Signature)


23-28 Creek Drive, LLC

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT ("Agreement") is made as of the 11th day of April, 2018, by and between the CITY OF BEACON, a municipal corporation with its principal offices at One Municipal Plaza, Beacon, New York 12508 ("Seller" or "City"), and 23-28 CREEK DRIVE, LLC, a New York limited liability company with offices at 11 Creek Drive, Suite 102A, Beacon, New York 12508 ("Purchaser").

Purchaser agrees to purchase and Seller agrees to sell the property described below upon the following terms and conditions:

1) **PROPERTY DESCRIPTION.** The property which is the subject of this Agreement is the land, together with all buildings and improvements located thereon, commonly known as 23-28 Creek Drive, Beacon, New York and referred to as Parcel Grid Identification #130200-6054-37-037625, and as more particularly described in "Schedule A" annexed hereto and made a part hereof (the "Premises"), together with: (i) all of Seller's interest, if any, in and to any and all rights of ingress and egress to and from the Premises; (ii) all of Seller's interest, if any, in and to any and all easements or rights of way now or hereafter affecting or appurtenant to the Premises and any rights Seller has to use the same; (iii) intentionally omitted (iv) all right, title and interest of Seller, if any, in and to all strips and gores and alleys adjoining the Premises; and (v) all right, title and interest of Seller, if any, in and to any land lying in the bed of any street, road or avenue, opened or proposed, in front of or adjoining the Premises, to the center line thereof, including any right of Seller to any unpaid award by reason of any taking by condemnation and/or for any damage to the Premises by reason of change of grade of any street or highway. The Premises, together with items (i) to (v) above are herein collectively called the "Property".

2) **PRICE: AMOUNT AND HOW IT WILL BE PAID.** The purchase price for the Property shall be One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) (the "Purchase Price"). Consideration for the purchase shall also include the items of work listed in Paragraphs 4, 7, 8, 9, 11, 12 and 17 of Schedule B. Upon Purchaser's execution of this Agreement, Purchaser shall submit a check for Fifteen Thousand and 00/100 Dollars (\$15,000.00) (the "Downpayment") made payable to "Keane & Beane, P.C., as escrow agent". At the time of Closing (as hereafter defined), Purchaser shall pay to Seller One Hundred Thirty Five Thousand and 00/100 Dollars (\$135,000.00) by cash, certified or official bank check or wire transfer(s) of immediately available funds.

3) **CLOSING DATE:** The settlement of the obligations of Seller and Purchaser to each other under this Agreement, including transfer of title and payment of the Purchase Price (the "Closing"), shall be completed at the offices of Keane & Beane, P.C., 200 Westage Business Ctr., Ste. 120, Fishkill, New York, or at such other place as mutually agreed to between Seller and Purchaser, at 10:00 A.M. on the date set forth in Schedule B – Terms and Conditions of Sale in Section I, Paragraph 16 (the "Closing Date").

4) **PERMITTED EXCEPTIONS.** The Property is sold and shall be conveyed subject to the following (collectively, the "Permitted Exceptions");

(a) Zoning and subdivision laws and regulations, and landmark, historic, or wetlands designation, provided that they are not violated by the existing buildings and improvements erected on the Property or their use;

(b) Real estate taxes that are a lien, but are not yet due and payable provided Purchaser shall have no liability for any real estate taxes assessed against the Property for any period prior to Purchaser's acquisition of the Property;

(c) Any and all state of facts, easements and legends shown on any filed map or which an accurate survey of the Property would disclose, provided the same do not render title to the Property unmarketable and/or uninsurable at standard title rates or premiums.

(d) Any and all recorded covenants, restrictions, easements, reservations, limitations, burdens, conditions and rights-of-way encumbering the Property, provided the same (i) do not render title to the Property unmarketable and/or uninsurable at standard title rates or premiums, (ii) are not violated by existing improvements and/or current uses of the Property, (iii) do not contain any outstanding options, rights of first refusal, or purchase rights, or require any affirmative acts or monetary payments (including any mortgages filed against the Property), and (iv) do not contain any provision whereby a future violation will result in a forfeiture or reversion of title.

(e) De minimis (one foot or less) encroachments of retaining walls, hedges and fences, and de minimis variations (one foot or less) between record lines and retaining walls, hedges and fences; and

(f) Terms and Conditions of Sale annexed hereto as Schedule "B" and made a part hereof.

5) **PURCHASER'S POSSESSION OF PROPERTY.** (a) Purchaser shall have sole and exclusive possession of the Property from and after the Closing Date.

