



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

Mayor Lee Kyriacou
Councilmember Amber J. Grant, At Large
Councilmember George Mansfield, At Large
Councilmember Terry Nelson, Ward 1
Councilmember Air Rhodes, Ward 2
Councilmember Jodi M. McCrede, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Anthony Ruggiero

City Council Workshop Agenda
January 13, 2020
7:00 PM

Workshop Agenda Items:

1. Green House Gas Inventories Presentation from Climate Smart Coordinator
2. Water Supply Update
3. City Council Meeting Schedule
4. Development Forums
5. Special Use Permit Application Discussion for 1182 North Avenue
6. Discussion of a Proposed Local Law to Amend Chapter 223, Section 41.18.E(7) of the Code of the City of Beacon Concerning Building Height Special Permits in the CMS District
7. Discussion of a Proposed Local Law to Amend Chapters 223 and 210 of the Code of the City of Beacon Concerning the City's Schedule of Regulations and Associated Amendments Regarding Permitted Uses in the City of Beacon
8. Discussion of a Proposed Local Law to Amend Chapter 134 of the Code of the City of Beacon Concerning Historic Preservation

Executive Session:

1. Personnel

City of Beacon Workshop Agenda
1/13/2020

Title:

Green House Gas Inventories Presentation from Climate Smart Coordinator

Subject:

Background:

ATTACHMENTS:

Description	Type
Inventory of Community and Municipal Operations	
Greenhouse Gas Emissions	Backup Material

City of Beacon, NY

Inventory of Community and Municipal Operations Greenhouse Gas Emissions



Produced for City of Beacon

By ICLEI - Local Governments for Sustainability USA

January 2020



Credits and Acknowledgements

Thanks to the following individuals for their assistance in providing information used in this report:

- Eleanor Peck, Climate Smart Coordinator, City of Beacon, and the entire City of Beacon Climate Smart Task Force
- Anthony Ruggiero, City Administrator, City of Beacon
- Jamie Mesnick, City of Beacon Building Department
- Ed Balicki, Chief Operator, City of Beacon Water and Sewer Department
- Mark Debald, Transportation Program Administrator, Dutchess County
- Robin Moore, Central Hudson Gas and Electric
- Mae Patel, Metro North Railroad

ICLEI-Local Governments for Sustainability USA

This report was prepared by Eli Yewdall, Senior Climate Program Officer at ICLEI Local Governments for Sustainability USA. The authors would like to thank City of Beacon staff for providing much of the insight and local information necessary for the completion of this report.

Table of Contents

Executive Summary	4
Key Findings	4
Climate Change Background	6
ICLEI Climate Mitigation Program	7
Inventory Methodology	8
Understanding a Greenhouse Gas Emissions Inventory	8
Community Emissions Protocol	8
Quantifying Greenhouse Gas Emissions	9
Sources and Activities	9
Quantification Methods	10
Community Emissions Inventory Results	11
Next Steps	12
Government Operations Inventory Results	13
Government Operations Next Steps	16
Methodology Details	17
Community Inventory Data	17
Government Operations Inventory Data	20
Conclusion	22

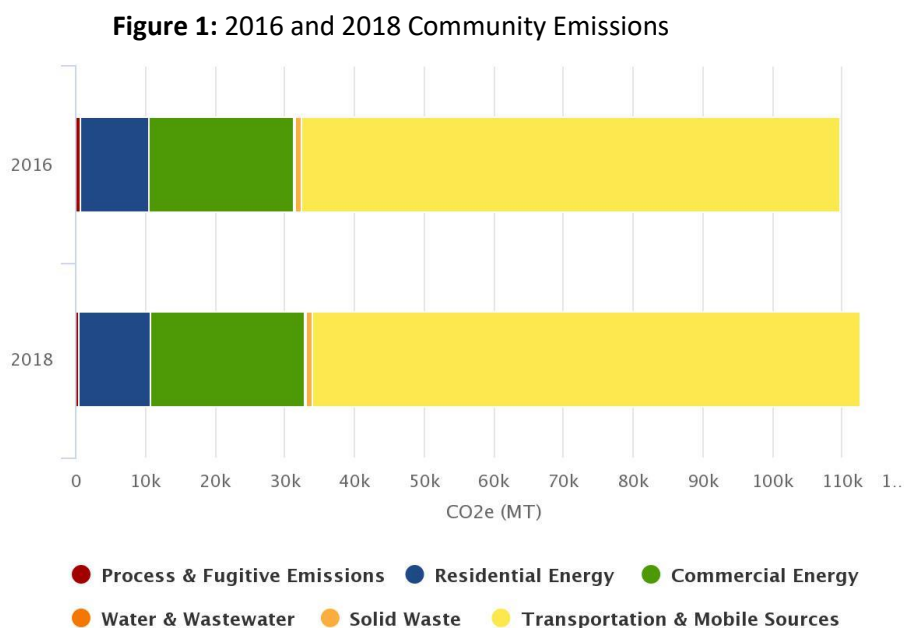
Executive Summary

The City of Beacon recognizes that greenhouse gas (GHG) emissions from human activity are catalyzing profound climate change, the consequences of which pose substantial risks to the future health, wellbeing, and prosperity of our community. Furthermore, the City of Beacon has multiple opportunities to benefit by acting quickly to reduce community GHG emissions.

This GHG inventory is part of ongoing sustainability efforts by the City, and an important step towards fulfilling the City's pledge to become an NY Certified Climate Smart Community¹. The emissions inventory will inform planning for energy savings and emissions reductions, and sets the baseline from which the city can measure progress towards sustainability goals and targets. This report provides estimates of greenhouse gas emissions resulting from community wide activities in City of Beacon as a whole in 2016 and 2018 as well as the separate emissions from City of Beacon government operations. City operations emissions are for 2012 and 2018, as more historic data were available than for community emissions.

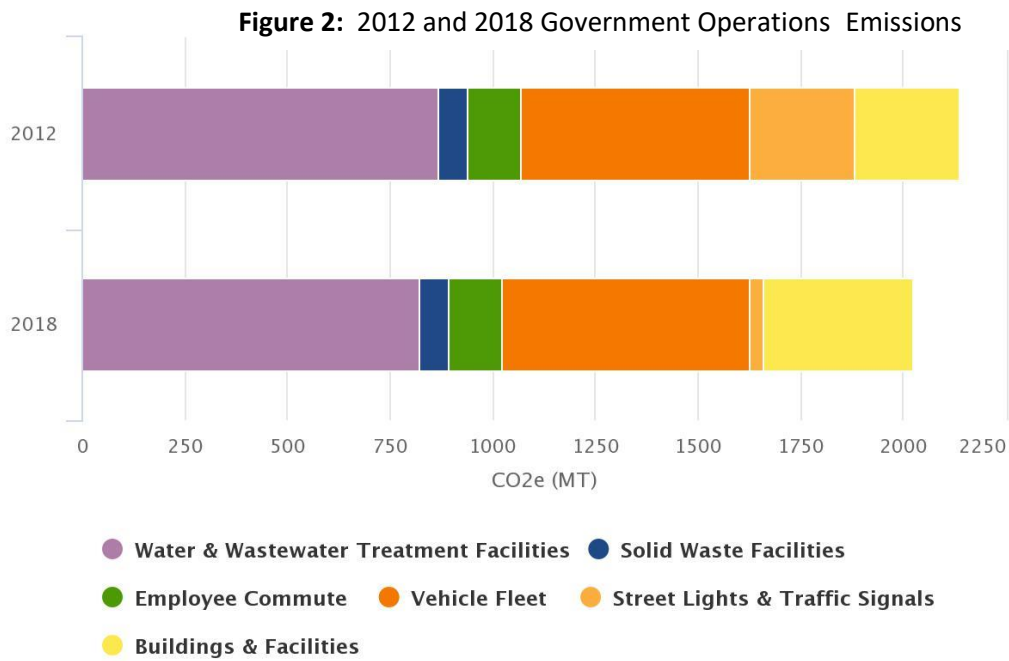
Key Findings

Community-wide Beacon GHG emissions for 2016 and 2018 are shown in Figure 1. Transportation was the largest contributor to community emissions, followed by residential and commercial heating fuels.



¹ <https://climatesmart.ny.gov/>

Emissions from City of Beacon operations for 2012 and 2018 are shown in Figure 2. Energy use in water and wastewater facilities, followed by fleet vehicle fuel use are the largest contributors to city operations emissions. In 2018, City Operations accounted for roughly 2% of the community wide emissions.



Climate Change Background

Naturally occurring gases dispersed in the atmosphere determine the Earth's climate by trapping solar radiation. This phenomenon is known as the greenhouse effect. Overwhelming evidence shows that human activities are increasing the concentration of greenhouse gases and changing the global climate. The most significant contributor is the burning of fossil fuels for transportation, electricity generation and other purposes, which introduces large amounts of carbon dioxide and other greenhouse gases into the atmosphere. Collectively, these gases intensify the natural greenhouse effect, causing global average surface and lower atmospheric temperatures to rise.

Climate change is already beginning to impact the people and communities of New York State. New York's ClimAID Report describes what can be expected in New York specifically². Increases in summer and winter temperatures are a primary driver of change throughout the state, and temperatures have already risen about 2.4 degrees Fahrenheit over the past 50 years, with winters even warmer. Heat waves are becoming more frequent and longer-lasting, increasing heat-related illness and death and posing new challenges to heat-stressed electricity infrastructure, air quality, and agriculture (by the end of the century, our growing season could be a month longer) (NYSERDA, 2011). Shifts in year-to-year precipitation patterns that reduce snowpack and increase flooding are among the most acutely felt impacts across the state. For instance, since the late 1950s, the amount of precipitation falling in downpours increased by more than 70%, and although more precipitation is falling during winter, the amount falling as snow has decreased. Moreover, for coastal communities, sea levels have risen more than a foot over the past 100 years and we could see sea levels rising another two or more feet by 2050, increasing the chances of coastal flooding. Our human community is not the only one climate change impacts: Pollinating bees arrive about 19 days earlier than they did during the 1800s and bird and fish populations have shifted their ranges northward, each migration affecting agriculture, hunting and fishing, and recreation.

To respond to the climate emergency, New York State passed the Climate Leadership and Community Protection Act (The Climate Act) in June 2019. Hailed as the most ambitious state climate legislation in the United States, The Climate Act calls for 100 percent carbon-free electricity by 2040 and a net-zero carbon economy by 2050, with 85 percent of reductions coming from reduced GHG emissions and the remaining 15 percent coming from carbon offsets (from projects primarily occurring within the state). Moreover, strong statewide local climate initiatives—the Climate Smart Communities and Clean Energy Communities Programs—offer the potential capacity to address many climate-related risks at the local level.

² NYSERDA 2014, Responding to Climate Change in New York State (ClimAID): 2014 Supplement - Updated Climate Projections Report

Many communities in the United States have taken responsibility for addressing climate change at the local level. Reducing fossil fuel use in the community can have many benefits in addition to reducing greenhouse gas emissions. More efficient use of energy decreases utility and transportation costs for residents and businesses. Retrofitting homes and businesses to be more efficient creates local jobs. In addition, money not spent on energy is more likely to be spent at local businesses and add to the local economy. Reducing fossil fuel use improves air quality, and increasing opportunities for walking and bicycling improves residents' health.

ICLEI Climate Mitigation Program

In response to the problem of climate change, many communities in the United States are taking responsibility for addressing emissions at the local level. Since many of the major sources of greenhouse gas emissions are directly or indirectly controlled through local policies, local governments have a strong role to play in reducing greenhouse gas emissions

within their boundaries. Through proactive measures around land use patterns, transportation demand management, energy efficiency, green building, waste diversion, and more, local governments can dramatically reduce emissions in their communities. In addition, local governments are primarily responsible for the provision of emergency services and the mitigation of natural disaster impacts.

ICLEI provides a framework and methodology for local governments to identify and reduce greenhouse gas emissions, organized along Five Milestones, also shown in Figure 3:

1. Conduct an inventory and forecast of local greenhouse gas emissions;
2. Establish a greenhouse gas emissions reduction target;
3. Develop a climate action plan for achieving the emissions reduction target;
4. Implement the climate action plan; and,
5. Monitor and report on progress.

This report represents the completion of ICLEI's Climate Mitigation Milestone One, and provides a foundation for future work to reduce greenhouse gas emissions in City of Beacon.



Inventory Methodology

Understanding a Greenhouse Gas Emissions Inventory

The first step toward achieving tangible greenhouse gas emission reductions requires identifying baseline emissions levels and sources and activities generating emissions in the community. This report presents emissions from the City of Beacon community as a whole and also emissions from government operations of the City of Beacon government. The government operations inventory is a subset of the community inventory (see Figure 4); for example, data on commercial energy use by the community includes energy consumed by municipal buildings, and community vehicle-miles-traveled estimates include miles driven by municipal fleet vehicles.

As local governments have continued to join the climate protection movement, the need for a standardized approach to quantify GHG emissions has proven essential. This inventory uses the approach and methods provided by the Community Greenhouse Gas Emissions Protocol (Community Protocol)³.

Community Emissions Protocol

The Community Protocol was released by ICLEI in October 2012, and represents a new national standard in guidance to help U.S. local governments develop effective community GHG emissions inventories. It establishes reporting requirements for all community GHG emissions inventories, provides detailed accounting guidance for quantifying GHG emissions associated with a range of emission sources and community activities, and provides a number of optional reporting frameworks to help local governments customize their community GHG emissions inventory reports based on their local goals and capacities.

The community inventory in this report includes emissions from the five Basic Emissions Generating Activities required by the Community Protocol. These activities are:

- Use of electricity by the community
- Use of fuel in residential and commercial stationary combustion equipment
- On-road passenger and freight motor vehicle travel

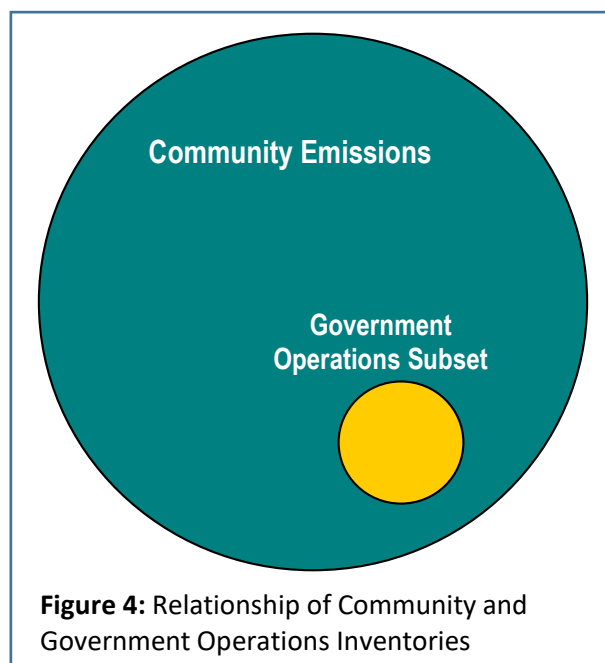


Figure 4: Relationship of Community and Government Operations Inventories

³ <http://www.icleiusa.org/tools/ghg-protocol/community-protocol>

- Use of energy in potable water and wastewater treatment and distribution
- Generation of solid waste by the community

In addition, the inventory includes wastewater process emissions and fugitive emissions from local natural gas distribution system leakage. Three greenhouse gases are included in this inventory: carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O). Carbon dioxide represents the vast majority of the community emissions and is produced from burning fossil fuels such as coal, gasoline, diesel, and natural gas. Methane accounts for about two percent of community-wide emissions, and comes primarily from waste decomposition in landfills and from local natural gas distribution system leakage, as well as small amounts as a byproduct of fuel combustion. Nitrous oxide is the smallest contributor to the inventory and comes from wastewater treatment process emissions, as well as small amounts as a byproduct of fuel combustion.

Quantifying Greenhouse Gas Emissions

Sources and Activities

Communities contribute to greenhouse gas emissions in many ways. Two central categorizations of emissions are used in the community inventory: 1) GHG emissions that are produced by “sources” located within the community boundary, and 2) GHG emissions produced as a consequence of community “activities”.

Source	Activity
Any physical process inside the jurisdictional boundary that releases GHG emissions into the atmosphere	The use of energy, materials, and/or services by members of the community that result in the creation of GHG emissions.

By reporting on both GHG emissions sources and activities, local governments can develop and promote a deeper understanding of GHG emissions associated with their communities. A purely source-based emissions inventory could be summed to estimate total emissions released within the community’s jurisdictional boundary. In contrast, a purely activity-based emissions inventory could provide perspective on the efficiency of the community, even when the associated emissions occur outside the jurisdictional boundary.

Quantification Methods

Greenhouse gas emissions can be quantified in two ways:

- Measurement-based methodologies refer to the direct measurement of greenhouse gas emissions (from a monitoring system) emitted from a flue of a power plant, wastewater treatment plant, landfill, or industrial facility.
- Calculation-based methodologies calculate emissions using activity data and emission factors. To calculate emissions accordingly, the basic equation below is used:

$$\text{Activity Data} \times \text{Emission Factor} = \text{Emissions}$$

All emissions sources in this inventory are quantified using calculation-based methodologies. Activity data refer to the relevant measurement of energy use or other greenhouse gas-generating processes such as fuel consumption by fuel type, metered annual electricity consumption, and annual vehicle miles traveled. Please see Methodology Details section for a detailed listing of the activity data used in composing this inventory.

Known emission factors are used to convert energy usage or other activity data into associated quantities of emissions. Emissions factors are usually expressed in terms of emissions per unit of activity data (e.g. lbs. CO₂/kWh of electricity).

Community Emissions Inventory Results

The total emissions for the 2016 inventory were calculated at 109,800 metric tons CO₂e (Table 1). In 2018, emissions increased 2.5% to 112,600 metric tons.

Table 1: 2016 and 2018 Community Inventory

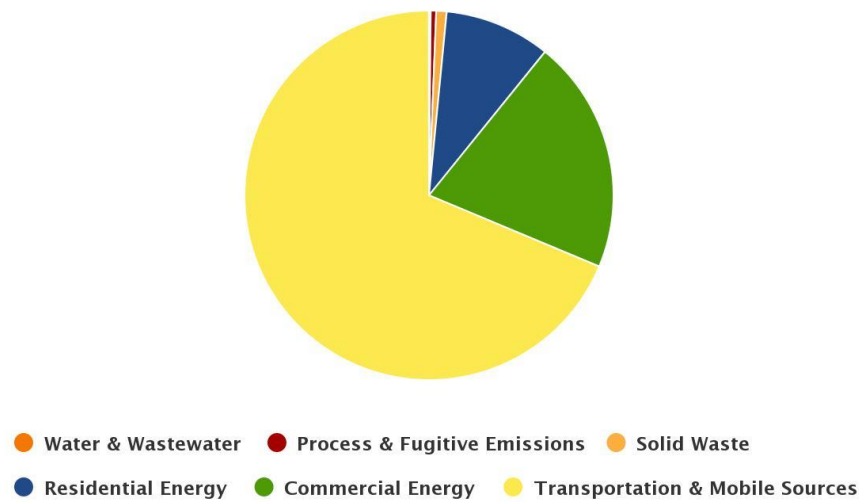
Sector	Fuel or source	2016 Usage	2018 Usage ⁴	Usage unit	2016 Emissions (MTCO ₂ e)	2018 Emissions (MTCO ₂ e)
Residential energy	Electricity	27,370,985	28,157,990	kWh	3,676	3,782
	Natural gas	Included in commercial total; separate residential usage not provided.				
	Fuel oil	566,444	555,137	gallons	5,820	5,704
	Propane	50,808	109,039	gallons	287	616
Residential energy total					9,783	10,102
Commercial energy	Electricity	17,747,840	19,149,160	kWh	2,384	2,572
	Natural gas	3,386,631	3,600,292	ccf	18,517	19,685
Commercial energy total					20,901	22,257
On-road transportation	Gasoline	118,870,812	121,380,591	vehicle miles	50,079	50,821
	Diesel	12,192,693	12,450,124	vehicle miles	19,010	19,411
Transit use	Diesel	54,766,868	55,365,128	Passenger miles	8,264	8,355
Transportation total					77,352	78,586
Solid Waste	Waste incinerated	3,311	3,501	tons waste	934	988
Solid waste total					934	934
Water and wastewater	Electricity and Natural gas ⁵				640	640
	Wastewater process	N/A	N/A	N/A	160	160
Water and wastewater total					160	160
Fugitive	Natural gas leakage	3,386,631	3,600,292	ccf	655	530
Fugitive total					655	530
Community total emissions					109,786	112,570

⁴ Electricity usage for July 2017-June 2018 used for 2018. VMT for 2017 used for 2018.

⁵ Wastewater energy is for information only, since it is included as part of commercial energy above. This row not added to community totals.

Figure 5 shows sources of 2018 community emissions. On-road transportation was the largest contributor to community emissions, followed by commercial and residential heating fuels.

Figure 5: 2016 Community Emissions



Next Steps

The inventory results should be used to focus and prioritize actions to reduce emissions. Based on the inventory results, the following areas have the greatest potential for emissions reduction:

- Reducing per-capita VMT through land use planning and encouraging use of transit, bicycling and walking.
- Promotion of electric vehicles (EVs) to replace gasoline passenger vehicles.
- Energy efficiency for residential and commercial buildings.
- Conversion of building heating to air source or geothermal heat pumps.
- Continued reductions in the electricity emissions factor through added renewable energy.

Completion of another GHG inventory in two to five years is recommended in order to assess progress resulting from any actions implemented. The detailed methodology section of this report, as well as notes and attached data files in the ClearPath tool and a master data Excel file provided to the City of Beacon, will be helpful to complete a future inventory consistent with this one.

Government Operations Inventory Results

Government operations emissions for 2012 and 2018 are shown in Table 2 and Figure 6. Water and wastewater treatment facilities are the largest contributors to government operations emissions, followed by the vehicle fleet.

Table 2: Government Operations Inventory Results

Sector	Fuel or source	2012 Usage	2018 Usage	Usage unit	2012 Emissions (MTCO ₂ e)	2018 Emissions (MTCO ₂ e)
Buildings	Electricity	753,793	805,667	kWh	140	108
Buildings	Natural gas	21,800	48,209	therms	116	256
Buildings total					256	363
Street lights & Signals	Electricity	1,360,529	284,386	kWh	253	37
Street light total					253	37
Vehicle fleet	Gasoline	35,551	36,781	gallons	312	323
Vehicle fleet	Diesel	24,106	27,354	gallons	246	279
Vehicle fleet total					558	602
Employee commute*	Gasoline	--	13,770	gallons	122	122
	Diesel	--	808	gallons	8	8
Employee commute total					130	130
Solid waste*	Government generated waste	--	253	tons	71	71
Solid waste total					71	71
Water & wastewater treatment	Electricity	3,459,553	4,111,311	kWh	647	557
	Natural gas	10,516	18,296	therms	59	102
	Process emissions*			N/A	162	162
Water & wastewater treatment total					868	821
Government operations total emissions					2,136	2,024
Sunlight Beacon production**			1,393,937	kWh	--	-187
Emissions net of solar production						1,837

*2012 data was not available for employee commute, solid waste, and wastewater process emissions, so these categories were assumed equal to 2018 emissions. **Sunlight Beacon production started July 2018.

Figure 6: 2018 City Operations GHG Emissions by Sector

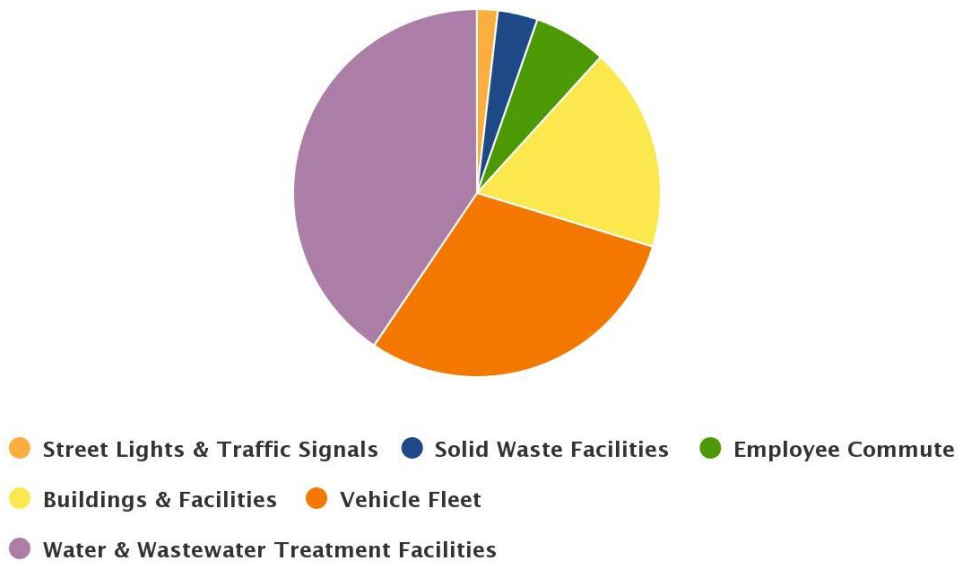


Figure 7 shows electricity usage for the highest usage facilities in 2012 and 2018. The wastewater treatment and water supply facilities dominate electricity usage. This is typical for cities that operate water and wastewater treatment, as many energy intensive processes are needed to safely and effectively treat the water and wastewater. Nevertheless, the water and wastewater facilities should be a high priority for evaluating energy efficiency and onsite renewable energy opportunities. Water supply energy use increased between 2012 and 2018, while usage at the sewage treatment plant decreased slightly. Street lighting energy decreased significantly because of the switch to LED lighting.