(b) Prior to Closing, Seller grants to Purchaser and the adjacent property owner, Weber Projects III, LLC ("Adjacent Owner") a revocable license agreement for the Property solely for the purpose of (i) the Adjacent Owner to store manufactured building materials being used in connection with construction by Adjacent Owner of the building located at 9 Creek Drive, (ii) Adjacent Owner to exclusively store soil excavated from 9 Creek Drive to be used for construction of the park required by paragraph 3 of Schedule B, and (iii) use of the office space within the building on the Property for office type use. Neither the Adjacent Owner nor the

Purchaser shall access or use the garage on the Property and shall not store anywhere on the Property, any gravel or the like or any liquids or hazardous materials. Should either party terminate this Agreement, within seventy-two (72) hours, Purchaser and Adjacent Owner shall vacate the Property, remove all of its personal property and restore the Property to its prior condition. Purchaser and Adjacent Owner agree to indemnify, defend and hold Seller harmless from any claims arising out of the grant of the revocable license agreement.

6) **DOWNPAYMENT IN ESCROW.** (a) Seller's attorney ("Escrowee") shall hold the Downpayment in escrow in a segregated bank account at Sterling National Bank, located at 40 Church Street, White Plains, New York 10601, until Closing or the termination of this Agreement, whichever occurs sooner, and shall pay over or apply the Downpayment in accordance with the terms of this paragraph. Escrowee shall hold the Downpayment in an interest-bearing account for the benefit of the parties. If interest is held for the benefit of the parties, it shall be paid to the party entitled to the Downpayment and the party receiving the interest shall pay any income taxes thereon. If interest is not held for the benefit of the parties, the Downpayment shall be placed in an IOLA account or as otherwise permitted or required by law. The Taxpayer Identification Numbers of the parties shall be furnished to Escrowee within five business days upon request. At Closing, the Downpayment shall be paid by Escrowee to Seller. If for any reason Closing does not occur and either party gives Notice (as defined in paragraph 28) to Escrowee demanding payment of the Downpayment, Escrowee shall give prompt Notice to the other party of such demand. If Escrowee does not receive Notice of objection from such other party to the proposed payment within 10 business days after the giving of such Notice, Escrowee is hereby authorized and directed to make such payment. If Escrowee does receive such Notice of objection within such 10 day period or if for any other reason Escrowee in good faith shall elect not to make such payment, Escrowee shall continue to hold such amount until otherwise directed by Notice from the parties to this Agreement or a final, non-appealable judgment, order or decree of a court. However, Escrowee shall have the right at any time to deposit the Downpayment and the Interest thereon with the clerk of a court in the county in which the Property is located and shall give Notice of such deposit to Seller and Purchaser. Upon such deposit or other disbursement in accordance with the terms of this paragraph, Escrowee shall be relieved and discharged of all further obligations and responsibilities hereunder.

(b) The parties acknowledge that Escrowee is acting solely as a stakeholder at their request and for their convenience and that Escrowee shall not be liable to either party for any act or omission on its part unless taken or suffered in bad faith or in willful disregard of this Agreement or involving gross negligence on the part of Escrowee. Seller and Purchaser jointly and severally (with right of contribution) agree to defend (by attorneys selected by Escrowee), indemnify and hold Escrowee harmless from and against all costs, claims and expenses (including reasonable attorneys' fees) incurred in connection with the performance of Escrowee's duties hereunder, except with respect to actions or omissions taken or suffered by Escrowee in bad faith or in willful disregard of this Agreement or involving gross negligence on the part of Escrowee.

(c) Escrowee may act or refrain from acting in respect of any matter referred to herein in full reliance upon and with the advice of counsel which may be selected by it

(including any member of its firm) and shall be fully protected in so acting or refraining from acting upon the advice of such counsel.

(d) Escrowee acknowledges receipt of the Downpayment by check subject to collection and Escrowee's agreement to the provisions of this paragraph by signing in the place indicated on the signature page of this Agreement.

(e) Escrowee or any member of its firm shall be permitted to act as counsel for Seller in any dispute as to the disbursement of provisions of this paragraph by signing in the place indicated on the signature page of this Agreement.

(f) The party whose attorney is Escrowee shall be liable for loss of the Downpayment.

7) **CONDITIONS TO CLOSING:** This Agreement and Purchaser's obligation to purchase the Property are expressly subject to and conditioned upon the fulfillment of the following conditions precedent:

(a) The delivery by Seller to Purchaser of a Quit Claim Deed, in a form reasonably acceptable to the Title Company (as herein defined), duly executed and acknowledged in proper form for recording so as to convey fee simple title to the Property.

(b) The delivery by Seller to Purchaser of evidence reasonably satisfactory to Purchaser and Purchaser's title insurance company that Seller has the legal power, right and authority to consummate the sale and conveyance of the Property to the Purchaser.