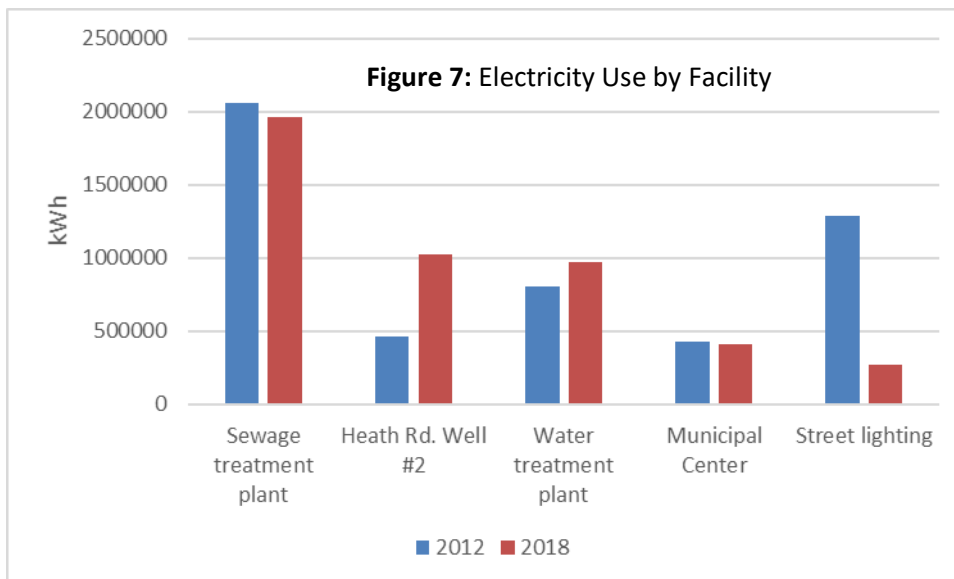
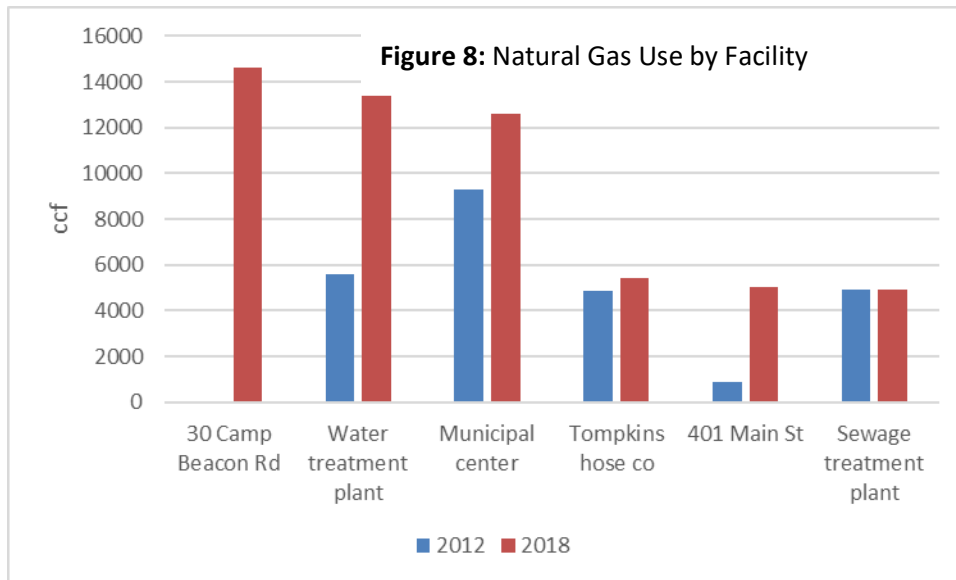
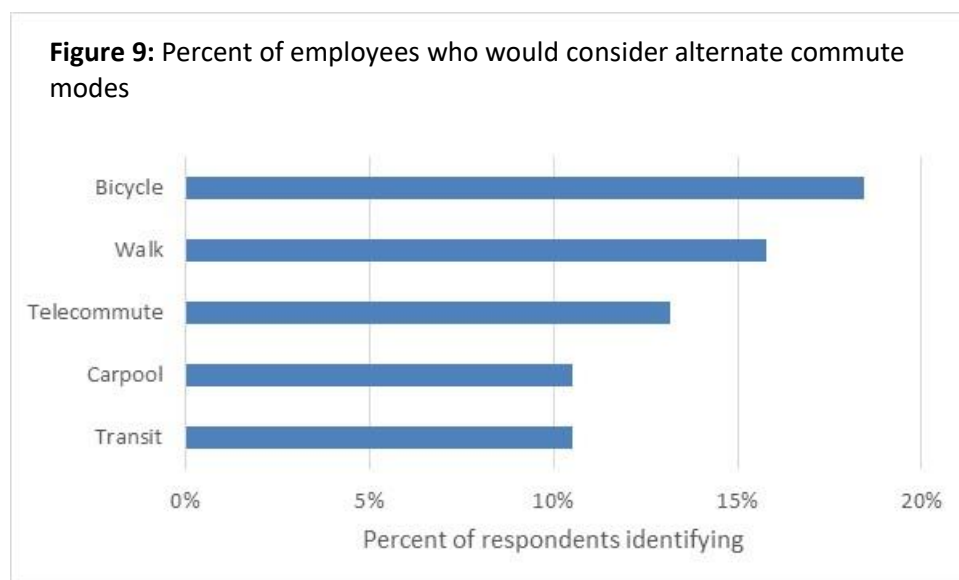


Figure 8 shows natural gas use for the highest usage facilities. The highest usage facility in 2018 was 30 Camp Beacon Rd, which was a new facility not present in 2012. Usage increased significantly at the water treatment plant, likely due to new treatment processes. Usage also increased at most other facilities; this is likely driven by colder weather. There were 5,985 heating degree days in 2018, compared to 4,925 heating degree days in 2018.⁶ The Memorial Building at 401 Main St was heated with oil through most of 2012, so the 2012 natural gas usage for that building is only for December.



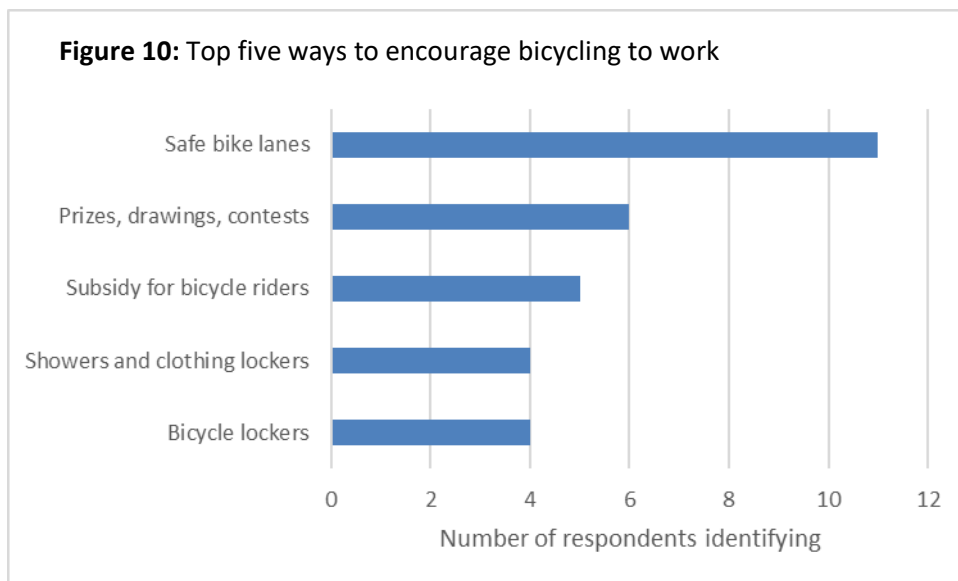
Employee Commute Survey

A survey of employee how employees get to work was conducted in order to obtain data needed to calculate employee commute emissions. The survey also asked questions about willingness to consider different transportation options, and what would encourage them to use a different option. Currently, 97% of Beacon



⁶ Obtained from <https://www.weatherdatadepot.com/> with base temperature of 65F and weather station NYBO.

employees normally drive alone to work. However, many employees are willing to consider different modes, as shown in figure 9. Eighteen percent would consider bicycling, and sixteen percent would consider carpooling. Employees reported that safe bike lanes are the number one thing that would encourage them to bike to work, as shown in Figure 10. Employees who already bike to work, either daily or occasionally, would be a good starting point for additional engagement to identify priorities for improved bike infrastructure. Improved bike infrastructure would support reductions in community-wide transportation emission as well as those from employee commute.



Government Operations Next Steps

The inventory results should be used to focus and prioritize actions to reduce emissions. Based on the inventory results, the following areas have the greatest potential for emissions reduction:

- Continued energy efficiency improvements to water and wastewater facilities, as well as other facilities.
- Where feasible, replacing fleet vehicles with electric vehicles, or with more efficient vehicles.

Annual tracking of energy use in City buildings and facilities, with completion of another complete GHG inventory in two to five years, is recommended in order to assess progress resulting from any actions implemented. The detailed methodology section of this report, as well as notes and attached data files in the ClearPath tool and a master data Excel file provided to the City of Beacon, will be helpful to complete a future inventory consistent with this one.

Methodology Details

Community Inventory Data

Electricity and Natural Gas

Electricity and natural gas usage data were obtained from the NYSERDA energy data portal⁷ for the residential and commercial sectors. The portal provides monthly usage by customer type. However, many data points were withheld; information on the portal indicates that data is withheld for privacy reasons when usage of a single customer is more than 15% of the total for a customer class.

2016 data gaps: For electricity, a couple months of commercial data and one month of residential data were withheld. These data gaps were filled in by assuming usage equal to the average of the months before and after the withheld month. For natural gas, more data points were withheld. Total natural gas usage across all customer types was used to minimize the number of missing data points, but data was only still only available for six months. Fortunately, months representing winter, spring and summer were available, so missing months were filled in assuming usage equal to a month from the same season.

2018 data gaps: Total natural gas usage was available for all months in 2018. Electricity usage was available for January through June but not for July through Dec, so data from July 2017 through June 2018 was used; data was available for all months in this period.

Electricity emissions factors were obtained from EPA's eGRID⁸, and are shown in Table 3.

Table 3: Electricity Emissions Factors

Year	CO ₂ (lbs./MWh)	CH ₄ (lbs./GWh)	N ₂ O (lbs./GWh)
2012	408.8	15.59	3.83
2016*	294.7	21	3

*2016 is the most recent data available from eGRID, and was used for both 2016 and 2018.

Fuel oil and Propane

Residential fuel oil and propane use were estimated based on EIA usage data⁹ for New York State. The number of households using each fuel in Beacon and in New York State was obtained from American Community Survey (ACS) data.¹⁰ Commercial fuel oil and propane use were not estimated.

⁷ <https://www.nyserdera.ny.gov/All-Programs/Programs/Clean-Energy-Communities/Community-Energy-Use-Data>

⁸ <https://www.epa.gov/energy/emissions-generation-resource-integrated-database-egrid>

⁹ https://www.eia.gov/state/seds/sep_use/notes/use_print.pdf Table CT4

¹⁰ <https://factfinder.census.gov/>

On Road Passenger and Commercial Transportation

Vehicle miles travelled for the community were provided by the Dutchess County Transportation Department for 2016 and 2017. Data specific to the City of Beacon was not available, so countywide VMT was scaled to Beacon based on population. The data provided was annual average daily VMT, and was converted to annual VMT by multiplying by 365. This is an in-boundary VMT estimate. 2018 data was not available, so 2017 data was used as a proxy.

To calculate emissions, the VMT needs to be allocated to different vehicle and fuel types. This was done using data from the EPA State Inventory Tool,¹¹ which provides statewide VMT by vehicle type and fuel. This data was used to calculate the percent of VMT for each vehicle type and fuel, which are shown in Table 5. These percentages were applied to the total Beacon VMT above.

Table 5: New York State VMT by Fuel and Vehicle Type

Fuel	% of VMT	
Gasoline	90.7	
Diesel	9.3	
Vehicle type	% of Gasoline VMT	% of Diesel VMT
Passenger car	75.8	3.5
Light truck	22.0	8.4
Heavy truck	1.5	88.1
Motorcycle	0.7	0

Next it is necessary to apply average miles per gallon and emissions factors for CH₄ and N₂O to each vehicle type. The factors used are shown in Table 6.

Table 6: MPG and Emissions Factors by Vehicle Type¹²

Fuel	Vehicle type	MPG	CH ₄ g/mile	N ₂ O g/mile
Gasoline	Passenger car	23.86	0.0187	0.011
Gasoline	Light truck	17.34	0.0201	0.017
Gasoline	Heavy truck	5.36	0.0333	0.0134
Gasoline	Motorcycle	23.86	0.0187	0.011
Diesel	Passenger car	17.34	0.005	0.001
Diesel	Light truck	23.86	0.001	0.0015
Diesel	Heavy truck	6.02	0.0051	0.0048

¹¹ <https://www.epa.gov/statelocalenergy/download-state-inventory-and-projection-tool>

¹² These are standard defaults provided by ICLEI USA for many GHG inventories, and are derived from the following sources: Table 2.8 Motor Vehicle Mileage Fuel Consumption and Fuel Economy 1949-2010, <https://www.eia.gov/totalenergy/data/annual/showtext.php?t=ptb0208>; Freight Existing Trucks Fuel Efficiency Heavy Motor Gasoline Reference AEO2015, https://www.eia.gov/appendix/qb.php?category=1373322&sdid=AEO.2015.REF2015.EFI_NA_FGHT_RADS_MGS_NA_NA_MPG.A; Freight Existing Trucks Fuel Efficiency Heavy Diesel Phase 2 AEO2016, https://www.eia.gov/appendix/qb.php?sdid=AEO.2016.PHASEII.EFI_NA_FGHT_RADS_DSL_NA_NA_MPG.A; Table 4-23M: Average Fuel Efficiency of U.S. Light Duty Vehicles, [Bureau of Transportation Statistics \(2015\)](https://www.bts.gov/publications/national-highway-transportation-statistics-tables/2015).

Passenger Rail

Beacon is served by MTA Metro North commuter rail on the Hudson Line. Metro Railroad North provided data on average weekday and weekend passenger boardings at the Beacon station. The data did not specify the destination station, so it was assumed that all passengers' destination was Grand Central Station, NYC, a distance of 59 miles by rail. This resulted in 54,766,868 rail passenger miles in 2016 and 55,365,128 passenger miles in 2018 allocated to Beacon. The MTA sustainability report¹³ gives an emissions factor of 0.0001509 **MTCO₂e** /passenger mile, which was multiplied by the miles above to give passenger rail emissions.

Wastewater

Wastewater is treated by the City of Beacon. For more detail on wastewater treatment energy, see the government inventory methodology details on p. 21.

Potable Water

Water is treated by the City of Beacon. For more detail on wastewater treatment energy, see the government inventory methodology details on p. 21.

Solid Waste

Royal Carting provided data on residential solid waste collected from Beacon in 2016 and 2018. Beacon's solid waste is combusted at the Dutchess County Resource Recovery Facility. Total emissions and total waste tonnage collected from the facility for 2017 were used to calculate emissions per ton of waste, which was then multiplied by the waste collected from Beacon on each year.

Fugitive Emissions

Emissions from natural gas leakage for Central Hudson were obtained from the EPA Facility Level Information on Greenhouse gasses Tool (FLIGHT)¹⁴. These emissions were allocated to Beacon using the portion of total natural gas sold by Central Hudson. Beacon natural gas use represented 2.2% of total residential, commercial and industrial gas supplied by Central Hudson in 2016 and 2.1% in 2018.

Inventory Calculations

The 2017 inventory was calculated following the US Community Protocol and ICLEI's ClearPath software. The 5th IPCC Climate Assessment was used for global warming potential (GWP) values to convert methane and nitrous

¹³ <https://new.mta.info/document/10436>

¹⁴ <https://ghgdata.epa.gov/ghgp/main.do>

oxide to CO₂ equivalent units. ClearPath's inventory calculators allow for input of the sector activity (i.e. kWh or VMT) and emission factor to calculate the final CO₂e emissions.

Government Operations Inventory Data

Buildings and Facilities

Central Hudson provided a report of electricity and natural gas usage by facility for 2018. This data was not available as far back as 2012, so electricity and natural gas usage for 2012 was manually copied from scanned utility bills. Electricity emissions factors from eGRID were used as shown in Table 3.

Street Lights and Traffic Signals

Electricity usage for street lights and traffic signals was collected as described above for buildings and facilities. Electricity emissions factors from eGRID were used as shown in Table 3.

Vehicle Fleet

Total gallons of diesel and gasoline fuel by department used in city vehicles for 2012 and 2018 were collected from city records. Emissions were calculated using per gallon emissions factors from Table G.1 of the LGO Protocol.

Employee Commute

A survey of how employees get to work was conducted in November 2019. 39 employees out of a total of 100 responded to the survey, a participation rate of 39%. Survey respondents reported their one-way commute distance, the number of days/year they worked, and the fuel type and miles per gallon (MPG) of their vehicle. In addition, they reported if they used carpooling, transit, bicycling or walking to get to work. This data was used to calculate the annual commute VMT and gallons of fuel for each responding employee. Two of the respondents indicated they bicycle to work every day, while the remaining respondents drive alone to work every day.

From these numbers, average MPG was calculated for gasoline and for diesel vehicles. The VMT from respondents was then multiplied by 100/39, to estimate VMT for all employees. The average MPG numbers were used along with the VMT for each fuel type to calculate emissions. These values are shown in Table 7.

Table 7: Employee Commute VMT and MPG

Fuel	Employee commute VMT	Average MPG
Gasoline	317,101	23.03
Diesel	12,564	15.56

Water and Wastewater Treatment Facilities

Natural gas and electricity usage data were collected as described above for buildings and facilities. Electricity emissions factors were used as shown in Table 3.

N₂O emissions from effluent discharge were calculated based on data provided by Water and Sewer Department. The department indicated an N load discharge of 370 lbs/day; emissions were calculated from this using factors and equations in the Local Government Operations Protocol.¹⁵

In addition, nitrification/denitrification process emissions from the wastewater treatment facility were calculated based on a population of 15,000 served by the facility¹⁶ and default emissions factors from the Local Government Operations Protocol.¹⁷

¹⁵ <https://www.theclimateregistry.org/tools-resources/reporting-protocols/local-government-operations-protocol/>

¹⁶ The department indicated that a small population outside the City of Beacon is served by the facility, but the exact population outside the city that is served is not known.

¹⁷ <https://www.theclimateregistry.org/tools-resources/reporting-protocols/local-government-operations-protocol/>

Conclusion

A greenhouse gas inventory is an excellent baseline from which to measure your progress. ICLEI's ClearPath tool allows your community to use the inventory results to conduct a business-as-usual scenario, set targets for reductions, and analyze opportunities to reduce GHG emissions.

Local governments can act directly in areas for which they have judicial authority, operational control or ownership and through advocacy to regional, state, and national bodies with these levels of authority.

Some of these strategies are highlighted on pages 12 and 16 of this report, including:

- Encourage bicycling, walking and transit use by City employees and the public.
- Promotion of electric vehicles (EVs) to replace gasoline passenger vehicles.
- Energy efficiency for both City facilities and residential and commercial buildings.
- Conversion of heating to heat pumps for both City facilities and residential and commercial buildings.

Local actions in each of these areas can make a significant contribution to reducing GHG emissions, and to maintaining cost-effective local government services and a high quality of life for Beacon residents.

City of Beacon Workshop Agenda
1/13/2020

Title:

Water Supply Update

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum to the City Council Regarding a Water Supplpy Update	Cover Memo/Letter



MEMORANDUM

TO: Anthony J. Ruggiero, M.P.A.
FROM: Thomas P. Cusack
SUBJECT: Water Supply Update
DATE: January 9, 2020

I Bottleneck

WSP completed a preliminary hydraulic modeling analysis of the raw water piping system from the Cargill Reservoir to the treatment plant. Generally speaking, the model indicated that the existing raw water transmission mains in the area of the “bottleneck” (area of Well 1 and Well 2) appear to be adequately sized and the transmission mains are not the limiting factor affecting the flow of raw water through the “bottleneck” area. The evaluation indicated that the well pumps in Well 1 and Well 2 are undersized with respect to their pressure capability. WSP is recommending both wells be converted from vertical turbine pumps to submersible well pumps.

II Well 2

WSP completed a flow test for the portion of the raw water main from the Cargill Reservoir to the treatment plant that included evaluating the flow conditions at Well 1 and Well 2. Based on the results of the flow test and the hydraulic model, WSP determined the design parameters to allow for specifying the proposed well pump for Well 2. The design parameters were provided to a pump vendor and a new well pump was selected for installation. WSP is in the process of preparing bid specifications for pump purchase and installation. Once the new pump is installed, the well will be pumped to waste to further develop the well and reduce the turbidity in the well to below the drinking water standard.

III Well 1

As part of conducting the flow test for Well 2, it was identified that the pump in Well 1 was underperforming. The existing pump is rated for a capacity of 800 gallons per minute; however, the maximum capacity observed during the flow test was 565 gallons per minute. To evaluate this pump, it will need to be pulled from the well and inspected. If possible and cost effective, the pump should be repaired. If repair of the pump cannot be technically or economically justified, it will need to be replaced. The flow test that was conducted will allow for determining the design parameters for Well 1 which will allow WSP to specify a new pump, if needed. Please note that the yield of Well 1 is 400 gallons per minute; therefore, the pump is significantly oversized with respect to pumping capacity.

IV Well 3

A third well was located by WSP at the well field in 2017. There were no records on this well. A T.V. camera inspection determined this 8-inch diameter well was 253 ft in depth. The City authorized an extended pumping test on Well 3 in October 2019 to determine the yield of the well and potential water quality issues (turbidity). The test determined a safe yield of 235 gpm. The discharge from the well



during the pump test was clear and the turbidity was below drinking water standards. WSP recommend deepening the well from 253 feet to 450 to 550 feet (similar to the depth of Wells 1 and 2) to hopefully encounter deepening water bearing fracture to increase the yield from 235 gpm to 400 gpm. We are preparing an NYSDEC wetland disturbance permit to allowing deepening of the well and connection of the well to the City water-supply system. This source is proposed to augment the City's existing water supply. Assuming a yield of 235 to 400 gpm for Well 3 this would provide surplus water of 338,400 gpd to 576,000 gpd. WSP feels the higher yield estimate can likely be achieved.

nv

H:\Beacon, City\2020\City Council Update.docx

City of Beacon Workshop Agenda
1/13/2020

Title:

City Council Meeting Schedule

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from the City Administrator Regarding City Council Meeting Dates	Cover Memo/Letter
City Council Meeting Dates 2020	Backup Material
2020 Holiday Schedule	Backup Material



CITY OF BEACON New York

Anthony J. Ruggiero, M.P.A.
City Administrator

OFFICE OF CITY ADMINISTRATOR

845-838-5000

To: Mayor Kyriacou and City Council

From: Anthony J. Ruggiero, MPA, City Administrator *h/r*

Date: January 13, 2020

Re: City Council Meeting Schedule

During the re-organizational meeting Workshop on January 3, it was discussed to look at having a couple of Workshop's and Council Meetings on Saturdays. Pursuant to this discussion, I have attached a draft calendar of Saturday morning meeting options for review and discussion for February and March. My thought was that every few months we could look at different Saturday morning meeting dates.

In addition, for your convenience, attached is the Beacon City School District Board of Education Meetings for 2019-2020 and the adopted Workshop and Council Meeting dates.