(c) The delivery by Seller to Purchaser of the Property and all buildings and improvements comprising a part thereof in the condition stated in Section IV of Schedule B, together with all keys in the possession of the Seller to locks located on the Property.

(d) The delivery by Seller to Purchaser of a certificate stating that all of Seller's representations and warranties made in this Agreement remain true and correct as of the date of Closing.

(e) The delivery by Seller of Seller's executed counterparts of: (i) the New York State Department of Taxation and Finance Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax (Form TP-584), (ii) the State of New York State Board of Real Property Services Real Property Transfer Report (Form RP-5217), and (iii) any other real estate transfer tax documents required in connection with the transfer contemplated herein.

(f) The delivery by Seller of a signed and acknowledged title affidavit in a form reasonably acceptable to Purchaser's Title Company (as hereinafter defined).

(g) The delivery by Purchaser to Seller of the cash, certified or official bank check(s) or wire transfer(s) required hereunder in the payment of the Purchase Price payable at the Closing.

8) **INSURABLE TITLE/OBJECTIONS TO TITLE.** (a) Seller shall give and Purchaser shall accept any such fee simple title as any reputable title company selected by Purchaser and reasonably acceptable to Seller ("Title Company") will be willing to approve and insure at standard title rates or premiums, in the amount of the Purchase Price, in accordance with the standard form of ALTA policy approved by the New York State Insurance Department ("Title Commitment"), subject only to the aforementioned Permitted Exceptions.

(b) Provided that this Agreement is not terminated in accordance with the provisions of paragraph 12A (g) below, Purchaser agrees that no later than ten (10) days following the expiration of the Environmental Due Diligence Period (as hereinafter defined), Purchaser shall request from the Title Company a title report and commitment for an owner's title insurance policy (the "Title Report") and a survey of the Property (the "Survey"). Seller's counsel shall be given copies of the Title Report, Survey, searches and amendments thereto within three (3) business days from the date on which Purchaser receives copies of the same. Purchaser agrees that, prior to the date which is twenty (20) days following Purchaser's receipt of the Title Report and/or the Survey (the "Title Objection Date"), it will notify Seller's counsel in writing in what respects, if any, Purchaser deems Seller's title not to be that required by this Agreement as of the date of such notice (i.e. title defects other than Permitted Exceptions) or state of facts shown on the Survey which are objectionable. In the event Purchaser fails to deliver such notice prior to the Title Objection Date, Purchaser shall be deemed to have waived its right to object any matters disclosed in the Title Report. Purchaser further agrees that, prior to the date which is fourteen (14) days after the date of receiving any updates or revisions to the Title Report or Survey (the "Amended Title Objection Date"), it will notify Seller's counsel in writing in what respects, if any, Purchaser deems Seller's title not to be that required by this Agreement as of the date of such notice or state of facts shown on the Survey which are objectionable. In the event Purchaser fails to deliver such notice prior to the Amended Title Objection Date, Purchaser shall be deemed to have waived its right to object to the same.

(c) Seller shall be obligated to discharge the following Title Objections provided such objections were notified to Seller's counsel in the manner set forth in Paragraph 8(b): (i) any Title Objection that constitutes a mortgage encumbering the Property; (ii) any Title Objection that constitutes a mechanic's lien of record; and (c) any Title Objection that can be cured solely by the payment of a liquidated sum of money not to exceed \$3,000.00 in the aggregate. If Seller is unable by the date set forth herein for Closing to arrange for the Title Company to agree to omit from the Title Report any Title Objections, then Seller may adjourn the Closing for a reasonable period of time not in excess of sixty (60) days in order to attempt to do so. Except as set forth above, in no event, however, shall Seller be required to bring any action or institute any proceeding, or otherwise to incur any costs or expenses, in order to arrange for the Title Company to agree to omit any Title Objections or otherwise to cause title to the Property to be in accordance with the terms of this Agreement on the date set forth herein for Closing, except as set forth in Paragraph 8 (d) below. If the Title Company shall not have agreed to omit any Title Objections by the date set forth herein for Closing and shall not have agreed to provide a Title Commitment, then Purchaser may elect to the following: (i) if the Title Objection can be satisfied solely with the payment of a liquidated sum of money not to exceed \$3,000.00 in the aggregate, Purchaser shall have the right, but not the obligation, to pay such sums to remove the Title Objection and offset such amounts against the Purchase Price; (ii) consummate the

transaction contemplated hereby without regard to such Title Objections (in which event, the Purchase Price shall not be adjusted because of such Title Objections and such Title Objections shall become Permitted Exceptions); or (iii) terminate this Agreement by written notice delivered to Seller, such termination shall be effective as of the giving of such notice and Purchaser shall be entitled to the return of the Downpayment with any accrued interest thereon, if any, and, thereafter, neither party shall have any further obligations to the other hereunder, except as expressly provided to the contrary herein.

(d) If the Title Report discloses judgments, bankruptcies or other returns against persons or entities having names the same as, or similar to, that of Seller, Seller shall deliver to Purchaser an affidavit showing that such judgments, bankruptcies or other returns are not against Seller.

(e) Unpaid taxes, assessments, water charges and sewer rents, together with the interest and penalties thereon to a date not less than two (2) days following the date scheduled for Closing, and any other liens and encumbrances which Seller is obligated to pay and discharge, together with the cost of recording or filing any instruments necessary to discharge such liens and encumbrances of record, may be paid out of the proceeds of the monies payable at the Closing if Seller delivers to Purchaser at least two (2) business days prior to the date scheduled for Closing official bills for such taxes, assessments, water charges, sewer rents, interest and penalties and instruments in recordable form sufficient to discharge any other liens and encumbrances of record.

9) **PLANS/SURVEYS/APPRAISALS/REPORTS.** Within ten (10) days of the date of this Agreement, to the extent in Seller's actual possession, Seller agrees to provide Purchaser with copies of any and all plans, surveys, appraisals and reports regarding the Property.

10) **RECORDING COSTS, MORTGAGE TAX, TRANSFER TAX AND CLOSING ADJUSTMENTS.** Purchaser will pay for continuation of all tax and title searches to and including the date of Closing, and, pursuant to New York State Tax Law §1405 for any real property transfer taxes. Purchaser will pay for recording the deed and mortgage recording tax, if any. Rent payments, if any, fuel oil on the Property, if any, water charges, if any, sewer charges, if any, or assessments, if any, and current taxes, if any, computed on a fiscal year basis, excluding any delinquent items, interest and penalties, will be prorated and adjusted between Seller and Purchaser as of the Closing Date.

11) **RISK OF LOSS.** Risk of loss or damage to the Property by fire or other casualty until Closing shall be assumed by Seller. If material damage to the Property by fire or such other casualty occurs prior to Closing, Purchaser may terminate this Agreement without any further liability to Seller and Seller shall refund the Downpayment to Purchaser within five (5) business days of such termination.

12) **CONDITION OF PROPERTY.** If Purchaser does not terminate this Agreement pursuant to Paragraph 12A (g) below, Purchaser acknowledges and represents that Purchaser is fully aware of the physical condition and state of repair of the Property and of all other property

included in this sale, including the environmental conditions of the Property, based on Purchaser's own inspection and investigation thereof, and that Purchaser is entering into this Agreement based solely upon such inspection and investigation and not upon any information, data, statements or representations, written or oral, as to the physical condition, state of repair, use, cost of operation or any other matter related to the Property or the other property included in the sale, given or made by Seller or its representatives unless expressly stated in this Agreement, and shall accept the same "as is" in their present condition and state of repair and environmental condition, subject to reasonable use, wear, tear and natural deterioration between the date hereof and the date of Closing, without any reduction in the purchase price or claim of any kind for any change in such condition by reason thereof subsequent to the date of this Agreement. Purchaser and its authorized representatives shall have the right, at reasonable times and upon reasonable written notice to Seller, to inspect the Property prior to Closing.

12A) ENVIRONMENTAL DUE DILIGENCE. Subject to the terms and conditions of this Paragraph 12A, Purchaser, and its agents, contractors, and representatives, shall have the privilege, opportunity and right during a period commencing on the date that a fully executed copy of this Agreement is delivered to the Purchaser's attorney and expiring at 5:00 p.m. on the date which is six (6) weeks thereafter (the "Environmental Due Diligence Period"), of entering upon the Property, subject to Paragraph 12A (c) below, in order to inspect, examine, study, test, and perform all environmental due diligence investigation, studies, tests, and analysis that Purchaser deems prudent and advisable (collectively, the "Environmental Studies"). Purchaser shall be responsible for all costs incurred during the Environmental Due Diligence Period and prior to Closing. The Environmental Studies under this Paragraph 12A may include a Phase I environmental audit of the Property and a Phase II study of the Property. Seller agrees to cooperate with Purchaser in all reasonable ways in connection with Purchaser's environmental investigation of the Property including, without limitation, furnishing to Purchaser any and all documents and reports relating to the environmental condition of the Property, as Purchaser may reasonably request to the extent in Seller's custody or control.