February 2020

March 2020

February 2020

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jan 26	27	28	29	30	31	Feb 1 Community Forum
2	3 7:00pm City Council Meeting (Court Room)	4	5	6	7	8 Council/Workshop
9	10 7:00pm City Council Workshop	11	12 Lincoln's Birthday City Holiday	13	14	15
16	17 7:00pm City Council Meeting (Court Room) President's Day City Holiday	18	19	20	21	22 Council/Workshop
23	24 7:00pm City Council Workshop	25	26	27	28	29 Community Forum

March 2020

March 2020							April 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 1	2 7:00pm City Council Meeting (Court Room)	3	4	5	6	7
8	9 7:00pm City Council Workshop	10	11	12	13	14 Workshop
15	16 7:00pm City Council Meeting (Court Room)	17	18	19	20	21 Council
22	23 7:00pm City Council Workshop	24	25	26	27	28
29	30 7:00pm City Council Meeting (Court Room)	31	Apr 1	2	3	4 Council

City Council Meeting Dates – 2020

*Held 1st and 3rd Monday of every month – except when holiday falls on Monday, then deferred to Tuesday
Public comment session begins at 7:00 p.m., meeting follows immediately thereafter*

Municipal Center Courtroom (unless otherwise noted)

Monday, January 6, 2020

Tuesday, January 21, 2020 *(due to Martin Luther King Jr. holiday)*

Monday, February 3, 2020

Tuesday, February 18, 2020 *(due to President's Day – Washington's Birthday)*

Monday, March 2, 2020

Monday, March 16, 2020

Monday, April 6, 2020

Monday, April 20, 2020

Monday, May 4, 2020

Monday, May 18, 2020

Monday, June 1, 2020

Monday, June 15, 2020

Monday, July 6, 2020

Monday, July 20, 2020

Monday, August 3, 2020

Monday, August 17, 2020

Tuesday, September 8, 2020 *(due to Labor Day holiday)*

Monday, September 21, 2020

Monday, October 5, 2020

Monday, October 19, 2020

Monday, November 2, 2020

Monday, November 16, 2020

Monday, December 7, 2020

Monday, December 21, 2020

Council Workshop Meeting Dates – 2020

*Held 2nd & last Monday of every month – except when holiday falls on Monday; then deferred to Tuesday.
Municipal Center Courtroom, 7:00 pm*

Monday, January 13, 2020

Monday, January 27, 2020

Monday, February 10, 2020

Monday, February 24, 2020

Monday, March 9, 2020

Monday, March 30, 2020

Monday, April 13, 2020

Monday, April 27, 2020

Monday, May 11, 2020

Tuesday, May 26, 2020 (*due to Memorial Day holiday*)

Monday, June 8, 2020

Monday, June 29, 2020

Monday, July 13, 2020

Monday, July 27, 2020

Monday, August 10, 2020

Monday, August 31, 2020

Monday, September 14, 2020

Monday, September 28, 2020

Tuesday, October 13, 2020 (*due to Columbus Day holiday*)

Monday, October 26, 2020

Monday, November 9, 2020

Monday, November 30, 2020

Monday, December 14, 2020

2020 Holiday Schedule

Wednesday, January 1, 2020	New Year's Day
Monday, January 20, 2020	Martin Luther King Jr.
Wednesday, February 12, 2020	Lincoln's Birthday
Monday, February 17, 2020	President's Day (Washington's Birthday)
Friday, April 10, 2020	Good Friday
Monday, May 25, 2020	Memorial Day
Friday, July 3, 2020	Independence Day
Monday, September 7, 2020	Labor Day
Monday, October 12, 2020	Columbus Day
Tuesday, November 3, 2020	Election Day
Wednesday, November 11, 2020	Veteran's Day
Thursday, November 26, 2020	Thanksgiving Holiday
Friday, November 27, 2020	Thanksgiving Holiday
Thursday, December 24, 2020	Christmas Eve – ½ Day
Friday, December 25, 2020	Christmas Day
Thursday, December 31, 2020	New Year's Eve – ½ Day

City of Beacon Workshop Agenda
1/13/2020

Title:

Development Forums

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from City Administrator Regarding Development Forums	Cover Memo/Letter



CITY OF BEACON New York

Anthony J. Ruggiero, M.P.A.
City Administrator

OFFICE OF CITY ADMINISTRATOR

845-838-5000

To: Mayor Kyriacou and City Council

From: Anthony J. Ruggiero, MPA, City Administrator

Date: January 13, 2020

Re: Community Forums on Development

On Monday night and in his January 7th Press Release, Mayor Kyriacou outlined a proposal for two community forums to solicit input on building and development in Beacon. The forums are to be held on Saturday mornings to encourage public participation. Each forum would have two components:

1. An educational segment, where residents can receive information concerning the City's Comprehensive Plan, development activity, and recent zoning changes which were adopted to better manage development; and
2. A community input segment, where residents will be provided an opportunity to discuss these issues, using the help of an outside facilitator with planning and zoning expertise.

The two proposed Saturday Forums are scheduled for 10:00 am on February 1 and February 29 at the Veterans Memorial Hall. Attached for your review is a draft agenda and proposed calendar of dates for discussion.

CITY OF BEACON
COMMUNITY FORUMS ON DEVELOPMENT
MEMORIAL HALL
423-425 MAIN STREET
FEBRUARY 2, 2020
10:00 AM TO 12:00 PM

AGENDA

- 10:00 AM Introduction and Welcome
- Mayor Kyriacou
 - City Staff and Consultants
- 10:15 AM Land Use Planning and Zoning Presentation
- “Zoning 101”
 - Involved Parties
 - Documents and Decisions
 - Comprehensive Plan
 - Recent Zoning Changes
 - Agenda for 2020
- 11:00 AM Community Discussion Segment
- Residents have an opportunity to ask questions and discuss issues
- 12:00 AM Adjournment
- Next Meeting Date – Saturday, February 29
 - Wrap Up

February 2020

March 2020

February 2020

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jan 26	27	28	29	30	31	Feb 1 Community Forum
2	3 7:00pm City Council Meeting (Court Room)	4	5	6	7	8 Council/Workshop
9	10 7:00pm City Council Workshop	11	12 Lincoln's Birthday City Holiday	13	14	15
16	17 7:00pm City Council Meeting (Court Room) President's Day City Holiday	18	19	20	21	22 Council/Workshop
23	24 7:00pm City Council Workshop	25	26	27	28	29 Community Forum

City of Beacon Workshop Agenda
1/13/2020

Title:

Special Use Permit Application Discussion for 1182 North Avenue

Subject:

Background:

ATTACHMENTS:

Description	Type
Planning Board Referral to City Council	Cover Memo/Letter
1182 North Avenue Site Plan, SUP & Subdivision Applications	Backup Material
1182 North Avenue Sheet 1 Cover	Backup Material
1182 North Avenue Sheet 2 Existing Conditions & Removal	Backup Material
1182 North Avenue Sheet 3 Site Plan	Backup Material
1182 North Avenue Sheet 4 Erosion Control Grading & Utility	Backup Material
1182 North Avenue Sheet 5 Construction Details	Backup Material
1182 North Avenue Sheet 6 Construction Details 2	Backup Material

BEACON PLANNING BOARD
ONE MUNICIPAL PLAZA - SUITE 1
BEACON, NEW YORK 12508
Phone (845) 838-5002 Fax (845) 838-5026
John Gunn, Chairman

December 12, 2019

Mayor Casale & City Council Members
One Municipal Plaza - Suite One
Beacon, New York 12508

RE: Special Use Permit – Accessory Apartment and Artist Studio
1182 North Avenue

Applicant: Andrew MacDonald

Dear Mayor Casale & Council Members:

At its December 10, 2019 meeting, the Planning Board reviewed two Special Use Permit applications submitted by Andrew MacDonald to build a new single-family house, including an attached accessory apartment and attached for-rent artist studio at 1182 North Avenue. The property is located in the R1-7.5 zoning district and the Historic District and Landmark Overlay zone. Special Use Permits are sought from the City Council for the accessory apartment and artist studio, and Site Plan and Subdivision Approvals are needed from the Planning Board. The accessory apartment and artist studio are proposed on the ground floor of the proposed structure entering into a common foyer; the single-family house proposed will be on the second floor of the structure.

During the course of the Planning Board's review of the application, much discussion took place with regard to the number of parking spaces proposed by the Applicant and the number required by zoning regulations. As initially proposed, the Applicant sought more parking spaces than required by the zoning code which the Planning Board suggested created too much impervious coverage. The Applicant revised the plans to reduce the number of parking spaces from seven to five, which is the minimum required by the zoning code. Members further commented at the December 10th meeting that the two unenclosed off-street parking spaces should be made of pervious material to reduce the amount of pavement on the site.

The Planning Board also discussed the layout of the proposed artist studio including the inclusion of a full bathroom. In response to the Planning Board's concern that the artist studio could easily be converted to an apartment it was noted that there is no restriction in the Code as to whether an artist studio must have a full bath or half bath. It was further noted that under the Historic District and Landmark Overlay Zone regulations which are applicable to this property up to four dwelling units would be permitted by Special Permit as a multi-family dwelling or artist live/work spaces.

After careful consideration, Board members voted unanimously to issue a favorable recommendation and forward the applications for Special Use Permits for the accessory apartment and the for-rent artist studio in this location, subject to the applicant returning to the Planning Board for Subdivision and Site Plan Approvals.

Please note that the Planning Board's review of the proposed action pursuant to the State Environmental Quality Review Act (SEQRA) has not yet concluded. At the December 10th meeting, the Planning Board opened and closed a public hearing to consider comments related to any environmental impacts of the proposed action. No written or verbal public comments were provided. The Planning Board then directed counsel to prepare the documentation for the Planning Board's adoption of a Negative Declaration at its January 14, 2020 meeting.

If you have any questions regarding the Planning Board's action, please call me.

Yours truly,




John Gunn, Chairman

APPLICATION FOR SPECIAL USE PERMIT

Submit to Planning Board Secretary, One Municipal Plaza, Suite One, Beacon, New York 12508

IDENTIFICATION OF APPLICANT

Name: Andrew G. MacDonald
Address: 97 Roosevelt Drive
Poughquag, NY 12570
Signature: 
Date: 10/28/2019
Phone: 914-645-4351

(For Official Use Only)

Application & Fee Rec'd
Initial Review

Date Initials

10-29-19 AG
11-13-19

PB Public Hearing

Sent to City Council

City Council Workshop

City Council Public Hearing

City Council Approve/Disapprove

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Daniel G. Koehler, P.E.
Address: 174 Main Street, Beacon, NY 12508

Phone: 845-440-6926

Fax: 845-440-6631

Email address: dkoehler@hudsonlanddesign.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: 1182 North Avenue, Beacon, NY 12508

Tax Map Designation: Section 5955

Block 19

Lot(s) 747060

Land Area: 0.676 acres total (after Lot Line alteration)

Zoning District(s) R1-7.5

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Proposed 726 sqft of artist studio space and 646 Accessory apartment within proposed single-family residence

Gross Non-Residential Floor Space: Existing 0

Proposed 726 sqft

TOTAL: 726 sqft non-residential; 646 sqft residential accessory apartment

Dwelling Units (by type): Existing 0

Proposed 2

TOTAL: 2

ITEMS TO ACCOMPANY THIS APPLICATION

- Five (5) **folded** copies and One (1) digital copy of a site location sketch showing the location of the subject property and the proposed development with respect to neighboring properties and developments.
- Five (5) **folded** copies and One (1) digital copy of the proposed site development plan, consisting of sheets, showing the required information as set forth on the back of this form and other such information as deemed necessary by the City Council or the Planning Board to determine and provide for the property enforcement of the Zoning Ordinance.
- Five (5) **folded** copies and One (1) digital copy of additional sketches, renderings or other information.
- An application fee, payable to the City of Beacon, computed per the attached fee schedule.
- An initial escrow amount, payable to the City of Beacon, as set forth in the attached fee schedule.

APPLICATION FOR SITE PLAN APPROVAL

Submit to Planning Board Secretary, One Municipal Plaza, Suite One, Beacon, New York 12508

IDENTIFICATION OF APPLICANT

Name: Andrew G. MacDonald
Address: 97 Roosevelt Drive
Poughquag, NY 12570
Signature: *Andrew MacDonald*
Date: 10/29/19
Phone: 914-645-4351

(For Official Use Only)

Application & Fee Rec'd

Initial Review

Public Hearing

Conditional Approval

Final Approval

Date Initials

10-29-19 EB

11-13-19

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Daniel G. Koehler, P.E.
Address: 174 Main Street
Beacon, NY 12508

Phone: 845-440-6926

Fax: 845-440-6637

Email address: dkoehler@hudsonlanddesign.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: 1182 North Avenue, Beacon, NY 12508

Tax Map Designation: Section 5955 Block 19 Lot(s) 747060

Land Area: 0.68 acres total (After lot line alteration) Zoning District(s) R1-7.5

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Lot Line realignment of Existing Lots into 2 new lots with a single-family residence, accessory apartment and artist studio on new lot.

Gross Non-Residential Floor Space: Existing 0 sqft Proposed 728 sqft

TOTAL: 728 sqft

Dwelling Units (by type): Existing 1 Proposed 2

TOTAL: 3

ITEMS TO ACCOMPANY THIS APPLICATION

- One electronic and five (5) **folded** paper copies of a site location sketch showing the location of the subject property and the proposed development with respect to neighboring properties and developments.
- One electronic and five (5) **folded** paper copies of the proposed site development plan, consisting of sheets, showing the required information as set forth on the back of this form and other such information as deemed necessary by the City Council or the Planning Board to determine and provide for the property enforcement of the Zoning Ordinance.
- One electronic and five (5) **folded** paper copies of additional sketches, renderings or other information.
- An application fee, payable to the City of Beacon, computed per the attached fee schedule.
- An initial escrow amount, payable to the City of Beacon, as set forth in the attached fee schedule.

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Andrew G. MacDonald

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

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

Applicant Address: 97 Roosevelt Drive, Poughquag, NY 12570

Project Address: 1182 North Avenue, Beacon, NY 12508

Project Tax Grid # 5955-19-738049 & 747060

Type of Application Lot Line Realignment, Site Plan and Special Use Permits

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

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

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

Andrew MacDonald

Signature of Owner

Title if owner is corporation

Office Use Only:

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

NO

YES

Initial

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

✓

AM

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

X

AM

X

AM

**CITY OF BEACON
SITE PLAN SPECIFICATION FORM**

Name of Application: 1182 NORTH AVENUE SITE PLAN

PLEASE INDICATE WHETHER THE SITE PLAN DRAWINGS SHOW THE SUBJECT INFORMATION BY PLACING A CHECK MARK IN THE APPROPRIATE BOXES BELOW.

	YES	NO
The site plan shall be clearly marked "Site Plan", it shall be prepared by a legally certified individual of firm, such as a Registered Architect or Professional Engineer, and it shall contain the following information:		
LEGAL DATA		
Name and address of the owner of record.		
Name and address of the applicant (if other than the owner).		
Name and address of person, firm or organization preparing the plan.		
Date, north arrow, and written and graphic scale.		
NATURAL FEATURES		
Existing contours with intervals of two (2) feet, referred to a datum satisfactory to the Planning Board.		
Approximate boundaries of any areas subject to flooding or stormwater overflows.		
Location of existing watercourses, wetlands, wooded areas, rock outcrops, isolated trees with a diameter of eight (8) inches or more measured three (3) feet above the base of the trunk, and any other significant existing natural features.		
EXISTING STRUCTURES, UTILITIES, ETC.		
Outlines of all structures and the location of all uses not requiring structures.		
Paved areas, sidewalks, and vehicular access between the site and public streets.		
Locations, dimensions, grades, and flow direction of any existing sewers, culverts, water lines, as well as other underground and above ground utilities within and adjacent to the property.		
Other existing development, including fences, retaining walls, landscaping, and screening.		
Sufficient description or information to define precisely the boundaries of the property.		
The owners of all adjoining lands as shown on the latest tax records.		
The locations, names, and existing widths of adjacent streets and curb lines.		
Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to private or public use within or adjacent to the properties.		

PROPOSED DEVELOPMENT	YES	NO
The location, use and design of proposed buildings or structural improvements.		
The location and design of all uses not requiring structures, such as outdoor storage (if permitted), and off-street parking and unloading areas.		
Any proposed division of buildings into units of separate occupancy.		
The location, direction, power, and time of use for any proposed outdoor lighting.		
The location and plans for any outdoor signs.		
The location, arrangement, size(s) and materials of proposed means of ingress and egress, including sidewalks, driveways, or other paved areas.		
Proposed screening and other landscaping including a planting plan and schedule prepared by a qualified individual or firm.		
The location, sizes and connection of all proposed water lines, valves, and hydrants and all storm drainage and sewer lines, culverts, drains, etc.		
Proposed easements, deed restrictions, or covenants and a notation of any areas to be dedicated to the City.		
Any contemplated public improvements on or adjoining the property.		
Any proposed new grades, indicating clearly how such grades will meet existing grades of adjacent properties or the street.		
Elevations of all proposed principal or accessory structures.		
Any proposed fences or retaining walls.		
MISCELLANEOUS		
A location map showing the applicant's entire property and adjacent properties and streets, at a convenient scale.		
Erosion and sedimentation control measures.		
A schedule indicating how the proposal complies with all pertinent zoning standards, including parking and loading requirements.		
An indication of proposed hours of operation.		
If the site plan only indicates a first stage, a supplementary plan shall indicate ultimate development.		

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

Signature: _____

Date: _____

APPLICATION FOR SUBDIVISION APPROVAL

Submit to Planning Board Secretary, One Municipal Plaza, Suite One, Beacon, New York 12508

IDENTIFICATION OF APPLICANT

Name: ANDREW G. MACDONALD
Address: 97 Roosevelt Drive
Poughquag, NY 12570
Signature: Andrew MacDonald
Date: 10/29/2019
Phone: 917-645-4351

(For Official Use Only)

Preliminary Application Rec'd

Application Fee:

Public Hearing

Preliminary Plat Approved:

Final Plat Approved:

Recreation Fee:

Performance Bond:

Date Initials

10-29-19 EL

IDENTIFICATION OF REPRESENTATIVE / DESIGN PROFESSIONAL

Name: Daniel G. Koehler, P.E.
Address: 174 Main Street, Beacon, NY 12508

Phone: 845-440-6926
Fax: 845-440-6637
Email address: dkoehler@hudsonlanddesign.com

IDENTIFICATION OF SUBJECT PROPERTY:

Subdivision name or identifying title:

MacDonald Subdivision

Street which property abuts: NYS Route 9D (North Avenue) and Ralph Street

Current Tax Map Designation: Section 5955 Block 19 Lot(s) 738049 & 747060

Property (does) (~~does not~~) connect directly into a (State) (~~County~~) highway. NYS Route 9D

Land in subdivision (~~is~~) (is not) within 500 feet of a Municipal boundary.

Total area of property is 0.68 acres

ITEMS TO ACCOMPANY THIS APPLICATION

- One electronic and five (5) **folded** copies of a subdivision plat showing the location of the subject property and the proposed development with respect to neighboring properties and developments.
- An application fee, payable to the City of Beacon, computed per the attached fee schedule.
- An initial escrow amount, payable to the City of Beacon, as set forth in the attached fee schedule.

**CITY OF BEACON
FINAL SUBDIVISION PLAT
AND CONSTRUCTION PLANS SPECIFICATION FORM**

Name of Application: 1182 NORTH AVENUE SITE PLAN

FINAL SUBDIVISION PLAT	YES	NO
The final subdivision plat shall be drawn clearly and legibly on transparent tracing cloth with black waterproof ink, at a scale no smaller than one inch equals 100 feet but preferably at a scale of one inch equals 50 feet. The sheet size shall not exceed 36 inches by 48 inches. If the size of proposed subdivision required a drawing larger than this, two or more sheets may be submitted, with match lines clearly indicated, and an index map shall be prepared on the same size sheet.		
The final plat shall contain the following information:		
Proposed subdivision name or identifying title, name, and address of owner of record and of subdivider (if other than owner), certification and seal of the registered engineer or licensed land surveyor who prepared the plat, names of the owners of record of adjoining properties and of properties directly across the street or private road, graphic scale, approximate true North point, and date.		
The location and dimensions of all boundary lines of the proposed subdivision, and all existing and proposed streets, private roads, lot lines, easements and rights-of-way, with sufficient data to readily determine the location, bearing and length of all such lines and to reproduce such lines upon the ground.		
The names of all existing and proposed streets and private roads.		
The locations of all water bodies and watercourses.		
The location of all existing buildings, including identification of all buildings to be removed as a condition of plat approval.		
The total acreage included in the entire subdivision, and the identification number and acreage of all lots and land reservations within the proposed subdivision.		
Location of all existing and proposed monuments.		
A site location map, at a scale of one inch equals 400 feet, showing the location of the subject property with respect to neighboring properties, streets and private roads.		
Notations explaining any drainage, sight slope, street widening, park area or other reservations or easements, including any self-imposed restrictions or covenants.		
Endorsement of approval by the Dutchess County Health Department.		
Plan for the provisional delivery of mail, as approved by the local postmaster.		
Endorsement of the owner as follows: <div style="text-align: center;"> <p>“Approved for filing: _____”</p> <p>Owner _____ Date _____</p> </div>		

PRELIMINARY CONSTRUCTION PLANS	YES	NO
The preliminary construction plans shall be drawn at the same scale as the preliminary plat and shall include the following information:		
Location and sizes of any existing water, sewer storm drainage and other utility lines and structures within and nearby the proposed subdivision.		
The proposed system for the provision of water supply and fire protection facilities, sewage disposal, stormwater drainage, and other utility services.		
Proposed street or private road profiles and cross-sections showing the approximate grade of proposed streets or private roads, the relationship of existing to proposed grades, and the proposed grades, and the proposed vertical curvature along the center line of all new streets or private roads.		
Location of all existing and proposed monuments and other subdivision improvements.		
Such additional information as may be required by this chapter, the Zoning chapter, or the Planning Board.		

FINAL SUBDIVISION PLAT <i>(continued)</i>	YES	NO
<p>Form for endorsement by Planning Board Chairman as follows:</p> <p>“Approved by Resolution of the Planning Board of the City of Beacon, New York, on the _____ day of _____, 20_____, subject to All requirements and conditions of said Resolution. Any change, erasure, modification or revision of this plat, as approved, shall void this approval.</p> <p>Signed this _____ day of _____, 20_____, by _____, Chairman _____, Secretary</p> <p>In absence of the Chairman or Secretary, the Acting Chairman or Acting Secretary Respectively may sign in this place.</p>		
Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.		
Stormwater pollution prevention plan. A stormwater pollution prevention plan consistent with the requirements of Chapter 190 and with the terms of preliminary plan approval shall be required for final subdivision plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 190, Article II. The approved final subdivision plat shall be consistent with the provisions of Chapter 190.		

FINAL CONSTRUCTION PLANS	YES	NO
Final construction plans and profiles shall be prepared for all proposed streets, private roads and other required improvements. Plans shall be drawn at the same scale as the final plat and on the same size sheets, but not on the same sheets. The following information shall be shown:		
Plans and profiles showing the location and a typical cross-section of street and/or private road pavements including curbs and gutters, sidewalks, manholes and catch basins; the location of street or private road trees, lighting and signs; the location, size and invert elevations of existing and proposed sanitary sewers, stormwater drains and fire hydrants; the location and size of all water, gas or other underground utilities or structures; and the location and design of any other required improvements.		
Profiles showing existing and proposed elevations along the center line of all streets and private roads. Where a proposed street or private road intersects an existing street or private road, the elevation along the center line of the existing street or private road within 100 feet of intersection, shall be shown. All elevations must be referred to established U.S. Government of approved local benchmarks, where they exist within ½ mile of the boundary of the subdivision.		
The Planning Board may require, where steep slopes exist, cross-sections showing existing and proposed elevations of all new streets and private roads every 100 feet at five points on a line at right angles to the center line of the street or private road, said elevation points to be at the center line of the street or private road, each property line, and points 30 feet inside each property line.		
Location, size, elevation and other appropriate description of any existing facilities which will be connected to proposed facilities and utilities within the subdivision.		

FINAL CONSTRUCTION PLANS (continued)		
Where the design of the subdivision requires the regarding of land, the regarding of land, the regraded contours shall be shown along with estimates of the quantity of material to be added or removed and the proposed measures to be implemented by the subdivider to rehabilitate the disturbed area or areas.		
Title of all sheets, name, address, signature and seal of licensed engineer preparing the construction plans, the date prepared, including revisions dates if any, approximate true North point, scale, and consecutive numbering as sheet _____ of _____.		
A notation of approval, on all sheets as follows <p>“Approved by:</p> <p>_____ Date _____</p> <p>Owner _____</p> <p>and _____</p> <p>_____ Date”</p> <p>Planning Board Chairman _____</p>		
Such additional information as may be required by Chapter 195 – Subdivision of Land; Chapter 223 – Zoning; or the Planning Board.		

For all items marked “NO” above, please explain below why the required information has not been provided:

Applicant/Sponsor Name: _____

Signature: _____

Date: _____

GENERAL NOTES:
THE PROPOSAL CALLS FOR CONSTRUCTION OF A NEW STRUCTURE ON THE EASTERN LOT, AS MODIFIED BY A CONCURRENT LOT LINE REALIGNMENT APPLICATION. THE STRUCTURE IS GENERALLY BROKEN DOWN AS FOLLOWS:
A. 2,272 SQFT OF SINGLE FAMILY RESIDENTIAL.
B. 626 SQFT GARAGE.
C. 646 ACCESSORY APARTMENT.
D. 728 ARTIST STUDIO.
E. 211 SQFT COMMON FOYER.
SINGLE FAMILY RESIDENTIAL USE IS PERMITTED BY RIGHT IN THE R1-7.5 ZONING DISTRICT. ACCESSORY APARTMENTS AND ARTIST STUDIOS ARE SPECIALLY PERMITTED USES IN THE HISTORIC OVERLAY AND LANDMARK DISTRICT AND REQUIRES SITE PLAN APPROVAL FROM THE PLANNING BOARD AND SPECIAL USE PERMIT ISSUANCE FROM THE CITY COUNCIL.
1. THE ARTIST STUDIO WILL BE LIMITED IN USE BY THE ARTIST, AND WILL NOT BE USED AS A GALLERY FOR EXHIBITS. THE HOURS FOR THE ARTIST STUDIO ARE AS FOLLOWS:
MONDAY THROUGH FRIDAY: 10 AM TO 6 PM
SATURDAY AND SUNDAY: 11 AM TO 8 PM
2. EXISTING PLANIMETRIC INFORMATION FOR THE OVERALL SITE WAS TAKEN FROM A MAP PREPARED BY DECKER SURVEYING, P.C. IN MARCH OF 2019.
3. THE SITE DOES NOT CONTAIN ANY WETLANDS OR FLOODPLAINS PER AVAILABLE GIS MAPPING.
4. THE PROJECT IS SERVICED BY PUBLIC WATER AND SEWER FROM THE CITY OF BEACON WATER AND SEWER DISTRICTS, RESPECTIVELY.

GENERAL CONSTRUCTION NOTES:
1. THE CONTRACTOR SHALL PERFORM A UTILITIES CALL-OUT PRIOR TO CONSTRUCTION TO VERIFY ALL UNDERGROUND UTILITY LOCATIONS BY CONTACTING UPPO @ 1-800-962-7962.
2. WATER, SEWER AND STORM SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS. ALL OTHER UTILITIES (TELEPHONE, ELECTRIC, GAS, CABLE, ETC.) SHALL BE INCORPORATED FOLLOWING SITE PLAN APPROVAL. ALL SUCH UTILITY DESIGNS SHALL BE DEVELOPED IN COOPERATION WITH THE RESPECTIVE UTILITY COMPANIES.
3. THE CONTRACTOR SHALL FIELD VERIFY THE SIZE, LOCATION, DEPTH AND CONDITION OF ALL UTILITIES AND REPORT ANY DISCREPANCIES TO THE ENGINEER. THE CONTRACTOR SHALL NOT ASSUME THAT ALL LOCATIONS AS SHOWN ON THE PLAN ARE CORRECT.
4. THE CONTRACTOR SHALL CONSTRUCT ALL IMPROVEMENTS AS SHOWN ON PLANS. ANY FIELD CONDITIONS THAT MAY RESULT IN A VARIATION FROM THE PLAN SET SHALL BE BROUGHT TO THE ENGINEERS ATTENTION IN WRITING. VARIATIONS FROM THE PLAN WITHOUT APPROVAL FROM THE ENGINEER WILL BE CONSIDERED DEFICIENT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ON-SITE OR OFF-SITE DAMAGES TO VEGETATION OR PROPERTY CAUSED BY HIS OPERATIONS. SUCH DAMAGES SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS COST TO THE SATISFACTION OF THE ENGINEER, PROPERTY OWNER OR AGENCY HAVING JURISDICTION.
6. THE CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
7. THE CONTRACTOR SHALL SECURE THE WORK LIMITS OF THE SITE BY INSTALLATION OF CONSTRUCTION FENCING AND OTHER MEASURES, AS NECESSARY TO PREVENT NON-AUTHORIZED ENTRY.
8. THE CONTRACTOR SHALL KEEP THE SITE IN A CLEAN AND ORDERLY MANNER.
9. THE CONTRACTOR SHALL NOT INTERRUPT EXISTING ACCESS OR OPERATIONS FOR THE REMAINDER OF THE SITE.
10. THERE IS NO DISTURBANCE WITHIN THE RIGHT-OF-WAY OF NYS ROUTE 9D, THEREFORE, THERE ARE NO PERMITS REQUIRED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION.
11. THE INSTALLED EXPANSION JOINTS IN THE CONCRETE SIDEWALK RESTORATION AREAS SHALL MATCH THE EXISTING EXPANSION JOINT SPACING ON THE EXISTING SIDEWALK ON RALPH STREET.

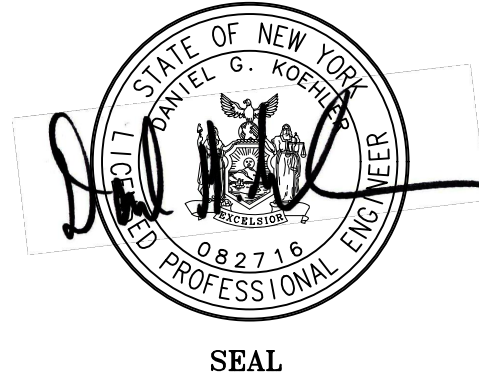
SPECIAL ARTIST STUDIO NOTES:
1. THE ARTIST STUDIO SHALL BE INSPECTED EVERY TWO YEARS BY THE BUILDING DEPARTMENT IN ORDER TO DETERMINE WHETHER THE ARTIST STUDIO REMAINS IN COMPLIANCE. UPON SATISFACTORY INSPECTION, THE ARTIST STUDIO OWNER SHALL BE REISSUED A CERTIFICATE OF OCCUPANCY. IN THE EVENT THAT THE ARTIST STUDIO IS NO LONGER IN COMPLIANCE, THE CERTIFICATE OF OCCUPANCY SHALL BE REVOKED UNTIL THE VIOLATIONS ARE CURED.

SPECIAL ACCESSORY APARTMENT NOTES:
1. THE OWNER OF THE SINGLE-FAMILY LOT UPON WHICH AN ACCESSORY APARTMENT IS LOCATED SHALL OCCUPY AT LEAST ONE THE DWELLING UNITS.
2. THE MINIMUM FLOOR AREA FOR AN ACCESSORY APARTMENT SHALL BE 400 SQFT, THE MAXIMUM FLOOR AREA SHALL BE 650 SQFT, BUT IN NO CASE SHALL THE FLOOR AREA OF THE APARTMENT EXCEED 30% OF THE TOTAL FLOOR AREA OF THE DWELLING BUILDING IN WHICH IT IS LOCATED. THE PROPOSED ACCESSORY APARTMENT IS 646 SQFT, OR APPROXIMATELY 16.7% OF THE TOTAL FLOOR AREA OF THE DWELLING BUILDING (CALCULATION DOES NOT INCLUDE GARAGE FLOOR AREA).
3. FOR ACCESSORY APARTMENTS LOCATED IN A DETACHED SINGLE-FAMILY DWELLINGS, THE ENTRY TO SUCH UNIT AND ITS DESIGN SHALL BE SUCH THAT, TO THE DEGREE REASONABLY FEASIBLE, THE EXTERIOR APPEARANCE OF THE BUILDING WILL RETAIN THAT OF A SINGLE-FAMILY RESIDENCE. THE PLAN CALLS FOR A SINGLE ENTRY LEADING TO A COMMON FOYER, THEREBY PROVIDING AN EXTERIOR APPEARANCE OF A SINGLE-FAMILY RESIDENCE.
4. THE ACCESSORY APARTMENT SHAL BE INSPECTED BY THE BUILDING DEPARTMENT EVERY TWO YEARS IN ORDER TO DETERMINE WHETHER THE APARTMENT REMAINS IN COMPLIANCE. UPON A SATISFACTORY INSPECTION REPORT, THE ACCESSORY APARTMENT OWNER SHALL BE REISSUED A CERTIFICATE OF OCCUPANCY. IN THE EVENT THAT THE INSPECTION INDICATES THAT THE ACCESSORY APARTMENT IS NOT IN COMPLIANCE, THE CERTIFICATE OF OCCUPANCY SHALL BE REVOKED UNTIL THE VIOLATIONS ARE CURED.

DRAWING INDEX:
SHEET 1: COVER SHEET: CV-1
SHEET 2: EXISTING CONDITIONS & REMOVALS PLAN: XC-1
SHEET 3: SUBDIVISION & SITE PLAN: SP-1
SHEET 4: EROSION & SEDIMENT CONTROL PLAN & GRADING AND UTILITY PLAN: GU-1
SHEET 5: CONSTRUCTION DETAILS: CD-1
SHEET 6: CONSTRUCTION DETAILS: CD-2

DRAWN BY: CMB				CHECKED BY: DGK			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	11/26/19	PER PLANNING BOARD COMMENTS	AG				

BEFORE UNDERTAKING ANY DIGGING, DRILLING, BLASTING OR DISTURBANCE TO THE GROUND IN ANY WAY, FOR ANY REASON, ALL INDIVIDUALS MUST CONTACT
DIG SAFELY NEW YORK
AT
811 OR WWW.CALL811.COM



HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926
F: 845-440-6637

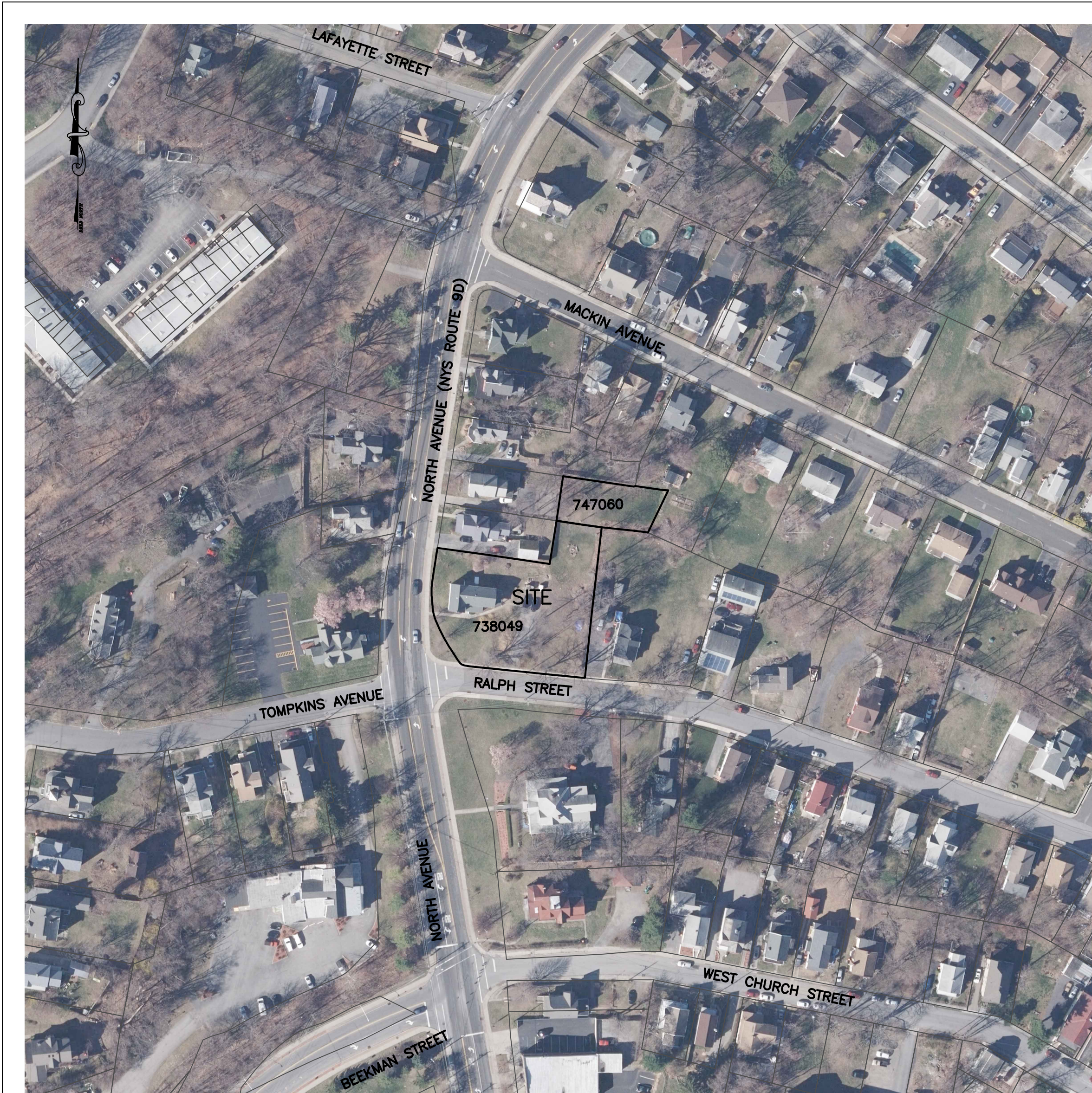
COVER SHEET

1182 NORTH AVENUE

1182 NORTH AVENUE (NYS ROUTE 9D)
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060

JOB #:	2019-021
DATE:	10/29/19
SCALE:	AS SHOWN
TITLE:	CV-1
SHEET:	1 OF 6

1182 NORTH AVENUE
SITE PLAN AND SPECIAL USE PERMIT
1182 NORTH AVENUE
CITY OF BEACON, DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060
LOT AREA: ±0.68 ACRES TOTAL
R1-7.5 ZONING DISTRICT AND HISTORIC DISTRICT AND LANDMARK OVERLAY



AREA MAP SCALE: 1" = 100'

OWNER & APPLICANT:
ANDREW MACDONALD
97 ROOSEVELT DRIVE
POUGHQUAG, NY 12570
PHONE: 914-645-4351

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

PROJECT SURVEYOR:
DECKER SURVEYING
JOHN H. DECKER LS
290 FRALEIGH LANE
RED HOOK, NEW YORK 12571
PH: 845-758-4442

PROJECT ARCHITECT:
D M FLORANCE ARHCITECTURE PLLC
DOUGLAS M. FLORANCE R.A A.I.A.
6 GRIFFIN STREET
POUGHQUAG, NY 12570
PH: 845-227-8516

CONSTRUCTION SEQUENCING SCHEDULE:
(FOR STORMWATER MANAGEMENT AND EROSION/SEDIMENT CONTROL PURPOSES)
1. ROUGH GRADE AS NECESSARY TO ESTABLISH DRIVEWAY GRADE. PREPARE A STABILIZED CONSTRUCTION ENTRANCE AS SHOWN.
2. INSTALL SILT FENCE PER THE PLAN AND AS NEEDED TO PROTECT THE ADJACENT PROPERTIES.
3. CONSTRUCT THE HOUSE AND ALL ASSOCIATED UTILITY SERVICE CONNECTIONS. FINE GRADE AROUND THE HOUSE TO ESTABLISH FINISHED GRADES.
4. TOPSOIL, SEED AND MULCH THE DISTURBED AREAS TO ESTABLISH VEGETATION.
5. REMOVE THE STABILIZED CONSTRUCTION ENTRANCE AND CONSTRUCT THE DRIVEWAY TO FINAL TOP TREATMENT.
6. REMOVE SILT FENCE WHEN 80% STABILIZATION IS ACHIEVED.

PARKING NOTES:
1. REQUIRED PARKING = 2 SPACES PER SINGLE FAMILY RESIDENTIAL, PLUS 2 SPACES FOR PER ACCESSORY APARTMENT, PLUS 1 SPACE PER 500 SQFT OF ARTISTS STUDIO = 5.5 SPACES REQUIRED.
2. THE PROPOSED PARKING ARRANGEMENT CONSISTS OF 4 SPACES IN THE PARKING AREA TO THE NORTH OF THE PROPOSED STRUCTURE AND 2 SPACES IN THE PROPOSED GARAGE FOR A TOTAL OF 6 SPACES.

UTILITY NOTES:
1. ALL WATER & SEWER CONNECTIONS SHALL COMPLY WITH CITY WATER AND SEWER DISTRICT REQUIREMENTS.
2. THE PROPOSED BUILDING SHALL BE SET AT SUCH ELEVATION TO ENSURE GRAVITY FLOW FROM THE RAW SEWER LINE TO THE POINT OF CONNECTION WITH THE EXISTING SEWER MAIN, WHILE MAINTAINING PROPER EARTH COVER ABOVE ALL PIPING.
3. NO CELLAR, ROOF, OR FOOTING DRAINS SHALL BE DISCHARGED INTO THE SANITARY SEWER SYSTEM.

EROSION AND SEDIMENT CONTROL NOTES:
1. ALL EROSION CONTROL MEASURES EMPLOYED DURING THE CONSTRUCTION PROCESS SHALL BE INSPECTED BY THE CONTRACTOR IN ACCORDANCE WITH THE MAINTENANCE SCHEDULE. ALL EROSION CONTROL STRUCTURES SHALL BE REPAIRED AND MAINTAINED AS NECESSARY BY THE CONTRACTOR.
2. ALL STORMWATER MANAGEMENT STRUCTURES (E.G. CATCH BASINS) SHALL BE REGULARLY INSPECTED FOR SEDIMENT ACCUMULATIONS. CATCH BASINS SHALL BE CLEANED WHEN SEDIMENT DEPTH REACHES A MAXIMUM OF ONE-HALF THE AVAILABLE SUMP DEPTH.
3. ALL EROSION CONTROL INSTALLATION AND MAINTENANCE MEASURES SHALL MEET THE REQUIREMENTS OF THE NEW YORK STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL.
4. ANY PILE OF POTENTIALLY ERODIVE MATERIAL TEMPORARILY STOCKPILED ON THE SITE DURING THE CONSTRUCTION PROCESS SHALL BE LOCATED IN AN AREA AWAY FROM STORM DRAINAGE AND SHALL BE PROPERLY PROTECTED FROM EROSION BY A SURROUNDING SILT FENCE.
5. PERMANENT SEEDED AREAS FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH DETAIL AND SPECIFICATIONS ON THIS PLAN.
6. AREAS UNDERGOING CLEARING OR GRADING AND WHERE WORK IS DELAYED OR COMPLETED AND WILL NOT BE REDISTURBED FOR A PERIOD OF 21 DAYS OR MORE SHALL BE STABILIZED WITH TEMPORARY OR PERMANENT VEGETATIVE COVER WITHIN 14 DAYS.
7. ON-SITE DUST CONTROL SHALL BE ACCOMPLISHED BY STANDARD METHODS OF LIGHTLY WATERING ALL EXPOSED SOIL AND RAPIDLY STABILIZING THE REGRADED AREAS WITH TOPSOIL, LOAM AND/OR SEEDING.
8. THE CITY ENGINEER AND PROJECT ENGINEER SHALL BE NOTIFIED NO LESS THAN 48 HOURS PRIOR TO THE START OF ANY SITE WORK, AND BY SUCH NOTIFICATION, SHALL BE PROVIDED WITH THE NAME AND TELEPHONE NUMBER OF THE GENERAL CONTRACTOR RESPONSIBLE FOR SUCH WORK.
9. THE CITY AND/OR ITS REPRESENTATIVES MAY INSPECT EROSION AND SEDIMENT CONTROL PRACTICES ON THE SITE DURING CONSTRUCTION AND RECOMMEND THAT THE CONTRACTOR INSTALL ADDITIONAL EROSION CONTROL MEASURES IF DEEMED NECESSARY TO PROTECT ANY UNDISTURBED AREAS OF THE SITE. ANY SUCH REQUESTS SHALL BE MADE DIRECTLY TO THE CONTRACTOR AND QUALIFIED PROFESSIONAL AND FOLLOWED UP WITH A WRITTEN NOTIFICATION TO THE DEVELOPER. IN ADDITION, THE PROJECT ENGINEER SHALL BE CONSULTED ON ANY SPECIAL ADDITIONS OR DELETIONS OF EROSION CONTROL MEASURES WARRANTED BY CHANGING FIELD CONDITIONS.
10. IF GROUNDWATER IS ENCOUNTERED DURING CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CONSTRUCT A DEWATERING PIT IN ACCORDANCE WITH NEW YORK STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL TO FILTER WATER FOR PUMPING TO A SUITABLE LOCATION.
11. WHEN ALL DISTURBED AREAS ARE STABLE, ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED.

INSPECTION SCHEDULE & MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES

PERMANENT AND TEMPORARY VEGETATION:
INSPECT ALL AREAS THAT HAVE RECEIVED VEGETATION EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. ALL AREAS DAMAGED BY EROSION OR WHERE SEED HAS NOT ESTABLISHED SHALL BE REPAIRED AND RESTABILIZED IMMEDIATELY.

STABILIZED CONSTRUCTION ENTRANCE:
INSPECT THE ENTRANCE PAD EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. CHECK FOR MUD, SEDIMENT BUILD-UP AND PAD INTEGRITY. MAKE DAILY INSPECTIONS DURING WET WEATHER. REGRADE PAD AS NEEDED FOR RUNOFF CONTROL. WASH AND REPLACE STONE AS NEEDED. THE STONE IN THE ENTRANCE SHOULD BE WASHED OR REPLACED WHENEVER THE ENTRANCE FAILS TO REDUCE MUD BEING CARRIED OFF SITE BY VEHICLES. IMMEDIATELY REMOVE MUD AND SEDIMENT TRACKED OR WASHED ONTO PUBLIC ROADS BY BRUSHING OR SWEEPING. REMOVE TEMPORARY CONSTRUCTION ENTRANCE AS SOON AS THEY ARE NO LONGER NEEDED TO PROVIDE ACCESS TO THE SITE AS DIRECTED BY PROJECT ENGINEER.

SILT FENCE:
INSPECT FOR DAMAGE EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. MAKE ALL REPAIRS IMMEDIATELY. REMOVE SEDIMENT FROM THE UP-SLOPE FACE OF THE FENCE BEFORE IT ACCUMULATES TO A HEIGHT EQUAL TO ONE-QUARTER THE HEIGHT OF THE FENCE. IF FENCE FABRIC TEARS, BEGINS TO DECOMPOSE, OR IN ANY WAY BECOMES INEFFECTIVE, REPLACE THE AFFECTED SECTION OF FENCE IMMEDIATELY.

SOIL STOCKPILE:
INSPECT SEDIMENT CONTROL BARRIERS (SILT FENCE) AND VEGETATION FOR DAMAGE EVERY SEVEN DAYS AND AFTER EVERY STORM EVENT WITH RAINFALL THAT EQUALS OR EXCEEDS 0.5 INCH. MAKE ALL REPAIRS IMMEDIATELY. REMOVE SEDIMENT FROM THE UP-SLOPE FACE OF THE SEDIMENT CONTROL BARRIER BEFORE IT ACCUMULATES TO A HEIGHT EQUAL TO ONE-QUARTER THE HEIGHT OF THE SEDIMENT CONTROL BARRIER. IF SEDIMENT CONTROL BARRIER TEARS, BEGINS TO DECOMPOSE, OR IN ANY WAY BECOMES INEFFECTIVE, REPLACE THE AFFECTED SECTION OF SEDIMENT CONTROL BARRIER IMMEDIATELY. REVEGETATE DISTURBED AREA TO STABILIZE SOIL STOCKPILE. REMOVE THE SEDIMENT CONTROL BARRIER WHEN THE SOIL STOCKPILE HAS BEEN REMOVED.

DUST CONTROL:
SCHEDULE CONSTRUCTION OPERATIONS TO MINIMIZE THE AMOUNT OF DISTURBED AREAS AT ANY ONE TIME DURING THE COURSE OF WORKS. APPLY TEMPORARY SOIL STABILIZATION PRACTICES SUCH AS MULCHING, SEEDING, AND SPRAYING (WATER). STRUCTURAL MEASURES (MULCH, SEEDING) SHALL BE INSTALLED IN DISTURBED AREAS BEFORE SIGNIFICANT BLOWING PROBLEMS DEVELOP. WATER SHALL BE SPRAYED AS NEEDED. REPEAT AS NEEDED, BUT AVOID EXCESSIVE SPRAYING, WHICH COULD CREATE RUNOFF AND EROSION PROBLEMS.

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20____ SUBJECT TO ALL REQUIREMENTS AS STATED THEREIN.