(a) Purchaser shall inform Seller's designated representative at least two (2) business days prior to any planned access of the Property for the purpose of conducting Environmental Studies. Such notice ("Access Notice"), which shall be in writing, shall identify the specific persons and entities planning to access the Property and the specific activities that each such person or entity plans to perform thereon.

(b) If the Closing does not occur for any reason, Purchaser agrees to promptly return to Seller any reports or other materials furnished by Seller and any copies thereof made by Purchaser or its agents or representatives.

(c) Purchaser and its agents or representatives hereby agree to keep confidential any information regarding the Property obtained in the course of conducting the Environmental Studies and agrees further not to disclose any such information to any other person or entity, without Seller's written consent, which consent shall not be unreasonably withheld, conditioned, or delayed.

(d) Purchaser and/or its agents and representatives or contractors performing any of the Environmental Studies, shall maintain during the Environmental Due Diligence Period

comprehensive general liability insurance and contractor's pollution liability insurance in the amount of no less than \$1,000,000 per occurrence and Seller shall be named an additional insured thereon. Purchaser shall provide to Seller prior to entry on the Property a certificate of insurance evidencing such insurance coverage.

(e) Purchaser does and shall hereby indemnify and hold harmless Seller, its agents, successors and assigns, against all losses, liabilities, obligations, claims, damages, penalties, fines, actual costs and expenses (including, without limitation, attorneys' and consultants' fees) and costs of litigation, suits, judgments, liens, and encumbrances, including third party claims, arising from the acts or omissions of Purchaser, its agents, employees, contractors/subcontractors, licensees, invitees and/or representatives, or any or all of them, under this Paragraph 12A, whenever made or incurred, and this indemnity shall survive Closing, or any other termination of this Agreement.

(f) Purchaser shall, at its sole cost and expense, promptly, after all Environmental Studies are conducted, repair any damage caused to the Property and/or Seller's personal property by reason of the Environmental Studies and restore the Property to its condition immediately prior to such damage.

(g) Purchaser agrees to provide to Seller upon Seller's written request therefor, copies of all environmental reports, audits, sampling data, analytical data and other documents, reports or correspondence resulting from the Environmental Studies, specifically including any Phase II environmental report.

(h) Purchaser shall be responsible at its sole cost for any recognized environmental condition related to the Property (and not the Buildings) set forth in the Environmental Studies that costs Fifty Thousand (\$50,000.00) Dollars or less. In the event that the results of the Environmental Studies establish there are recognized environmental conditions related to the Property (and not the Buildings) which require remediation costs that two (2) qualified environmental consultants provide written estimates will exceed Fifty Thousand (\$50,000) Dollars, Purchaser in Purchaser's sole and absolute discretion, shall have the right to terminate this Agreement, on or before the last day of the Environmental Due Diligence Period, by giving written notice ("Purchaser's Notice") to Seller, which Purchaser's Notice Seller must receive on or before 5:00 P.M. on the last day of the Environmental Due Diligence Period, whereupon this Agreement shall be deemed terminated and thereafter neither party shall have any further rights, obligations or liabilities hereunder, except that the Downpayment and any interest earned thereon shall be promptly refunded to Purchaser. Purchaser's failure to give to Seller on or before 5:00 P.M. on the last day of the Environmental Due Diligence Period (time being of the essence) written notice of its election to terminate this Agreement under the terms of this Paragraph 12A, shall be deemed a waiver by Purchaser of its right to terminate under this Paragraph 12A. Notwithstanding anything in this Agreement to the contrary, Purchaser's Notice pursuant to this Paragraph 12A may be given by Purchaser or Purchaser's counsel by email to Seller's counsel at: nward-willis@kblaw.com at or prior to 5:00 P.M. on the last day of the Environmental Due Diligence Period. Seller acknowledges that Purchaser has offered two separate conceptual development plans and uses for the Property, designated as Option A ("Option A") and Option B ("Option B"), as both set forth on Page 12 in Purchaser's RFP Response (as defined in Schedule B). Seller acknowledges that in the event that the selection of

Option B either reduces or eliminates the need for any required remediation at the Property, Purchaser will select and move forward with Option B.

13) SELLER'S REPRESENTATIONS, WARRANTIES AND COVENANTS.

Seller represents, warrants and covenants to Purchaser, based on the actual knowledge of Seller as of the date hereof and as of the date of Closing, as follows:

(a) Requisite Action. Seller is the sole owner of the Property and has the full right, power and authority to sell, convey and transfer the same in accordance with the terms of this Agreement. Without limiting the generality of the foregoing, Seller has obtained all requisite municipal authorization necessary to enter into this Agreement and to consummate the transactions contemplated hereunder.