SIGNED THIS _____ DAY OF _____, 20____ BY _____

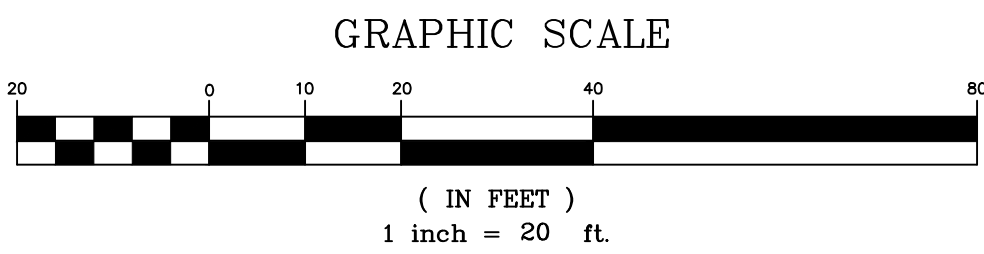
CHAIRMAN, CITY PLANNING BOARD _____ DATE _____

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

ANDREW G. MACDONALD _____ DATE _____



EXISTING CONDITIONS & REMOVAL PLAN
SCALE: 1" = 20'



LEGEND:

- EXISTING PROPERTY LINE
- ADJOINING PROPERTY LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING UTILITY POLE
- EXISTING OVERHEAD WIRE
- EXISTING WATER MAIN
- EXISTING WATER VALVE
- EXISTING HYDRANT
- EXISTING SEWER MANHOLE
- EXISTING SEWER MAIN
- EXISTING STORMWATER LINE
- EXISTING BUILDINGS
- EXISTING SIDEWALK AREA
- EXISTING BUILDING AREA
- TBR TO BE REMOVED

PROJECT INFORMATION:	
PARCEL OWNER:	ANDREW MACDONALD; 97 ROOSEVELT DRIVE, POUGHQUAG NY 12570
ENGINEER OF RECORD:	HUDSON LAND DESIGN P.C., 174 MAIN STREET, BEACON NY 12508
ARCHITECT OF RECORD:	D. M. FLORANCE ARCHITECTURE PLLC, 6 GRIFFIN ST., POUGHQUAG NY 12570
SURVEYOR OF RECORD:	DECKER SURVEYING, 290 FRALEIGH LANE, RED HOOK NY 12571
PROJECT LOCATION:	1182 NORTH AVENUE, BEACON NY 12508
TAX PARCEL ID:	CITY OF BEACON - 5955-19-738049 & 5955-19-747060
PARCEL AREA:	0.68 ACRES TOTAL
ZONING DISTRICT:	R1-7.5 ZONING DISTRICT
POTABLE WATER SUPPLY:	MUNICIPAL WATER
SEWAGE DISPOSAL:	MUNICIPAL SEWER

OWNER'S CONSENT:

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

ANDREW G. MACDONALD

DATE

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20____, SUBJECT TO ALL REQUIREMENTS AS STATED THEREIN.

SIGNED THIS _____ DAY OF _____, 20____ BY

CHAIRMAN, CITY PLANNING BOARD

DATE

EXISTING CONDITIONS & REMOVAL PLAN

1182 NORTH AVENUE

1182 NORTH AVENUE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060

JOB #: 2019:021

DATE: 10/29/19

SCALE: 1" = 20'

TITLE: XC-1

SHEET: 2 OF 6

DRAWN BY: CMB				CHECKED BY: DGK			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	11/26/19	PER PLANNING BOARD COMMENTS	AG				

BEFORE UNDERTAKING ANY DIGGING, DRILLING, BLASTING OR DISTURBANCE TO THE GROUND IN ANY WAY, FOR ANY REASON, ALL INDIVIDUALS MUST CONTACT
DIG SAFELY NEW YORK
AT
811 OR WWW.CALL811.COM



SEAL

HUDSON
LAND DESIGN
HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926
F: 845-440-6637

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209.2 OF THE NEW YORK EDUCATION LAW

LEGEND:

	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINE
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED SPOT ELEVATION
	PROPOSED WATER SERVICE LINE
	PROPOSED WATER SHUTOFF VALVE
	PROPOSED CLEANOUT
	PROPOSED SEWER SERVICE LINE
	PROPOSED CULVERT
	PROPOSED UNDERDRAIN
	PROPOSED ROOF LEADER PIPE
	PROPOSED ROOF LEADER LOCATION
	ASPHALT AREA
	EXISTING SIDEWALK AREA
	EXISTING BUILDING AREA

MAP REFERENCES:

1. EXISTING FEATURES AS SHOWN ON THIS SUBDIVISION PLAN PROVIDED BY MAPPING OBTAINED FROM DECKER SURVEYING, LLC.

SITE SPECIFIC NOTES:

- THE CONTRACTOR SHALL PERFORM A UTILITIES CALL-OUT PRIOR TO CONSTRUCTION TO VERIFY ALL UNDERGROUND UTILITY LOCATIONS BY CONTACTING UPPO @ 1-800-962-7962. SPECIFIC ATTENTION SHALL BE PAID TO THE LOCATIONS OF THE GAS (IF APPLICABLE), WATER AND SEWER MAINS WITH RESPECT TO THE PROPOSED LOCATIONS FOR THE SERVICE LINES.
- THE CONTRACTOR SHALL CONTACT THE CITY OF BEACON WATER AND SEWER DEPARTMENTS TO SCHEDULE A PRE-CONSTRUCTION MEETING TO ENSURE THAT THE ARRANGEMENTS FOR WATER SUPPLY AND SEWAGE DISPOSAL ARE COMMENCED IN ACCORDANCE WITH THE APPROVED PLANS AND AMENDMENTS THERETO AND GENERALLY ACCEPTED STANDARDS.
- THE PROPOSED LOT SHALL BE SERVED BY THE CITY OF BEACON MUNICIPAL WATER AND SEWER SERVICES.
- THE WATER SERVICE LINE AND METER SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF BEACON WATER DEPARTMENT REQUIREMENTS.
- THE WATER SERVICE LINE SHALL BE 3/4" K-COPPER.
- THE SEWER SERVICE LINE SHALL BE 4" SDR 35 PVC PIPE WITH PITCH AS SHOWN ON THE PLAN (MINIMUM OF 1/4" PER FOOT SHALL BE MAINTAINED).
- A ROAD OPENING PERMIT SHALL BE REQUIRED FOR THE INSTALLATION OF THE PROPOSED WATER AND SEWER SERVICES FOR THE NEW LOT. STREET CLOSURE FOR WATER AND SEWER SERVICE CONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF BEACON REQUIREMENTS.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION. THE PROPOSED DRIVEWAY SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE.
- ROOF LEADER CONNECTIONS TO BE MINIMUM 4" PVC OR HDPE @ 2.0% MIN.
- SUMP PUMP TO BE PROVIDED FOR FOOTING DRAIN, IF NECESSARY. THE TYPE OF PUMP AND METHODS USED TO ENSURE PROPER DRAINAGE SHALL BE ACCEPTABLE TO THE CITY OF BEACON BUILDING DEPARTMENT.
- THE DRIVEWAY SIGHT DISTANCE MEETS OR EXCEEDS COMPLIANCE WITH THE CITY OF BEACON'S 192-9(B) CODE AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REQUIREMENTS. THE STATE UTILIZES THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) GUIDELINES FOR INTERSECTION SIGHT DISTANCES. FOR ROADS WITH A SPEED LIMIT OF 30 MPH, AASHTO DESIGN TABLES CALL FOR A SIGHT DISTANCE OF 290 FEET TO THE LEFT AND 335 FEET TO THE RIGHT. THE MEASURED SIGHT DISTANCE IS AS FOLLOWS:
LOT 1: SLSD LEFT = ±674 FEET (TO INTERSECTION OF RALPH STREET AND DUTCHESS TERRACE)
SLSD RIGHT = ±63 FEET (TO INTERSECTION OF RALPH STREET AND NYS ROUTE 9D)
LOT 2: SLSD LEFT = ±600 FEET (TO INTERSECTION OF RALPH STREET AND DUTCHESS TERRACE)
SLSD RIGHT = ±137 FEET (TO INTERSECTION OF RALPH STREET AND NYS ROUTE 9D)
- STOPPING SIGHT DISTANCE (SSD) WAS OBSERVED TO BE IN EXCESS OF THE REQUIRED 200 FEET WHEN APPROACHING THE PROPOSED DRIVEWAY FOR BOTH LOT 1 AND LOT 2 FROM THE LEFT. SSD FROM THE RIGHT WAS DEFICIENT PER STANDARDS BUT MEASURED TO THE INTERSECTION OF RALPH STREET AND NYS ROUTE 9D. THE SSD AND SLSD RIGHT MEASUREMENTS WERE TAKEN TO THE INTERSECTION OF ROUTE 9D AND RALPH STREET, BUT GOES THROUGH THE INTERSECTION. VEHICLES APPROACHING FROM TOMPKINS AVE ARE STOP CONTROLLED, AND VEHICLES TURNING ONTO RALPH STREET WILL BE ACCELERATING AND NOT AT FULL POSTED SPEED; THEREFORE THE SIGHT DISTANCES ARE DEEMED ACCEPTABLE.
- VEGETATION ALONG LOT 1 AND LOT 2 FRONTAGE ON RALPH STREET SHALL BE REMOVED TO FACILITATE SIGHT LINE SIGHT DISTANCES FOR THE PROPOSED DRIVEWAYS.
- THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND INVERTS OF ALL CATCH BASINS, STORM SEWER LINES, SANITARY MANHOLES, SEWER LINES, WATERLINES, AND UNDERGROUND UTILITY LINES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOT ASSUME THAT ALL LOCATIONS AS SHOWN ON THE PLAN ARE CORRECT. INVESTIGATIVE TEST PITS MAY BE REQUIRED TO VERIFY LOCATIONS.

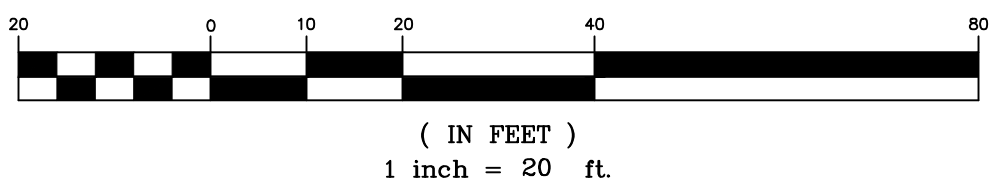
SCHEDULE OF REGULATIONS (R1-7.5 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	LOT 1	LOT 2
LOT AREA:	7,500 S.F.	12,391 S.F.	17,082 S.F.
LOT WIDTH:	75 FT	±101 FEET	±75.1 FEET
LOT DEPTH:	100 FT	±127.8 FEET	±221 FEET
YARD SETBACKS:			
FRONT YARD:	30 FEET MINIMUM	56.8 FEET	30.5 FEET
SIDE YARDS/TOTAL OF 2:	10 FEET MINIMUM/20 FEET	16.5/42.9 FEET	10.1/28.2 FEET
REAR YARD:	30 FEET MINIMUM	36.7 FEET	105.2 FEET
BUILDING COVERAGE:	MAX 30%	11.7%	15.8%



SITE PLAN
SCALE: 1" = 20'

GRAPHIC SCALE



I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY COMPLETED ON MARCH 3, 2019.

JOHN DECKER, LLS, NYS LIC. #050572

OWNER'S CONSENT:

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

ANDREW G. MACDONALD

DATE

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

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

SIGNED THIS DAY OF 20, BY

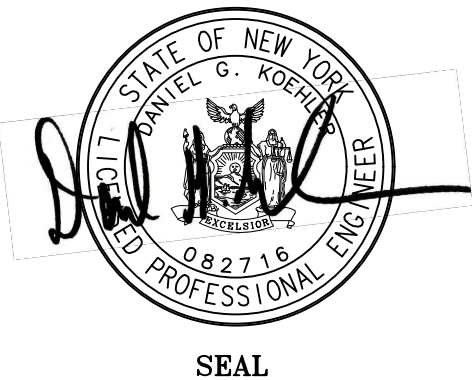
CHAIRMAN

SECRETARY

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

DRAWN BY: CMB				CHECKED BY: DGK			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	11/26/19	PER PLANNING BOARD COMMENTS	AG				

BEFORE UNDERTAKING ANY DIGGING, DRILLING, BLASTING OR DISTURBANCE TO THE GROUND IN ANY WAY, FOR ANY REASON, ALL INDIVIDUALS MUST CONTACT
DIG SAFELY NEW YORK
AT
811 OR WWW.CALL811.COM



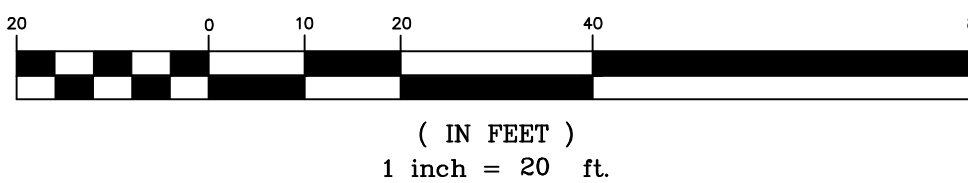
HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926
F: 845-440-6637

SITE PLAN
1182 NORTH AVENUE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060

JOB #: 2019-021
DATE: 10/29/19
SCALE: 1" = 20'
TITLE: SP-1
SHEET: 3 OF 6



EROSION AND SEDIMENT CONTROL PLAN
SCALE: 1" = 20'
GRAPHIC SCALE



LEGEND:

- 120 ——— EXISTING MAJOR CONTOUR
- 121 ——— EXISTING MINOR CONTOUR
- +121.17 EXISTING SPOT ELEVATION
- EXISTING CATCH BASIN
- EXISTING UTILITY POLE
- PROPOSED SILT FENCE
- PROPOSED CATCH BASIN WITH INLET PROTECTION
- IMPERVIOUS SURFACE
- PROPOSED CONSTRUCTION ENTRANCE
- PROPOSED LIMIT OF DISTURBANCE

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

ANDREW G. MACDONALD _____ DATE _____

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20____, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS _____ DAY OF _____, 20____ BY _____

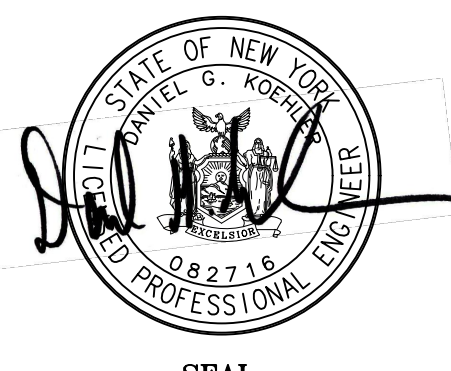
CHAIRMAN

SECRETARY

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

DRAWN BY: CMB				CHECKED BY: DGK			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	11/26/19	PER PLANNING BOARD COMMENTS	AG				

BEFORE UNDERTAKING ANY DIGGING, DRILLING, BLASTING OR DISTURBANCE TO THE GROUND IN ANY WAY, FOR ANY REASON, ALL INDIVIDUALS MUST CONTACT
DIG SAFELY NEW YORK
AT
811 OR WWW.CALL811.COM

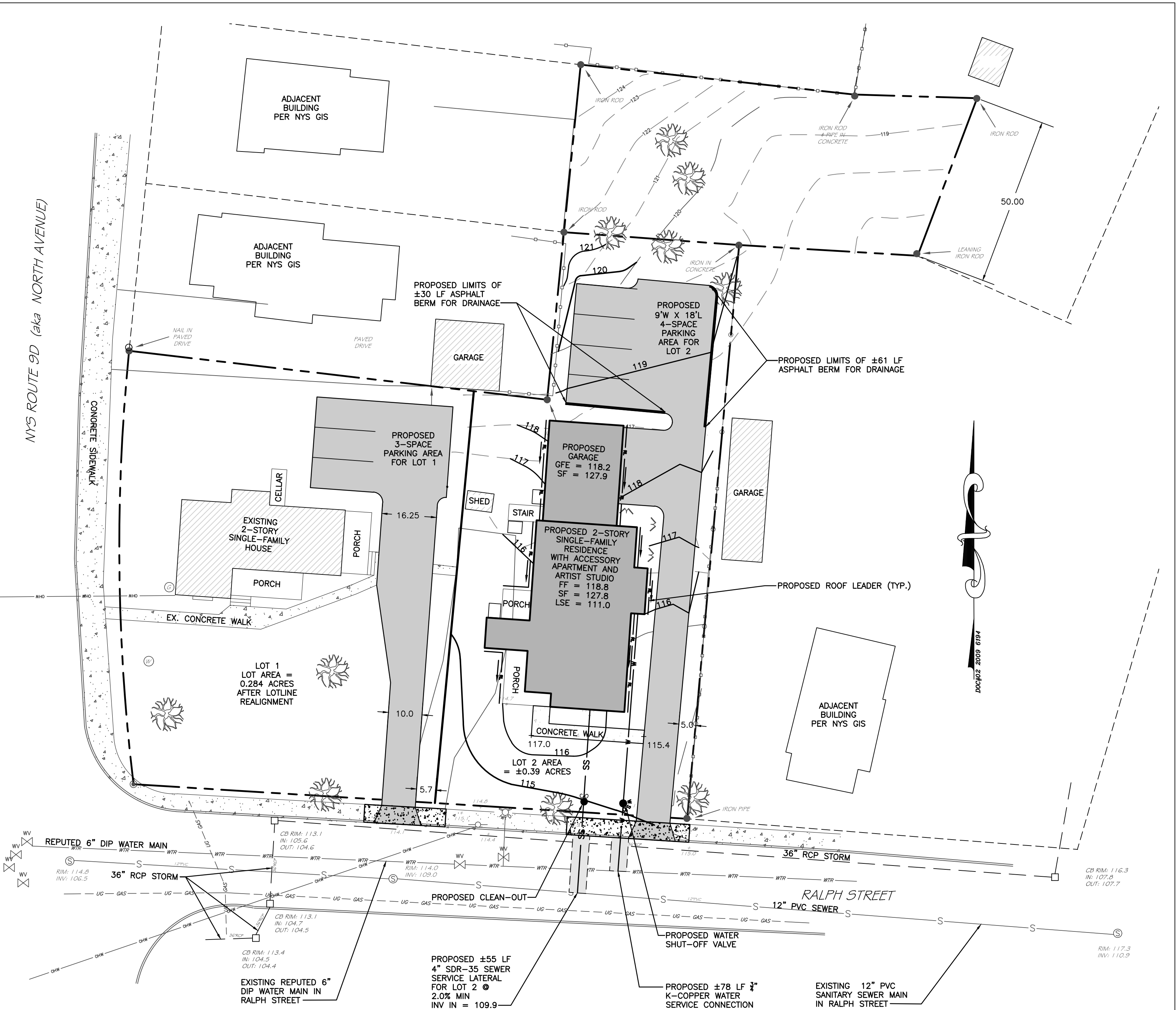


HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926
F: 845-440-6637

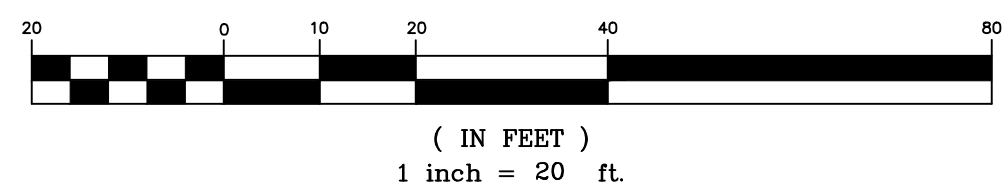
E&SC AND GRADING & UTILITY PLAN

1182 NORTH AVENUE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060

JOB #: 2019-021
DATE: 10/29/19
SCALE: 1" = 20'
TITLE: GU-1
SHEET: 4 OF 6



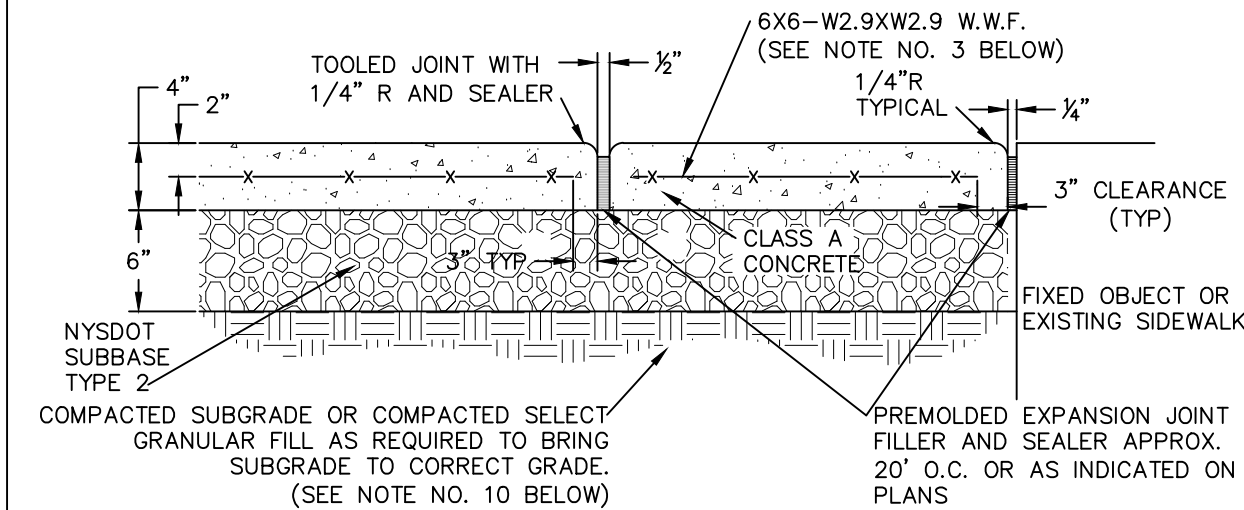
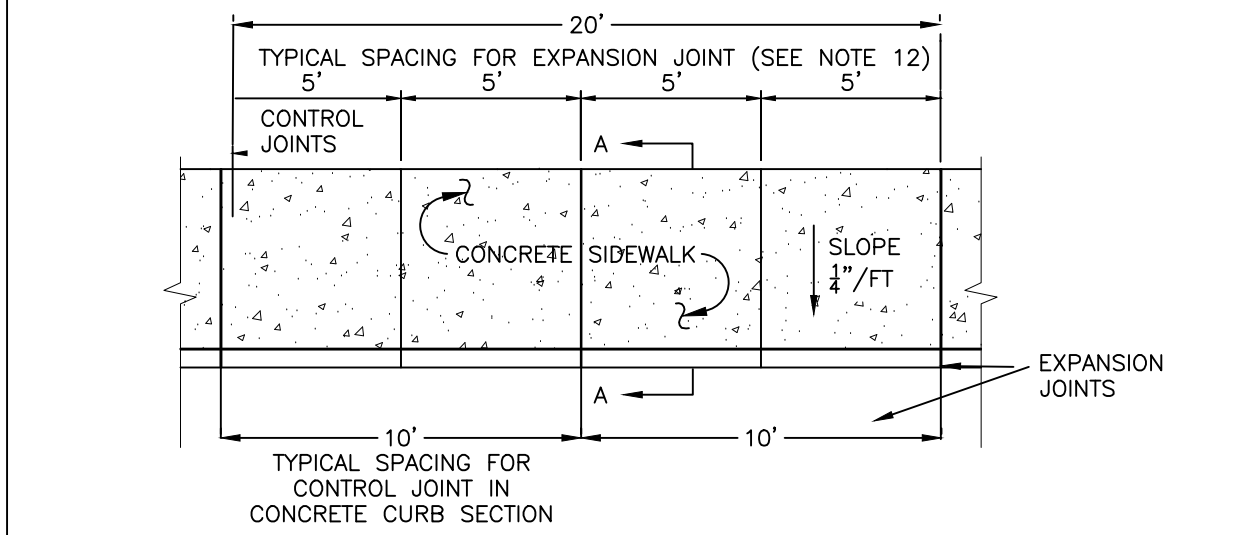
GRADING AND UTILITY PLAN
SCALE: 1" = 20'
GRAPHIC SCALE



LEGEND:

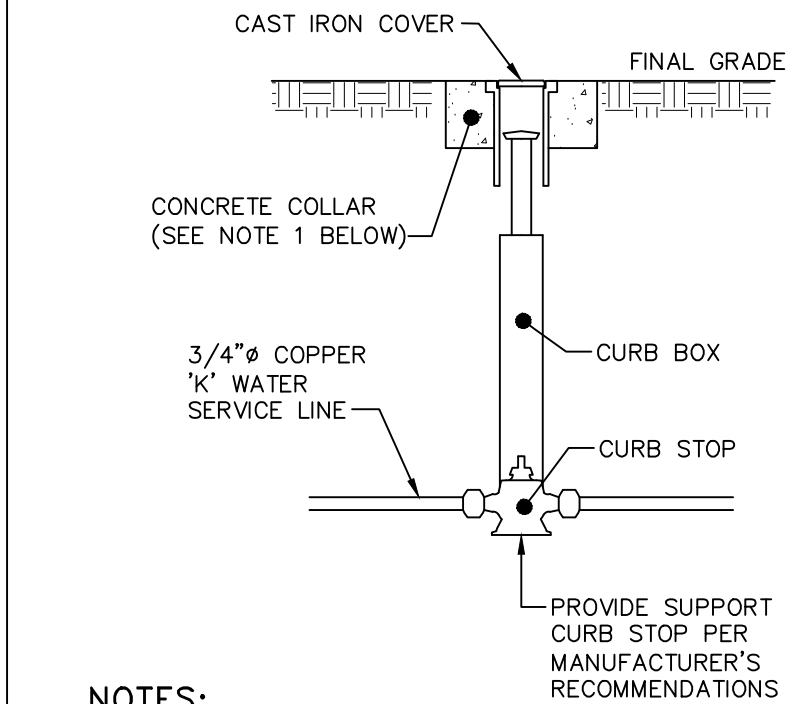
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- 100 PROPOSED MAJOR CONTOUR
- 97 PROPOSED MINOR CONTOUR
- 112.5 PROPOSED SPOT ELEVATION
- WS PROPOSED WATER SERVICE LINE
- WS PROPOSED WATER SHUTOFF VALVE
- PROPOSED CLEANOUT
- SS PROPOSED SEWER SERVICE LINE

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209.2 OF THE NEW YORK EDUCATION LAW



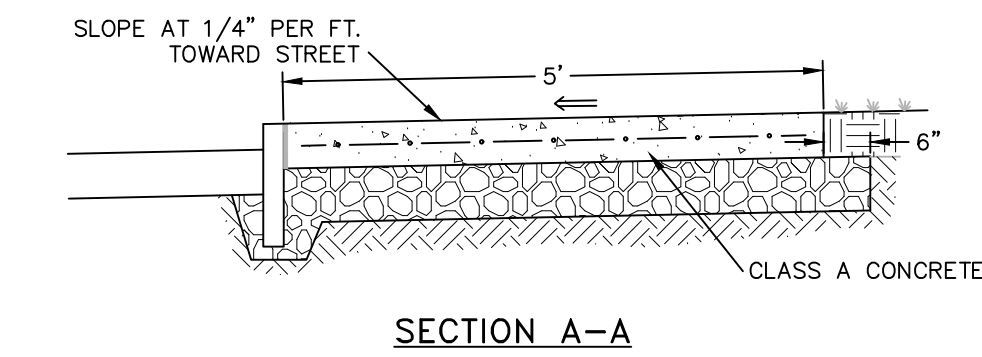
- NOTES:**
- 10' SPACING OF CONTROL JOINTS SHALL BE USED FOR CAST IN PLACE CONCRETE CURBS.
 - MATERIAL AND METHODS OF CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, LATEST REVISION.
 - ALL CONCRETE SHALL BE 3,500 PSI CLASS A CONCRETE. CONCRETE MATERIALS, PLACEMENT, AND CONSTRUCTION SHALL CONFORM WITH SECTION 500 OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
 - REINFORCING STEEL FOR CONCRETE SHALL CONFORM WITH SECTION 556 - REINFORCING STEEL FOR CONCRETE STRUCTURES OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS AND AS SPECIFICALLY CALLED OUT IN THE DRAWINGS.
 - ALL EXPOSED SURFACES SHALL HAVE A BROOM TEXTURED FINISH.
 - EXPANSION JOINTS SHALL BE LOCATED A MAXIMUM OF 20'-0" ON CENTER, OR AS INDICATED ON PLANS.
 - JOINTS SHALL NOT BE SAW CUT.
 - EXPOSED CONCRETE SURFACES SHALL BE TREATED WITH "SUREBOND"/"SAFEON" SB-7000 INTENSIFIER BRIGHT PROTECTOR AND SIDEWALK SEALER, OR EQUAL. RATE AND METHOD OF APPLICATION SHALL BE IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
 - SUBBASE MATERIAL SHALL CONFORM WITH SECTION 304 OF THE ABOVE REFERENCED NYSDOT STANDARD.
 - WHERE IT IS NECESSARY TO PLACE FILL FOR PURPOSE OF BRINGING THE SUBGRADE ELEVATION UP TO A SPECIFIED GRADE, THE FILL MATERIAL PLACED SHALL BE IN CONFORMANCE WITH SECTION 203-EXCAVATION AND EMBANKMENT OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
 - ALL WORK SHALL CONFORM WITH SECTION 608-SIDEWALK, DRIVEWAYS, AND BICYCLE PATHS OF THE ABOVE REFERENCED NYSDOT STANDARD SPECIFICATIONS.
 - SPACING OF EXPANSION JOINTS ON CONCRETE RESTORED SIDEWALKS SHALL MATCH THE CURRENT SPACING OF EXPANSION JOINTS ON EXISTING SIDEWALK.

CONCRETE SIDEWALK DETAIL NOT TO SCALE

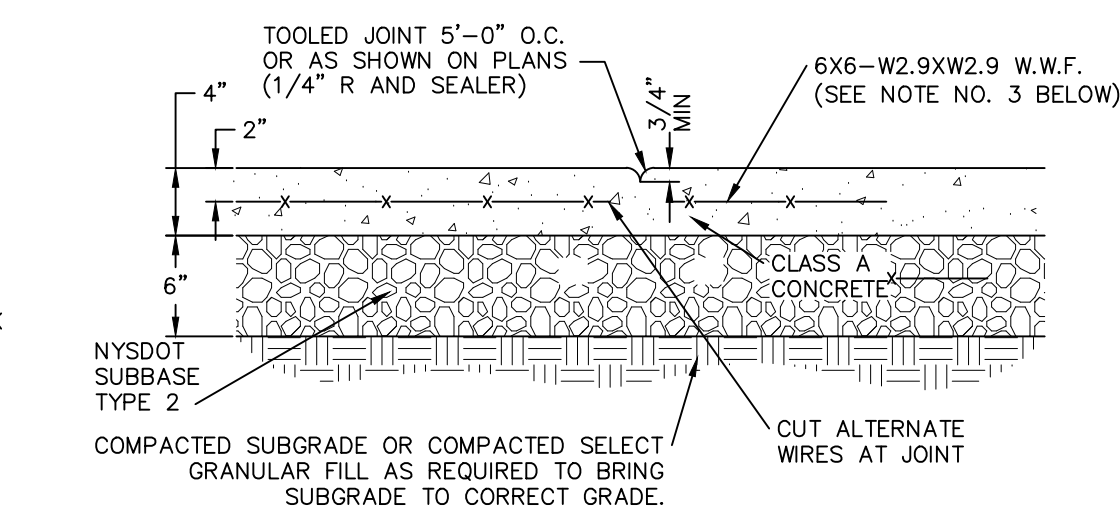


- NOTES:**
- CONCRETE COLLAR TO BE PROVIDED IN AREAS THAT ARE NOT PAVED. THE COLLAR SHALL BE 6" FROM THE COVER AND SHALL EXTEND 6" BELOW FINAL GRADE.
 - CURB STOP TO BE COMPRESSION TYPE BY MUELLER.
 - AREA AROUND CURB BOX TO BE BACKFILLED WITH GRAVELLY MATERIAL.

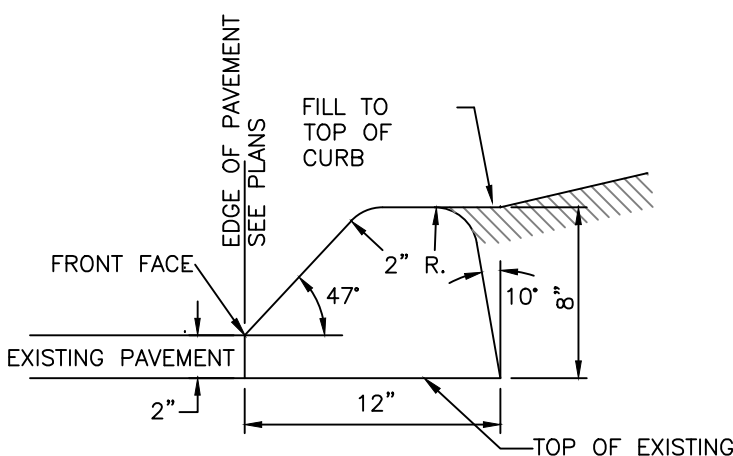
WATER SHUT-OFF VALVE DETAIL NOT TO SCALE



SECTION A-A

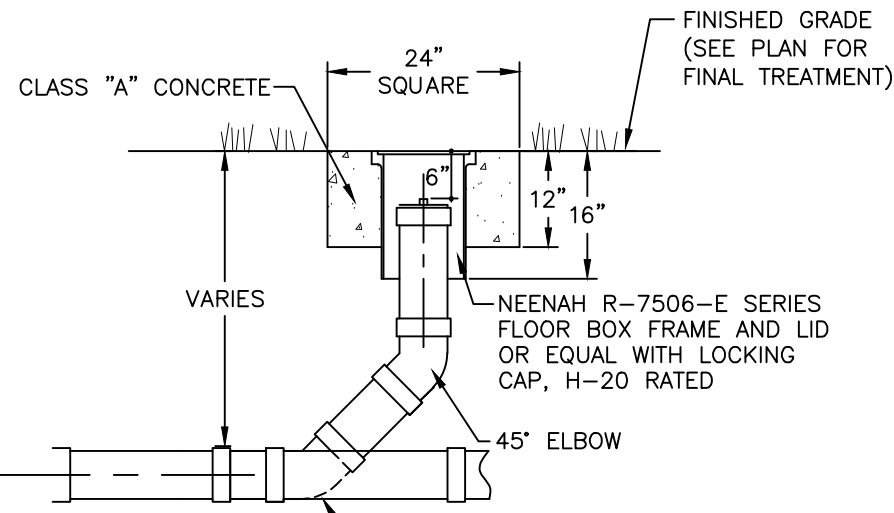


CONTROL JOINT

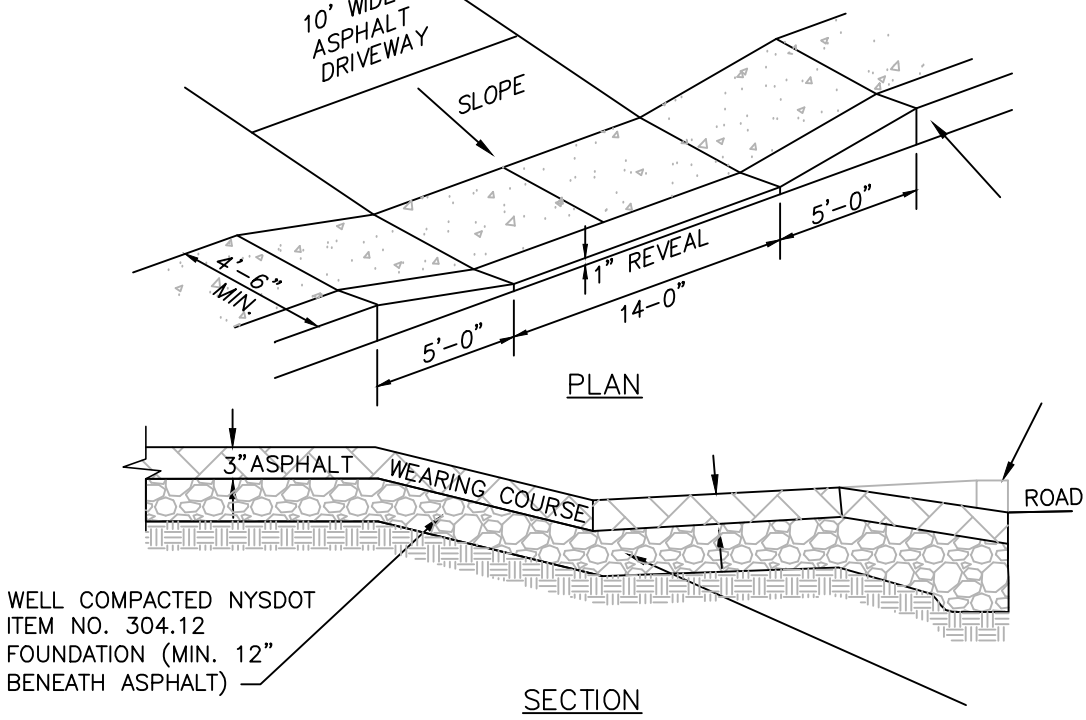


- NOTE:**
- DIMENSIONS SHOWN ARE STANDARD. ADJUSTMENTS TO THE ABOVE DIMENSIONS SHALL BE MADE TO MATCH EXISTING ASPHALT CURB.

ASPHALT CURB DETAIL NOT TO SCALE

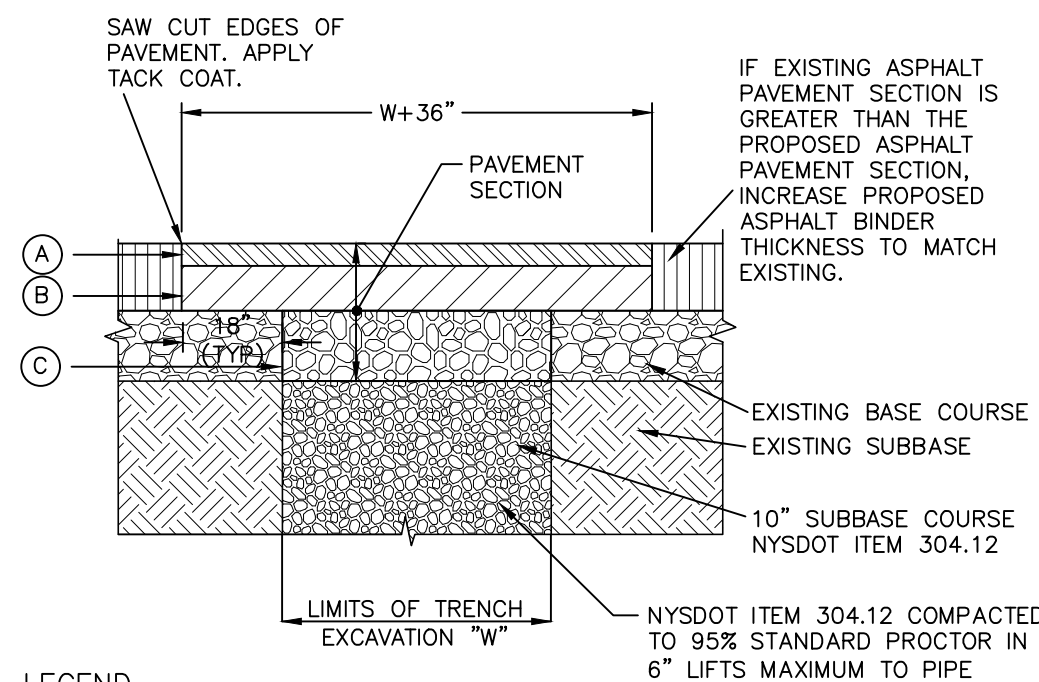


CLEANOUT DETAIL NOT TO SCALE



- NOTE:**
- RESEED AND STABILIZE GRASS AREAS AFTER ASPHALT AND CONCRETE INSTALLATION.

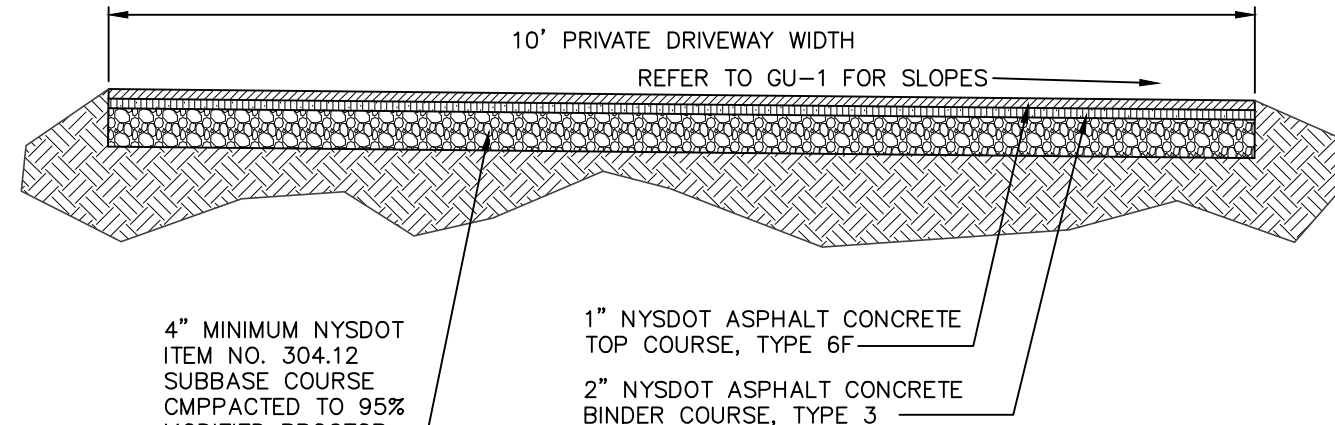
LOT 1 & 2 DRIVEWAY ENTRANCE DETAIL NOT TO SCALE



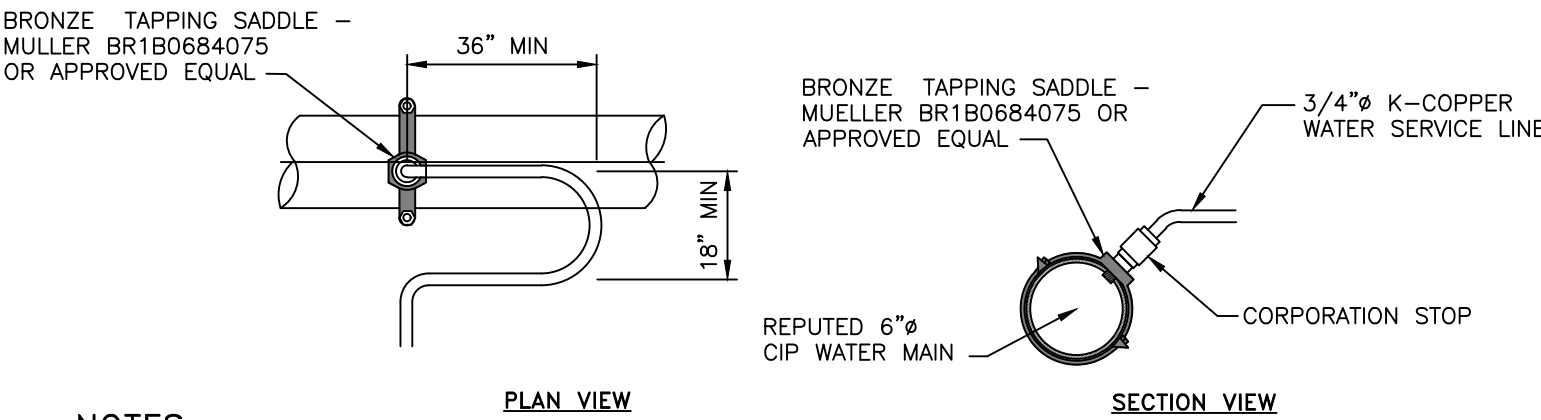
- LEGEND**
- 1.5" ASPHALT CONCRETE TOP COURSE- NYSDOT TYPE F1
 - 3.0" ASPHALT CONCRETE BINDER COURSE- NYSDOT TYPE F9
 - 3.0" ASPHALT BASE COURSE- NYSDOT TYPE F9

- NOTES:**
- SAW CUT MIN. 18" BEYOND EXCAVATION WITH SMOOTH EDGES. 18" JOINT BETWEEN EXISTING AND NEW TOP COURSE TO BE MILLED. JOINT TO BE SEALED WITH POLYMER MODIFIED SEALER.
 - FURNISH, PLACE, AND COMPACT SUBBASE.
 - TACK COAT IN ACCORDANCE WITH NYSDOT STANDARD SPEC.
 - FURNISH AND PLACE ASPHALT CONCRETE PAVEMENT AS SPECIFIED.

PAVEMENT RESTORATION DETAIL NOT TO SCALE

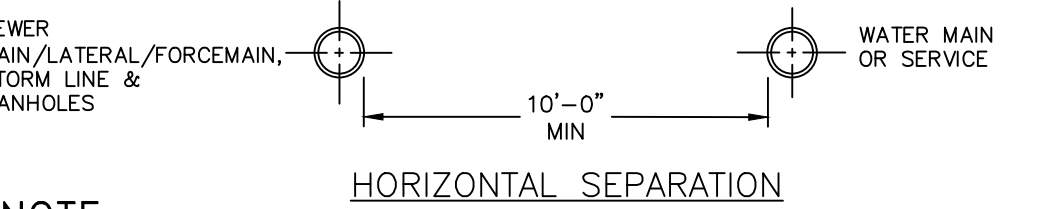
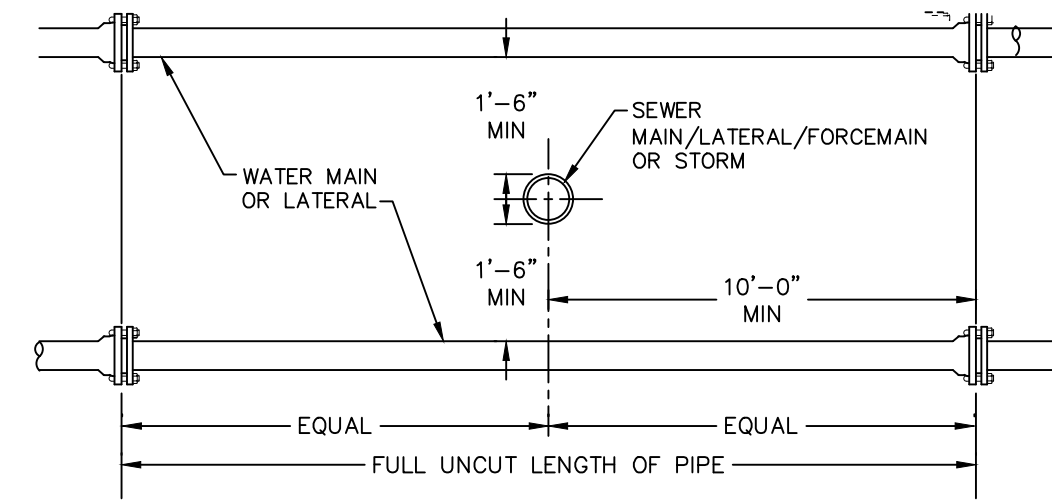


PAVED DRIVEWAY SECTION DETAIL NOT TO SCALE



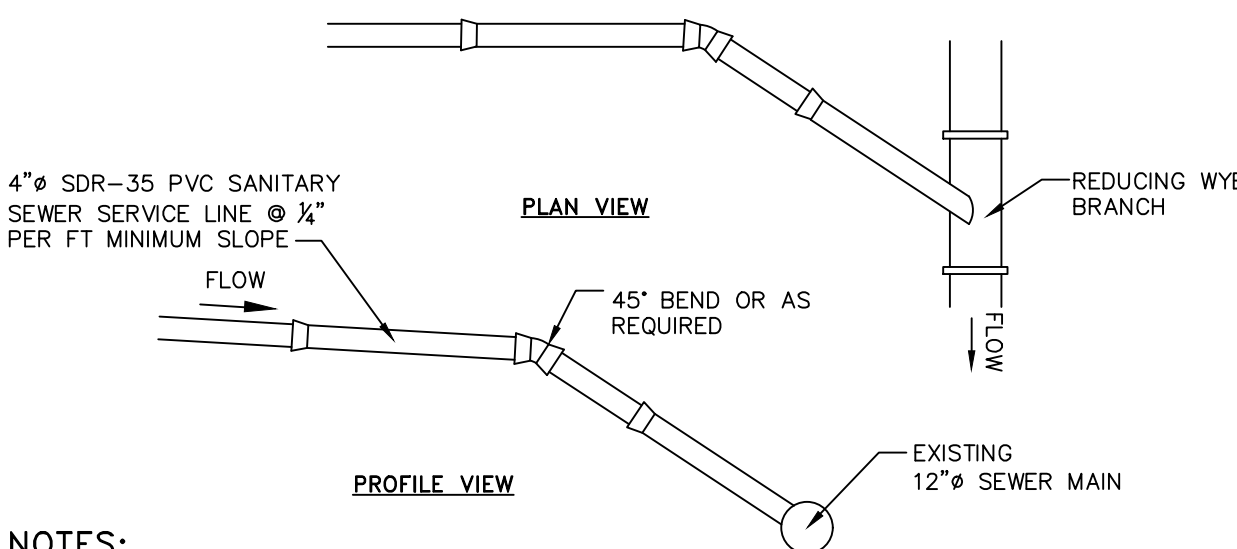
- NOTES:**
- A MINIMUM 5' COVER SHALL BE PROVIDED ON THE WATER SERVICE LINE (CONDITIONED ON ACTUAL WATER MAIN DEPTH).
 - CORPORATION STOP TO BE COMPRESSION TYPE BY MUELLER.
 - WATER SERVICE LINE TO HAVE A "GOOSENECK" NEAR CORPORATION STOP.
 - CORPORATION STOP TO BE INSTALLED IN THE UPPER HALF OF THE WATER MAIN AT AN ANGLE OF APPROXIMATELY 45° FROM HORIZONTAL.
 - THE CONTRACTOR SHALL INSTALL A FULL BODIED STAINLESS STEEL TAPPING SLEEVE AT THE PROPOSED WATER SERVICE LOCATION.

WATER SERVICE CONNECTION DETAIL NOT TO SCALE



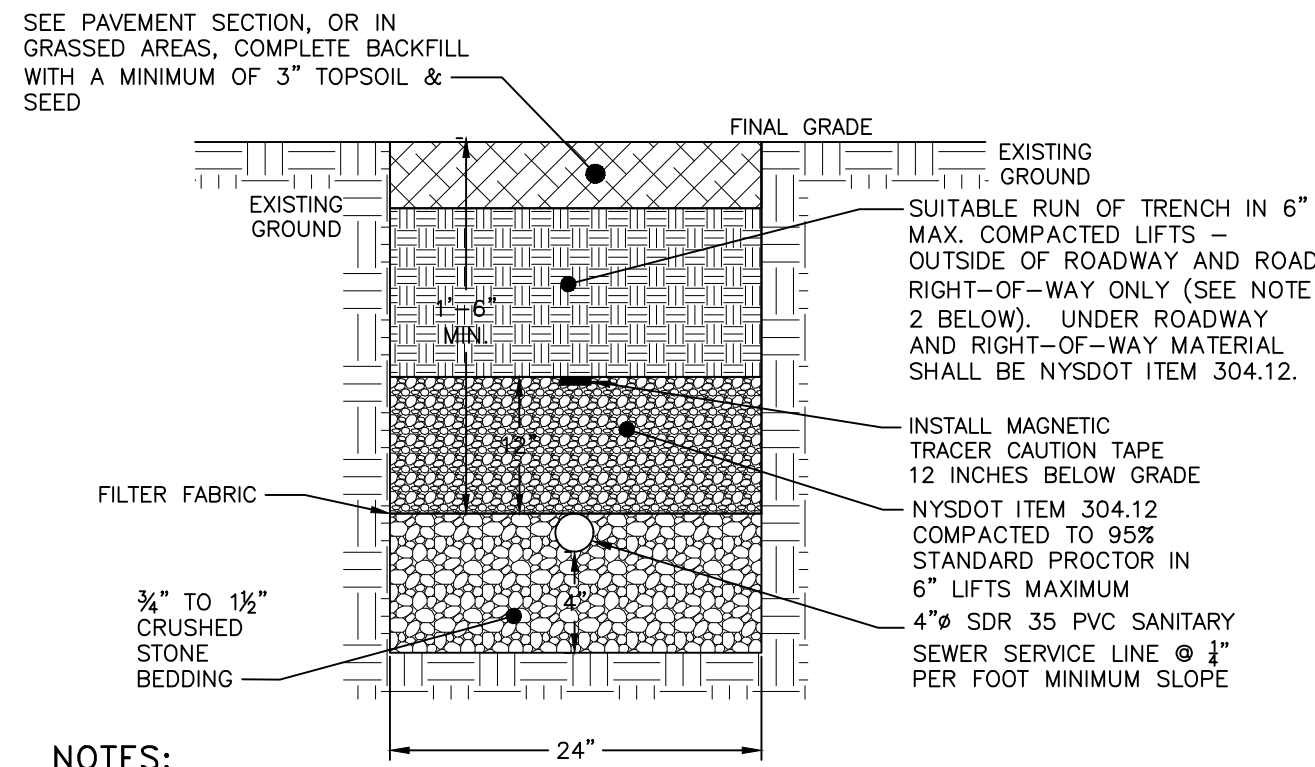
- NOTE:**
- NO DEVIATION IN THE SEPARATION REQUIREMENTS WILL BE PERMITTED WITHOUT THE EXPRESS APPROVAL OF THE DUTCHESS COUNTY DEPARTMENT OF HEALTH AND THE CITY OF BEACON. CONCRETE ENCASUREMENT OF WATERLINE OR OFFSETTING OF WATERLINE SHALL BE REQUIRED WHERE SEPARATION DISTANCES CANNOT BE MAINTAINED.

WATER LINE SEPARATION DETAIL NOT TO SCALE



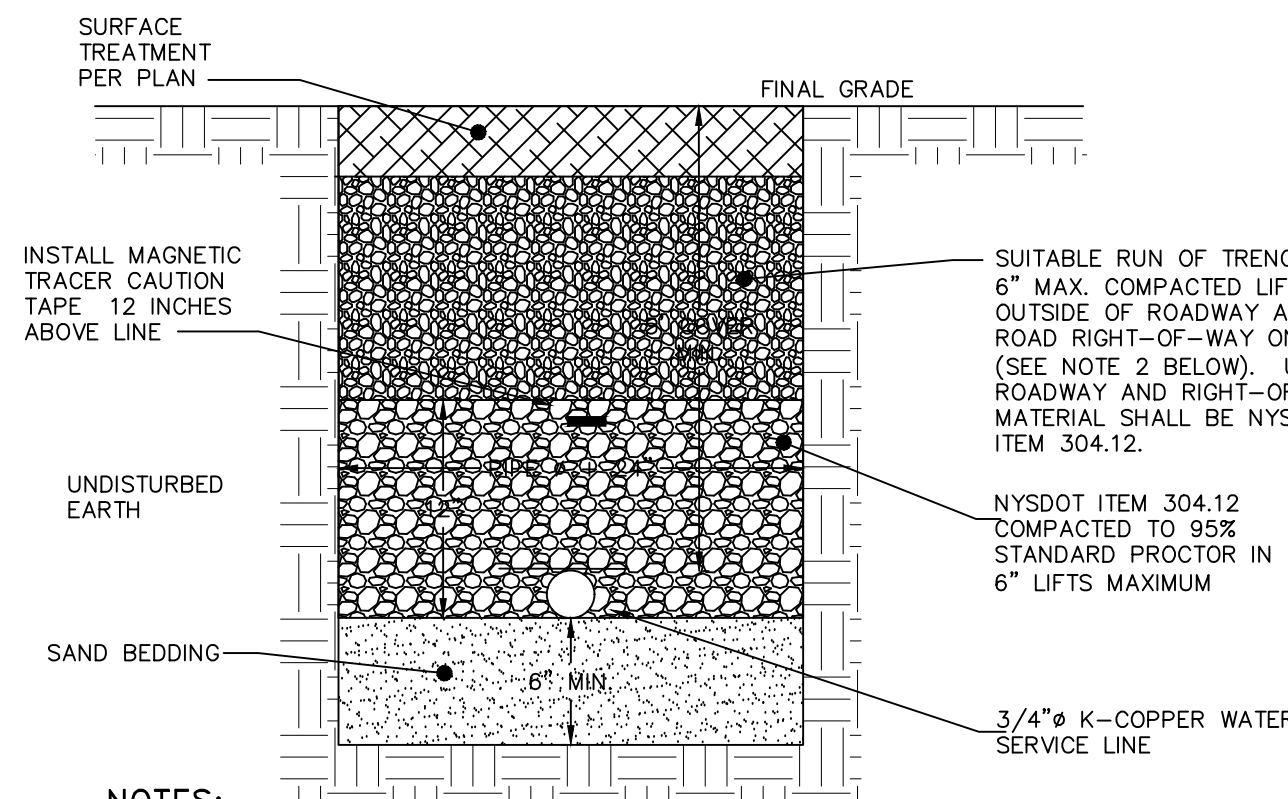
- NOTES:**
- EXCAVATION AND TRENCHING SHALL MEET ALL OSHA REQUIREMENTS.
 - SUITABLE RUN OF TRENCH SHALL NOT INCLUDE FROZEN MATERIALS, DEBRIS, ORGANIC MATERIALS, LARGE STONES OR OTHER UNSUITABLE MATERIALS. IF THE RUN OF TRENCH MATERIAL IS FOUND TO BE UNSUITABLE, A SUITABLE BACKFILL MATERIAL SHALL BE IMPORTED AND USED.
 - TAPPING SADDLE FOR CONNECTION OF THE PROPOSED SEWER SERVICE LINE TO THE EXISTING SEWER MAIN TO BE A 4" PREDCO HUB TAP SADDLE - MODEL #HTS4/E.

SANITARY SEWER SERVICE CONNECTION DETAIL NOT TO SCALE



- NOTES:**
- EXCAVATION AND TRENCHING SHALL MEET ALL OSHA REQUIREMENTS.
 - SUITABLE RUN OF TRENCH SHALL NOT INCLUDE FROZEN MATERIALS, DEBRIS, ORGANIC MATERIALS, LARGE STONES OR OTHER UNSUITABLE MATERIALS. IF THE RUN OF TRENCH MATERIAL IS FOUND TO BE UNSUITABLE, A SUITABLE BACKFILL MATERIAL SHALL BE IMPORTED AND USED.

SANITARY SEWER SERVICE LINE TRENCH DETAIL NOT TO SCALE

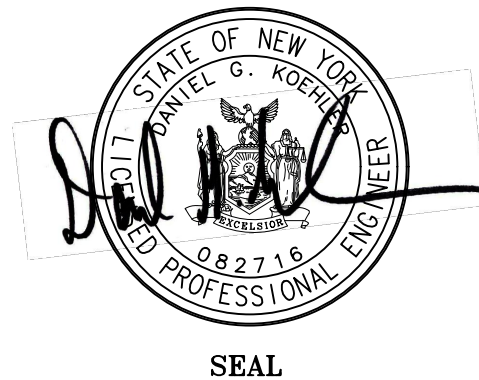


- NOTES:**
- EXCAVATION AND TRENCHING SHALL MEET ALL OSHA REQUIREMENTS.
 - SUITABLE RUN OF TRENCH SHALL NOT INCLUDE FROZEN MATERIALS, DEBRIS, ORGANIC MATERIALS, ENLARGED PARTICLES, LARGE STONES OR OTHER UNSUITABLE MATERIALS. IF THE RUN OF TRENCH MATERIAL IS FOUND TO BE UNSUITABLE, A SUITABLE BACKFILL MATERIAL SHALL BE IMPORTED AND USED.
 - IN AREAS WHERE 5' COVER REQUIREMENT CANNOT BE MET, THE CONTRACTOR SHALL PROVIDE PIPE INSULATION TO PREVENT FREEZING.
 - IF WATER SERVICE AND SEWER SERVICE LINE CROSSINGS ARE NEEDED, PROVIDE 18" OF VERTICAL SEPARATION

WATER SERVICE LINE TRENCH DETAIL NOT TO SCALE

DRAWN BY: CMB				CHECKED BY: DGK			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	11/26/19	PER PLANNING BOARD COMMENTS	AG				

BEFORE UNDERTAKING ANY DIGGING, DRILLING, BLASTING OR DISTURBANCE TO THE GROUND IN ANY WAY, FOR ANY REASON, ALL INDIVIDUALS MUST CONTACT
DIG SAFELY NEW YORK
AT
811 OR WWW.CALL811.COM

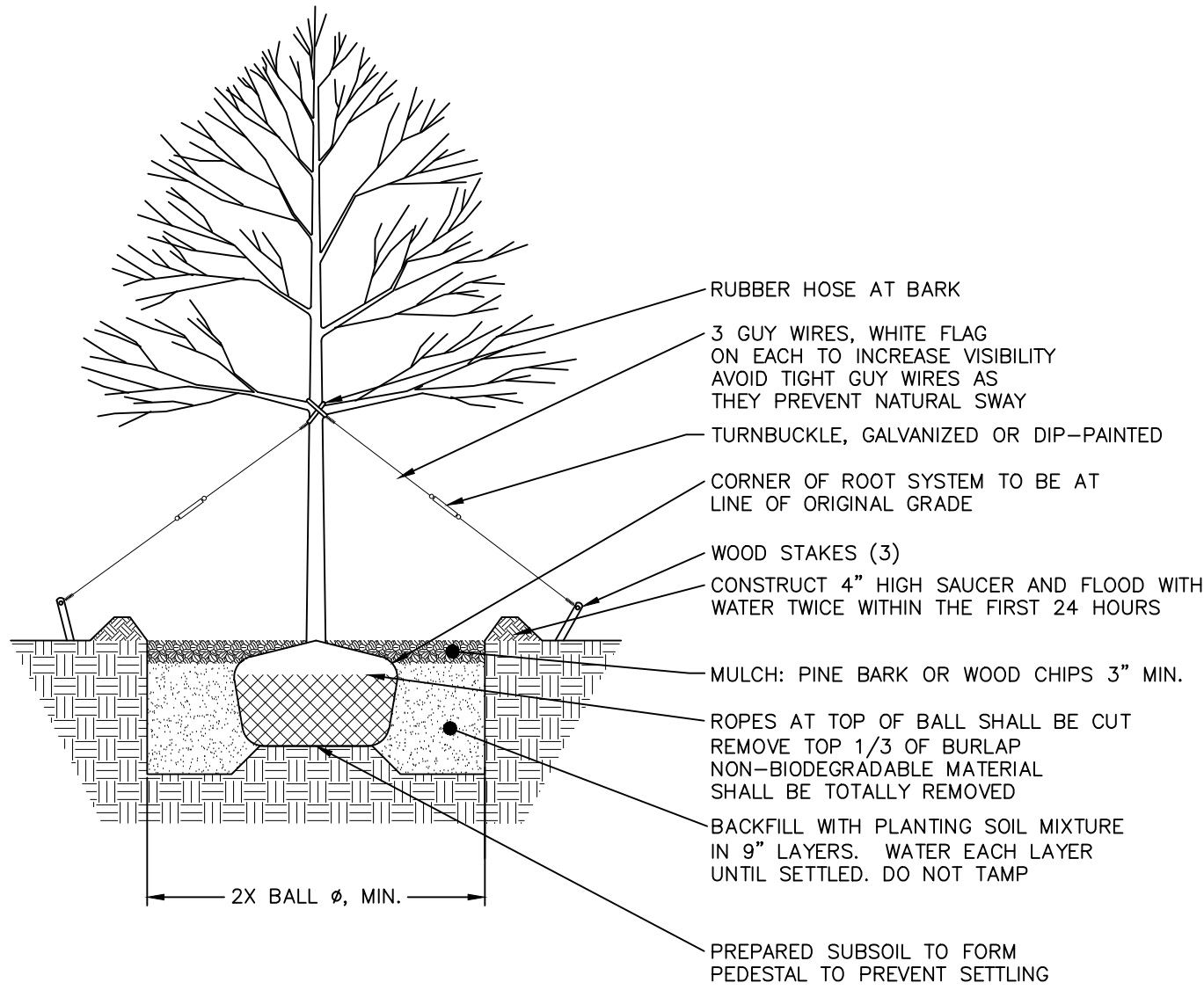


HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926
F: 845-440-6637

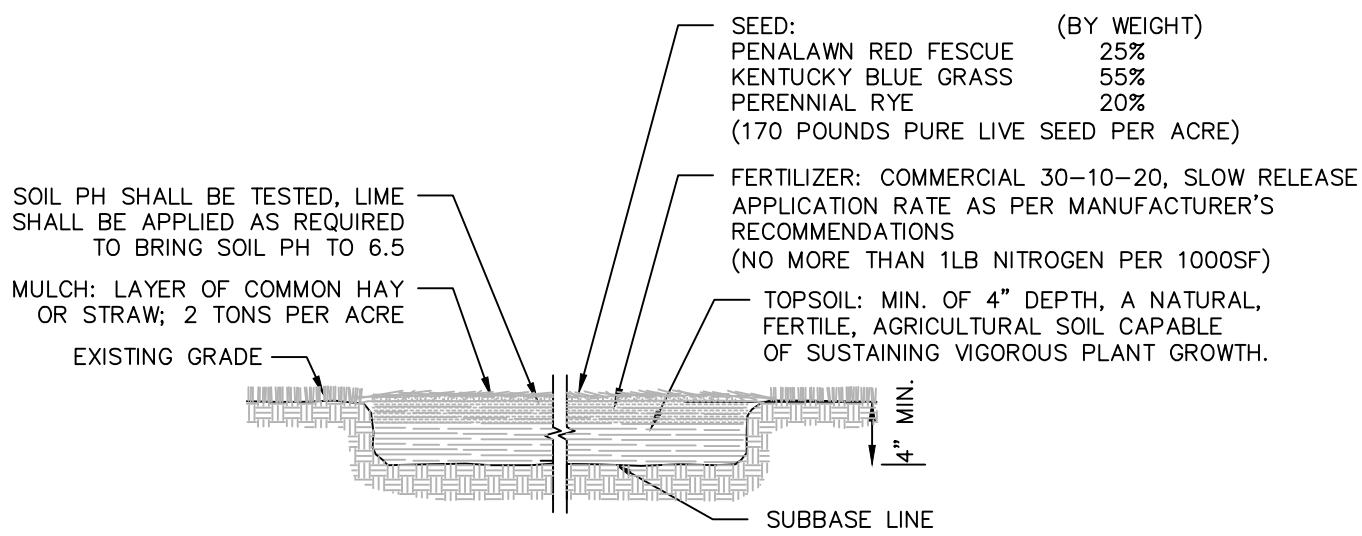
CONSTRUCTION DETAILS

1182 NORTH AVENUE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060

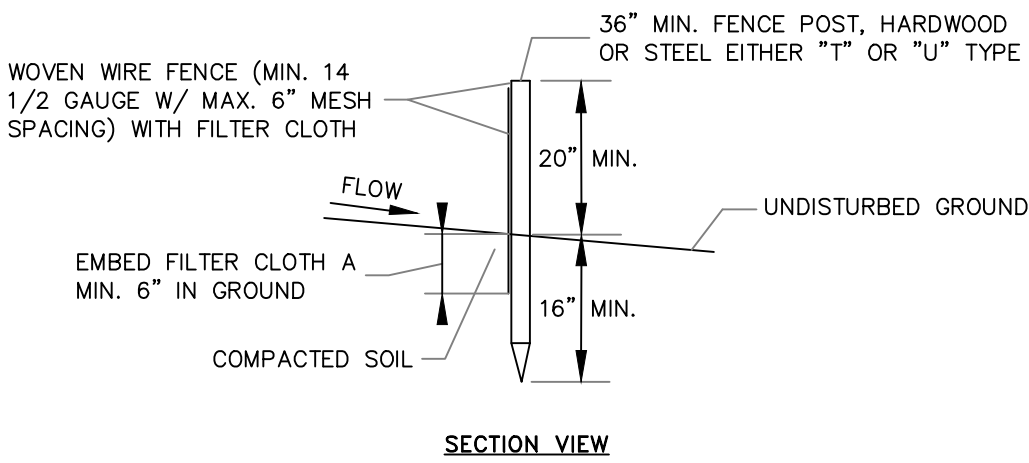
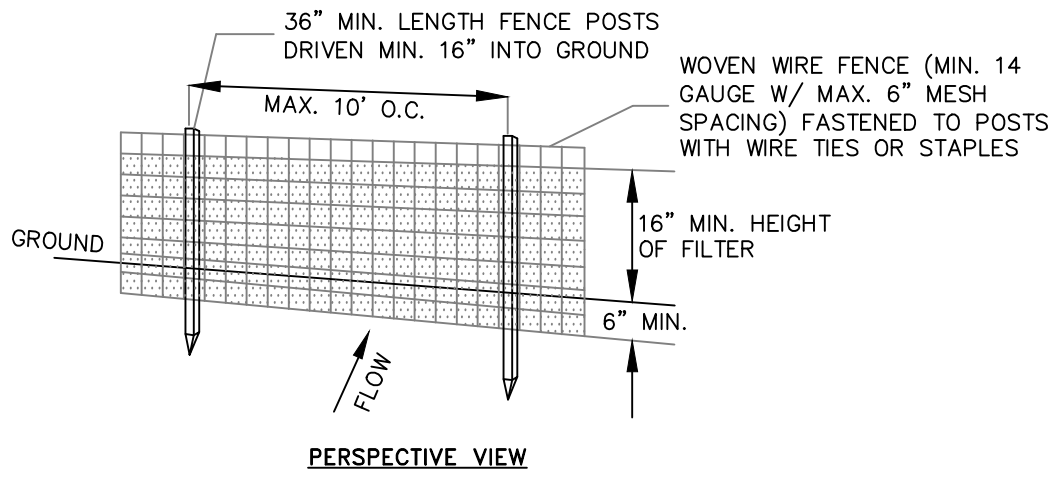
JOB #: 2019-021
DATE: 10/29/19
SCALE: AS SHOWN
TITLE: CD-1
SHEET: 5 OF 6



TREE DETAIL
NOT TO SCALE

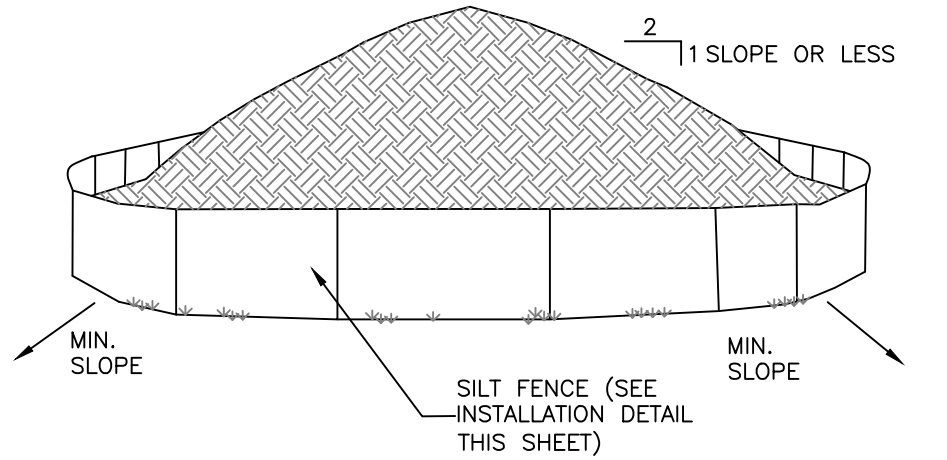


TOPSOIL SEED, FERTILIZER AND MULCH DETAIL
NOT TO SCALE



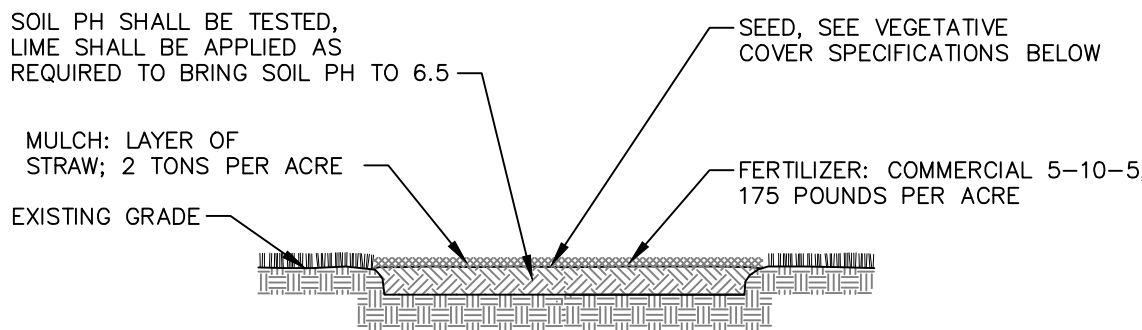
- NOTES:
1. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
 2. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N OR APPROVED EQUAL.
 3. PREFABRICATED UNITS SHALL BE GEOTAB, ENVIROFENCE OR APPROVED EQUAL.
 4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE DETAIL
NOT TO SCALE

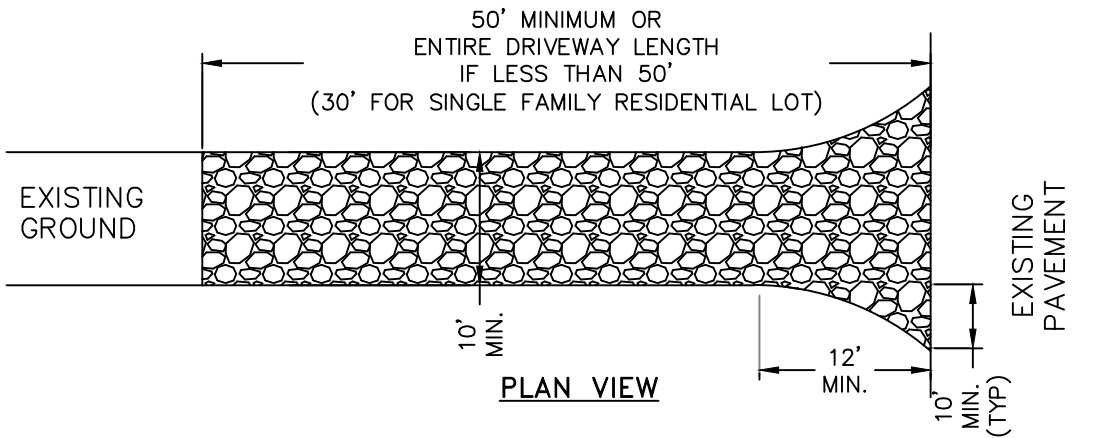


- NOTES:
1. AREA CHOSEN FOR STOCKPILING OPERATIONS SHALL BE DRY AND STABLE.
 2. EACH PILE SHALL BE SURROUNDED WITH SILT FENCING, THEN STABILIZED WITH VEGETATION OR COVERED.