(b) Validity. This Agreement and all documents required hereby to be executed by Seller are and shall be valid, legally binding obligations of and enforceable against Seller in accordance with their terms, except to the extent that enforceability thereof may be subject to applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting the enforcement of contracts and creditor's rights generally and to general principles of equity.

(c) Conflicts. Neither the execution and delivery of this Agreement and documents referenced herein, nor the incurrence of the obligations set forth herein, nor the consummation of the transactions herein contemplated, nor referenced herein, conflict with or result in the material breach of any terms, conditions or provisions of or constitute a default under, any bond, note or other evidence of indebtedness or any contract or lease to which Seller is a party.

(d) Leases. There are no leases with respect to the Property.

(e) Service Contracts. To Seller's actual knowledge, there are no service contracts in respect of the Property.

(f) The Seller is not liable, or bound in any matter, by express or implied warranties, guarantees, promises, statements or representations pertaining to the Property, the condition thereof or any other matter whatsoever, made or furnished by any real estate broker, agent, employee, servant or other person representing or purporting to represent Seller, unless such warranties, guaranties, promises, statements or representations are expressly or specifically set forth herein.

Seller shall fully disclose to Purchaser, promptly upon Seller's becoming aware of its occurrence and at least two (2) business days prior to Closing, any change in facts or circumstances of which Seller becomes aware prior to the Closing that may affect the representations and warranties set forth above.

14) DEFAULTS AND REMEDIES. If Purchaser defaults hereunder, Seller's sole remedy shall be to receive and retain the Downpayment as liquidated damages, it being agreed that Seller's damages in case of Purchaser's default might be impossible to ascertain and that the

Downpayment constitutes a fair and reasonable amount of damages under the circumstances and is not a penalty. If Seller defaults hereunder, Purchaser may either (i) terminate this Agreement by written notice to Seller, in which event the Downpayment and accrued interest thereon, if any, shall be promptly returned to Purchaser, or (ii) commence an action for specific performance of Seller's obligations under this Agreement.

15) **RESPONSIBILITY OF PERSONS UNDER THIS CONTRACT; ASSIGNABILITY.** If more than one person signs this Agreement as Purchaser, each person shall be responsible for keeping the promises made by Purchaser in this Agreement. This Agreement may not be assigned by Purchaser and any purported assignment of this Agreement by Purchaser shall be void ab initio. Notwithstanding the foregoing, this Purchase and Sale Agreement may be assigned by Purchaser with the prior written consent of Seller in each instance to an entity in which Rodney Weber shall own no less than 51% of the stock or membership interests in such entity. Any permitted assignment hereunder shall be by written instrument, signed by the assignee, which provides for the assumption by the assignee of all of Purchaser's obligations hereunder, provided that Purchaser shall nonetheless remain fully responsible to Seller for the due performance of all of Purchaser's obligations hereunder.

16) **ENTIRE AGREEMENT.** This Agreement when signed by both Purchaser and Seller will be the record of the complete Agreement between the Purchaser and Seller concerning the purchase and sale of the Property. No verbal agreements or promises will be binding.

17) **FURTHER DOCUMENTS.** Each party to this Agreement agrees to execute, acknowledge and deliver or cause to be delivered, such other deeds, assignments, affidavits, certificates and other instruments and documents as may be reasonably necessary and required by the other party from time to time to confirm and carry out the intent and purpose of this Agreement and the performance of each party's obligations under the terms of this Agreement, in such form as shall be reasonably satisfactory to counsel for both parties.

18) **HEADINGS.** Headings in this Agreement are for convenience of reference only and in no way define, limit or describe the scope of this Agreement and shall not be used to interpret or construe this Agreement or any of its provisions.

19) **NO THIRD PARTY BENEFICIARIES.** This Agreement is intended for the exclusive benefit of the parties hereto and shall not be for the benefit of, and shall not create any rights in, or be enforceable by, any other person or entity.

20) **INTEGRATION.** All prior understandings, agreements, representations and warranties, oral or written, between Purchaser and Seller are merged in this Agreement which Agreement completely expresses their full agreement and has been entered into after full investigation, neither party relying upon any statement made by anyone else that is not set forth in this Agreement.

21) **INTERPRETATION.** This Agreement shall be interpreted and construed according to its fair meaning and neither for nor against any party hereto irrespective of which party caused the same to be drafted. Each of the parties acknowledges that it has been or has had the opportunity to be represented by an attorney in connection with the preparation

and execution of this Agreement.

22) **GOVERNING LAW; VENUE.** This Agreement shall be interpreted, construed and enforced in accordance with and governed by the internal laws of the State of New York without reference to the principles of conflicts of laws. Each party hereby irrevocably consents to the exclusive jurisdiction of the courts of the County of Dutchess and State of New York for all purposes in connection with any action, suit or proceeding which arises out of or relates to this Agreement. To the fullest extent it may effectively do so under applicable law, each party hereby irrevocably waives and agrees not to assert, by way of motion, as a defense or otherwise, any claim that it is not subject to the jurisdiction of any such court, any objection which it may now or hereafter have to the laying of the venue of any such action, suit or proceeding brought in any such court and any claim that any such action, suit or proceeding brought in any such court has been brought in an inconvenient forum.

23) **AMENDMENTS.** This Agreement may not be modified or amended, nor may any of its provisions be waived except by an agreement in writing signed by the party against whom enforcement of any such modification, amendment, or waiver is sought, and then such modification, amendment, or waiver shall be effective only in the specific instance and for the specific purpose for which given.

24) **FURTHER ASSURANCES.** Each party hereto shall, at any time and from time to time, execute, acknowledge where appropriate and deliver such further instruments and documents and take such other action as may be reasonably requested by the other party in order to carry out the intent and purpose of this Agreement. This paragraph shall survive the Closing under this Agreement.

25) **SUCCESSORS AND ASSIGNS.** Subject to the terms and conditions hereof, the covenants, agreements, terms, provisions and conditions contained in this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective distributees, legal representatives, successors and assigns.

26) **COUNTERPARTS.** This Agreement may be executed by the parties individually in several separate counterparts, each of which shall be deemed an original, and all of the said counterparts taken together shall be deemed to constitute one and the same instrument. This Agreement is intended to be enforceable when executed and delivered by facsimile or by e-mail.

27) **SEVERABILITY.** If any term, covenant or condition of this Agreement shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each term, covenant or condition of this Agreement shall be valid and be enforced to the extent permitted by the law.

28) **NOTICES.** Any notice given hereunder shall be in writing and shall be served in person, via facsimile (subject to printout of confirmation of receipt), via email, by nationally recognized overnight express delivery service, or by United States certified mail, with postage prepaid, properly addressed and directed to a party's attorney at the following address:

If to Seller:

Nicholas M. Ward-Willis, Esq.
Keane & Beane, P.C.
445 Hamilton Avenue, Suite 1500
White Plains, New York 10601
Telephone: (914) 946-4777
Facsimile: (914) 946-6868
Email: nward-willis@kblaw.com

If to Purchaser:

Taylor M. Palmer, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
Telephone: (914) 761-1300
Facsimile: (914) 761-5372
Email: tpalmer@cuddyfeder.com

29) **BROKER.** Seller and Purchaser each represent and warrant to the other that it has not dealt with any real estate broker in connection with this sale. Seller and Purchaser shall indemnify and defend each other against any costs, claims and expenses, including reasonable attorneys' fees, arising out of the breach of their respective parts of any representation or agreement contained in this paragraph. The provisions of this paragraph shall survive Closing or, if Closing does not occur, the termination of this Agreement.

30) Purchaser and Seller expressly authorize their respective attorneys to act on their behalf and bind the respective parties to any stipulations as to extensions, adjournments or changes in any time periods in this Agreement, including, but not limited to, the Closing Date.

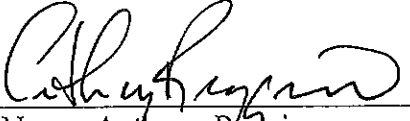
31) Neither this Agreement nor a memorandum thereof may be recorded by Purchaser. Breach of this provision by Purchaser shall constitute a default hereunder.


32) See Terms and Conditions of Sale, attached hereto as Schedule "B" and made a part hereof.

[NO FURTHER TEXT ON THIS PAGE; SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, each of the parties hereto has caused its duly authorized representative to execute this Agreement as of the date first above set forth.

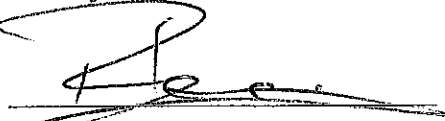
CITY OF BEACON 23-28 CREEK DRIVE, LLC

By: 
Name: Anthony Ruggiero
Title: City Administrator

By: 
Name: Rodney Weber
Title: Member/Manager


ADJACENT OWNER (paragraph 5)

Weber Projects III, LLC

By: 
Name:
Title:

ESCROWEE:

Keane & Beane, P.C.

By: 
Nicholas M. Ward-Willis, Esq.