TEMPORARY SOIL STOCKPILE DETAIL
NOT TO SCALE

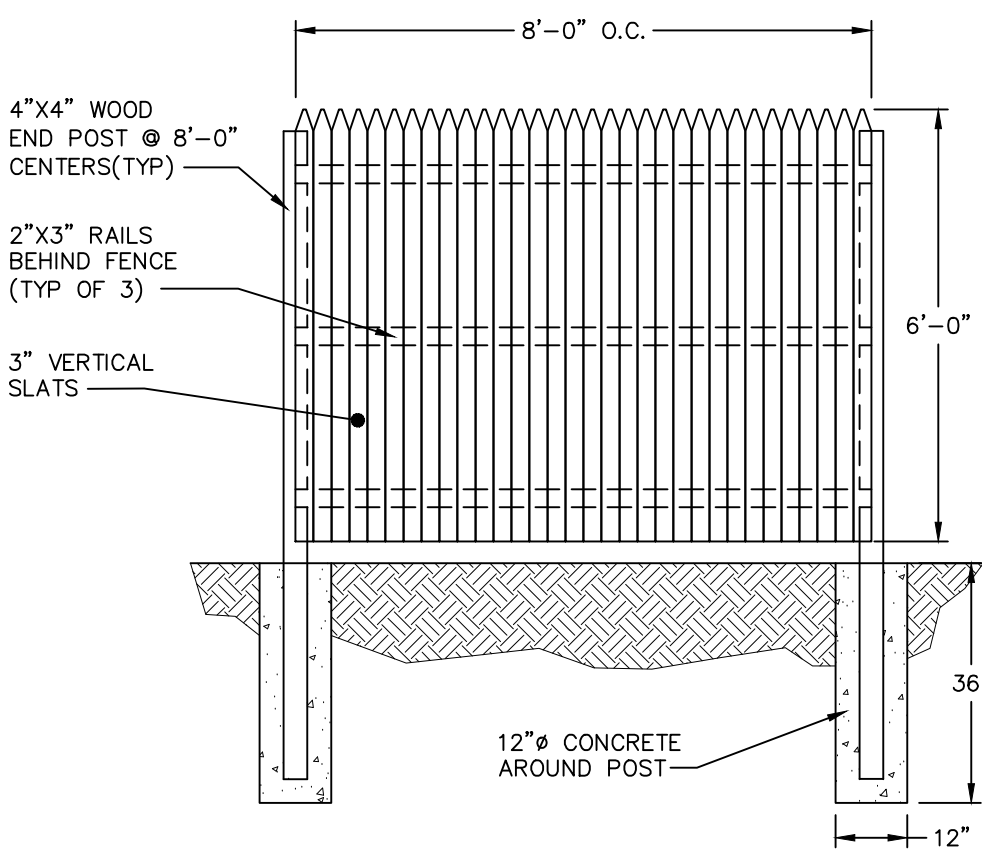


TEMPORARY SEEDING DETAIL
NOT TO SCALE



- NOTES:
1. STONE SIZE - USE 1-4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
 2. THICKNESS - NOT LESS THAN SIX (6) INCHES.
 3. WIDTH - 12 FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
 - 24 FOOT MINIMUM IF SINGLE ENTRANCE TO LARGE COMMERCIAL OR RESIDENTIAL SITE.
 4. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
 5. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
 6. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURE USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
 7. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
 8. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE



WOOD STOCKADE FENCE DETAIL
NOT TO SCALE

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20____, SUBJECT TO ALL REQUIREMENTS AS STATED THEREIN.

SIGNED THIS _____ DAY OF _____, 20____, BY

CHAIRMAN, CITY PLANNING BOARD

DATE

DRAWN BY: CMB				CHECKED BY: DGK			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	11/26/19	PER PLANNING BOARD COMMENTS	AG				

BEFORE UNDERTAKING ANY DIGGING, DRILLING, BLASTING OR DISTURBANCE TO THE GROUND IN ANY WAY, FOR ANY REASON, ALL INDIVIDUALS MUST CONTACT
DIG SAFELY NEW YORK
AT
811 OR WWW.CALL811.COM



SEAL

HUDSON
LAND DESIGN
HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926
F: 845-440-6637

CONSTRUCTION DETAILS

1182 NORTH AVENUE

1182 NORTH AVENUE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955-19-738049 & 5955-19-747060

JOB #: 2019-021

DATE: 10/29/19

SCALE: AS SHOWN

TITLE: CD-2

SHEET: 6 OF 6

City of Beacon Workshop Agenda
1/13/2020

Title:

Discussion of a Proposed Local Law to Amend Chapter 223, Section 41.18.E(7) of the Code of the City of Beacon Concerning Building Height Special Permits in the CMS District

Subject:

Background:

ATTACHMENTS:

Description	Type
Proposed Local Law to Amend Chapter 223, Section 41.18.E(7) of the Code of the City of Beacon Concerning Building Height Special Permits in the CMS District	Local Law
City Code Regarding the Central Main Street District	Backup Material

DRAFT LOCAL LAW NO. ____ OF 2019

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CHAPTER 223, SECTION 41.18.E(7) OF THE CODE OF THE CITY OF
BEACON

A LOCAL LAW to
amend Chapter 223,
Section 41.18.E(7) of
the Code of the City of
Beacon concerning
building height special
permits in the CMS
District.

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

Section 1. Chapter 223, Article IVD, Central Main Street (CMS) District, Section 41.18, Subsection E(7) of the Code of the City of Beacon is hereby amended as follows:

§ 223-41.18 Regulations.

....

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

....

- (7) Except for parcels facing East Main Street, a special permit may be granted by the Planning Board for a fourth story only if the proposed fourth story contains with a stepback of at least 15 feet behind the facade along any street frontage. A fifteen-foot building stepback above 38 feet shall also be required for any side of a four-story building within 40 feet of a lot line abutting another zoning district. Except for parcels facing East Main Street, a special permit may also be granted for a four-story tower without a stepback at a corner facing an intersection and occupying no more than 25 feet of the corner frontage of the building. No variance shall be granted from this subsection to reduce the stepback requirements set forth herein.

- (a) For proposed buildings on CMS parcels in ~~or abutting~~ the Historic District and Landmark Overlay Zone, abutting a HDLO parcel, or directly across a street from a HDLO parcel, any fourth story ~~or corner tower~~ shall require a special permit by the City Council. The City Council may limit the length any such fourth floor or reduce a permitted building height to be no more than six feet higher than an existing building on an adjoining HDLO parcel for a distance of 30 feet along the frontage from the historic structure.
- (b) All such building height special permits in the CMS District shall require a finding that there are no substantial detrimental effects on shadows, parking, traffic, or specific views adopted as important by the City Council or in the Comprehensive Plan Update, that the new building will be compatible with the historic character of adjacent buildings, and that the conditions and standards in § 223-18B(1)(a) through (d) have been met.
- ~~(c) Although not required,~~ All such building height special permits shall also require a specific public benefit as determined by the City Council or Planning Board, such as additional below-market-rate housing above what would be otherwise mandated in Article IVB, commercial uses included on an upper floor, additional parking spaces available for general public use, green building or renewable energy features beyond what is required by code, ~~or extra sidewalk width, the construction and/or maintenance of public plaza space; or green space that is accessible to the public may be a positive factor for consideration during the special permit review process.~~

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223, Section 41.18 of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

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

Section 4. Severability

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

Section 5. Effective Date

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

ARTICLE IVD

Central Main Street (CMS) District

[Added 2-19-2013 by L.L. No. 3-2013; amended 8-9-2013 by L.L. No. 14-2013; 5-19-2014 by L.L. No. 8-2014; 7-21-2014 by L.L. No. 10-2014; 7-21-2014 by L.L. No. 11-2014; 6-4-2018 by L.L. No. 10-2018]

§ 223-41.16. Purpose.

The purpose of this Article IVD is to preserve the traditional character of Main Street, particularly for buildings in the Historic District and Landmark Overlay (HDLO) Zone, while also increasing the vitality, attractiveness, and marketability of Main Street, as recommended in the City of Beacon Comprehensive Plan Update adopted on April 3, 2017. This article promotes a vibrant, economically successful, and environmentally sustainable Main Street with a pedestrian-oriented public realm and mixed uses.

§ 223-41.17. Applicability and boundaries.

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

§ 223-41.18. Regulations.

- A. Uses by right. The uses listed below are permitted by right in the CMS District, in the manner and under the conditions specified below. Unless otherwise indicated in this § 223-41.18, all such uses require site plan review and approval. Site plan review shall not be required for a change of use in an existing building where

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

the new use is allowed by right, the building will not be expanded, and the minimum number of off-street parking spaces required for the new use in § 223-41.18G(2) is not more than 25% greater than the requirement for the existing use in § 223-26F herein.

- (1) Apartments, provided that for parcels fronting on Main Street or East Main Street they shall only be located on upper stories or at least 50 feet behind the facade in the rear portion of a ground floor. The nonconforming residential uses on Main Street in § 223-10H shall not apply in the CMS District.
- (2) One-family, two-family, attached, and multifamily dwellings, provided that for parcels fronting on Main Street or East Main Street such uses are not permitted on the ground floor in the first 50 feet from the facade.
- (3) Hotel, subject to § 223-20; inn, or bed-and-breakfast establishment, subject to § 223-24.4.
- (4) Offices of any kind, including professional, medical, business, and banks or other financial institutions.
- (5) Artist studio.
- (6) Art gallery.
- (7) Restaurant, coffee house, brew pub, and other establishments that serve food with or without alcoholic beverages, and are not a bar.
- (8) Food preparation business.
- (9) Retail and personal services.
- (10) Funeral home.
- (11) Off-street parking facilities, provided that they are set back at least 40 feet from the Main Street or East Main Street property line and screened from the street by buildings and/or landscaping.
- (12) Public garage, as defined in this chapter, without motor vehicle repair, vehicle sales, or fuel sales, provided that it is set back at least 40 feet and screened from the street by buildings and/or landscaping.
- (13) School, public or not-for-profit educational institution, trade or vocational school, job placement or training program, continuing education program or instructional school such as

karate school, dance school or studio, language school or vehicular driving school.

(14) Indoor commercial recreation.

(15) Park, plaza, green, community garden, and other forms of outdoor plant cultivation.

(16) Artist live/work space subject to § 223-24.3, provided that they may only be located on upper stories or at least 50 feet behind the facade, in the rear portion of a ground floor, along Main Street or East Main Street, unless the space in the 50 feet behind the facade is used for the retail sale of the artist's wares.

(17) Theater, museum, library, concert hall and other music venues, and other similar kinds of cultural facilities.

(18) Auction gallery.

(19) Wireless telecommunications services facilities, provided that they are consistent with § 223-24.5 and, if mounted on a building, they do not increase its height by more than 15 feet above applicable height limits.

(20) Buildings, structures and uses owned or operated by the City of Beacon or any department or agency thereof.

(21) Spa, health club, gym, yoga and pilates studio, and similar kinds of fitness centers.

(22) Microbrewery or microdistillery which has a retail or tasting room component of at least 200 square feet of floor area.

(23) Retail sales from a truck or trailer, subject to § 223-26.3.

(24) Workshop for the making or repair of clocks, watches, jewelry, musical instruments or similar artisan workshops, having a retail component of at least 200 square feet.

(25) Tattoo parlor, subject to § 223-26.2.

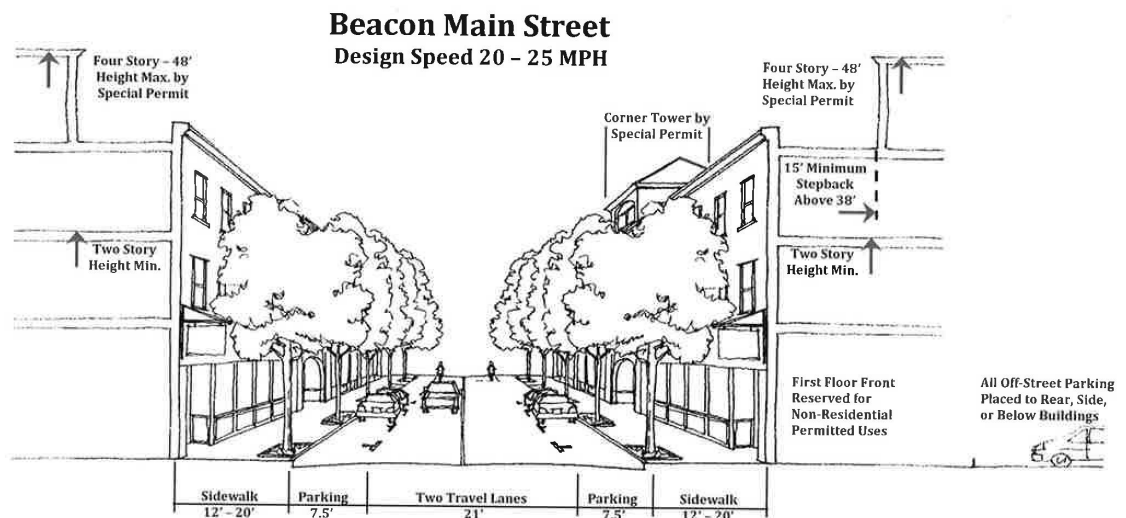
(26) Club, civic or fraternal, subject to § 223-24.2, provided that for parcels fronting on Main Street or East Main Street such uses are not permitted on the ground floor in the first 50 feet from the facade.

B. Uses by special permit.

- (1) The following uses are allowed by special permit from the City Council, upon a finding that the proposed use is consistent with the City of Beacon Comprehensive Plan Update, will enhance the architectural character of the street and will benefit the urban, pedestrian-friendly qualities of Main Street and East Main Street, and that the conditions and standards in § 223-18B(1)(a) through (d) have been met:
 - (a) A public garage, as defined in this chapter, containing facilities used for repair of motor vehicles, but not for the sale of motor fuel. Such repair facilities shall not front on or be visible from Main Street or East Main Street.
 - (b) A bar in which the primary product is alcoholic beverages and food service is incidental. Any establishment that serves alcoholic beverages and is open later than 1:00 a.m. on any night shall be presumed to be a bar for purposes of this section.
 - (2) In considering the appropriateness of the proposed use, the City Council shall consider impacts on shadows, traffic, and parking and may impose traffic and parking mitigation measures. When making a decision on a special permit, the City Council shall follow the regulations in § 223-18 of this chapter.
- C. Accessory uses. The following are permitted accessory uses in the CMS District:
- (1) Any accessory building or use customarily incident to a permitted use, except outside storage.
 - (2) Signs, in accordance with the provisions of § 223-15, as applicable.
 - (3) Off-street parking areas, in accordance with § 223-41.18G.
 - (4) Exterior lighting, in accordance with the provisions of § 223-41.18J(13).
 - (5) Home occupation, subject to § 223-17.1.
 - (6) Roof garden.
 - (7) Greenhouse.
- D. Prohibited uses. Uses not listed in Subsection A or B above and the following specific uses are prohibited in the CMS District:

- (1) Gasoline filling stations.
 - (2) Drive-through facilities, standalone or used in connection with any other use.
- E. Dimensional regulations. All new construction or enlargement of existing structures in the CMS District shall be subject to the following minimum and maximum dimensional regulations. These may be modified as provided in Subsection J(15).

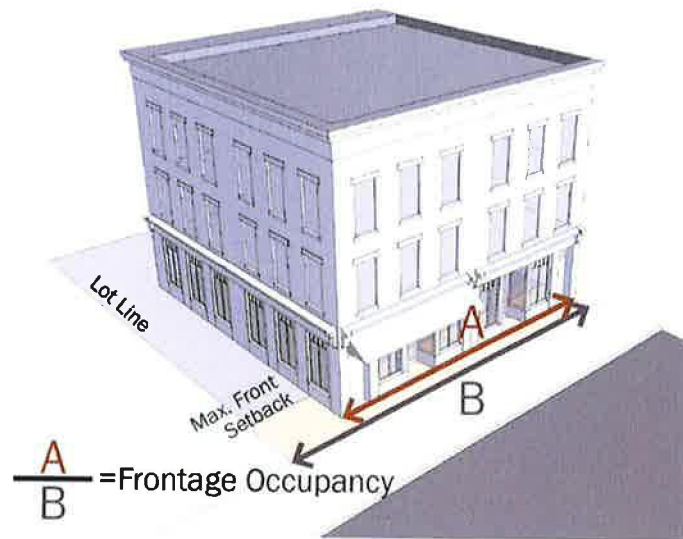
**Figure
18-1:
Central
Main
Street
Zoning
Requirements
Illustrative
View**



- (1) Front setback: minimum zero, maximum 10 feet, except that a larger maximum may be allowed if the area in front of a building has no parking spaces and is landscaped and used in a manner that enhances street life by such means as pocket parks or plazas, fountains, outdoor dining, public art, and outdoor display of items for sale on the premises. Such outdoor space shall be landscaped with plant materials as appropriate to the use, in a configuration approved by the Planning Board.

- (2) Corner buildings: Corner buildings shall be treated as having frontage on both streets and front yard setbacks shall apply to both, as appropriate to the street.
- (3) Side setbacks: minimum of zero. The minimum side setback may be increased by the Planning Board to allow light and air to continue to penetrate an existing building that has side windows or to allow future development of an abutting parcel to the permitted building height.
- (4) Rear setbacks: minimum 25 feet for parcels 100 feet deep or more and minimum 10 feet for parcels under 100 feet deep, except that if the rear yard is voluntarily dedicated to the City of Beacon as all or part of a public parking lot or parking structure, the minimum setback shall be 10 feet with landscaping to screen adjacent uses.
- (5) Minimum frontage occupancy on Main Street or East Main Street: 100% for buildings with a shared side wall and 80% for detached buildings. Frontage occupancy is the percentage of the lot width which must be occupied by either a front building facade or structures that screen parking, located within the area between the minimum and maximum front setback. The purpose of this requirement is to maintain a sense of enclosure of the street. This requirement may be reduced by the Planning Board: a) to the extent necessary to allow light and air into an adjacent building that has side windows; b) allow future development of an abutting parcel to the permitted building height; or c) if the applicant provides a suitably surfaced and lighted pedestrian passageway between the street and parking areas, public open spaces, or other streets, located behind the building.

**Figure
18-2:
Frontage
Occupancy**



- (6) Building height: minimum two stories, maximum three stories and 38 feet, as determined from the average street front level. Stories built below the grade of the street shall not be counted toward building height. The second story of a two-story building shall be built in a manner that allows actual occupancy for one or more permitted uses and does not create the mere appearance of a second story. Chimneys, vent pipes, mechanical systems, elevator shafts, antennas, wireless communications facilities, roof gardens, fences, greenhouses, solar collectors, wind energy systems, and other rooftop accessory structures may project up to 15 feet above the maximum permitted height. With the exception of roof gardens and solar collectors, such projections may occupy no more than 20% of the roof area and must be set back at least 15 feet from the edge of the roof along any street frontage.
- (7) Except for parcels facing East Main Street, a special permit may be granted by the Planning Board for a fourth story with a stepback of at least 15 feet behind the facade along any street frontage. A fifteen-foot building stepback above 38 feet shall also be required for any side of a four-story building within 40 feet of a lot line abutting another zoning district.

Except for parcels facing East Main Street, a special permit may also be granted for a four-story tower without a setback at a corner facing an intersection and occupying no more than 25 feet of the corner frontage of the building.

- (a) For proposed buildings on CMS parcels in or abutting the Historic District and Landmark Overlay Zone, any fourth story shall require a special permit by the City Council. The City Council may reduce a permitted building height to be no more than six feet higher than an existing building on an adjoining HDLO parcel for a distance of 30 feet along the frontage from the historic structure.
 - (b) All such special permits in the CMS District shall require a finding that there are no substantial detrimental effects on shadows, parking, traffic, or specific views adopted as important by the City Council or in the Comprehensive Plan Update, that the new building will be compatible with the historic character of adjacent buildings, and that the conditions and standards in § 223-18B(1)(a) through (d) have been met. Although not required, additional below-market-rate housing above what would be otherwise mandated in Article IVB, commercial uses included on an upper floor, or extra sidewalk width, plaza space, or green space that is accessible to the public may be a positive factor for consideration during the special permit review process.
- (8) Building depth: Corner buildings shall not extend along a side street more than 150 feet from the Main Street or East Main Street frontage, unless the rear building height is reduced to two stories.
 - (9) Lot area and lot width: There are no minimum lot area or lot width requirements.
 - (10) Lot depth: Minimum lot depth is 75 feet, except that on any lot in which the area behind a building is voluntarily dedicated to the City and accepted by the City Council for public parking, there shall be no minimum depth requirement.
 - (11) Floor area ratio: There is no maximum floor area ratio.
 - (12) Landscaped area: A minimum of 10% of the lot shall be landscaped with trees, shrubs, or grass in locations approved by the Planning Board that enhance the streetscape, provide

a landscaped rear yard or courtyard, and are found to be consistent with the intent of the CMS District. This requirement shall be reduced to 5% if the landscaped area is accessible to the public. These requirements may be waived for lots of 5,000 square feet or less.

(13) Dimensional standards.

Figure 18-3: Dimensional Standards

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

BUILDING HEIGHTS	
	minimum
	allowed by-right

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



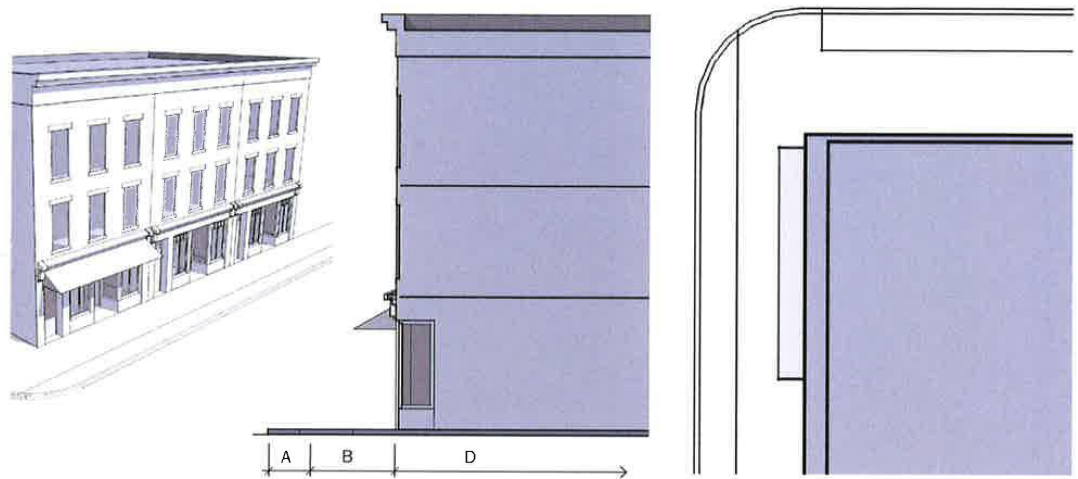
See text for exceptions and clarifications to Figure 18.3. Rear setback 10 feet for lots less than 100 feet deep.

F. Frontage types.

- (1) For new buildings, only the following building frontage types are permitted:
 - (a) Storefront.
 - (b) Forecourt.

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