City of Beacon Workshop Agenda
7/29/2019

Title:

Consolidated Funding Applications

Subject:

Background:

ATTACHMENTS:

Description	Type
Resolution Authorizing the Submission of a New York State Consolidated Funding Application by the City of Beacon	Resolution
Resolution Authorizing the Submission of an Application for a New York State Climate Smart Communities Grant	Resolution



CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2019

RESOLUTION

**AUTHORIZING THE SUBMISSION OF A NEW YORK STATE
CONSOLIDATED FUNDING APPLICATION BY THE CITY OF BEACON**

WHEREAS, New York State is accepting applications for the 2019 Funding Round of the New York State Consolidated Funding Application (“CFA”) Program; and

WHEREAS, the City of Beacon desires to apply for a New York State Department of Environmental Conservation (“NYSDEC”) Water Quality Improvement Program Grant for the Waste Water Treatment Plant (“WWTP”) Head Works in the amount of \$2,000,000, with a match of \$1,200,000; and

WHEREAS, the City of Beacon desires to apply for a New York State Department of Environmental Conservation (“NYSDEC”) Water Quality Improvement Program Grant for the Waste Water Treatment Plant (“WWTP”) Chlorination Contact Chamber in the amount of \$822,750, with a match of \$274,250.

NOW, THEREFORE, BE IT RESOLVED, by the City of Beacon’s City Council that the City Administrator is hereby authorized to submit a Consolidated Funding Application for the 2019 Funding Round in the amount of \$2,000,000 for the construction of the WWTP Head Works; and

BE IT FURTHER RESOLVED, by the City of Beacon’s City Council that the City Administrator is hereby authorized to submit a Consolidated Funding Application for the 2019 Funding Round in the amount of \$822,750 for the construction of the WWTP Chlorination Chamber; and

BE IT FURTHER RESOLVED, that the aforementioned potential grant agreements are subject to the approval of the City Attorney as to form and content.

Resolution No. _____ of 2019			Date: <u>August 5, 2019</u>				
<input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required. <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 J. Casale					
		Motion Carried					



CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2019

RESOLUTION

**AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR A NEW YORK
STATE CLIMATE SMART COMMUNITIES GRANT**

WHEREAS, the City of Beacon hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 Title 15; and

WHEREAS, the City of Beacon certifies that it has identified and secured \$50,000 of matching funds from its general fund pursuant to the requirements of Environmental Conservation Law Article 54 Title 15; and

WHEREAS, the City of Beacon desires to apply for a New York State Department of Environmental Conservation ("NYSDEC") Climate Smart Communities Program Grant in the amount of \$50,000, with a match of \$50,000.

NOW, THEREFORE, BE IT RESOLVED, Therefore, be it resolved, that the City of Beacon hereby authorizes the City Administrator to act on its behalf in submittal of an application through the Consolidated Funding Application for the 2019 Funding Round in the amount of \$50,000 to be used for the development of a Bicycle and Pedestrian Plan.

BE IT FURTHER RESOLVED, that the aforementioned potential grant agreements are subject to the approval of the City Attorney as to form and content.

Resolution No. _____ of 2019			Date: <u>August 5, 2019</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 J. Casale					
Motion Carried							

City of Beacon Workshop Agenda
7/29/2019

Title:

Conservation Advisory Committee Appointment

Subject:

Background:

ATTACHMENTS:

Description	Type
Conservation Advisory Committee Application	Application

Committee Application



Submit Forms:
One Municipal Plaza, Suite One
Beacon, NY 12508

Phone: (845) 838-5010
FAX: (845) 838-5012
Email: cityofbeacon@cityofbeacon.org

Name

Address

Phone Number

Alternate Phone

Email Address

Committee You are
Interested In

- ☐ Board of Assessment Review
- ☐ Board of Ethics
- ☒ Conservation Advisory Committee
- ☐ Emergency Management Committee
- ☐ Human Relations Commission
- ☐ Planning Board
- ☐ Recreation Committee
- ☐ Traffic Safety Committee
- ☐ Zoning Board of Appeals
- ☐ Any of the above
- ☐ Other

Available number of
Hours per week (for
Committee work)

Occupation

Employer

Work Address

Work Phone

Education

- ☐ Some High School
☐ High School Diploma
☐ Some College
☐ Associates Degree
☒ Bachelor's Degree
☐ Master's Degree
☐ Doctorate Degree

Interest & Skills

Interests: Local economic development, environmental conservation/sustainability, food/bev/tourism/hospitality

**Areas of Expertise
(business & civic)**

Entrepreneurship, nonprofit management, business/financial acumen

Reference

Reference Name

Erin Wheeler

Address

Beacon, NY 12508

Phone

Email Address

@gmail.com

Relationship

Spouse

Applicant Signature: _____



Date: **05/31/19**

City of Beacon Workshop Agenda
7/29/2019

Title:

Real Estate

Subject:

Background:

City of Beacon Workshop Agenda
7/29/2019

Title:

Personnel

Subject:

Background: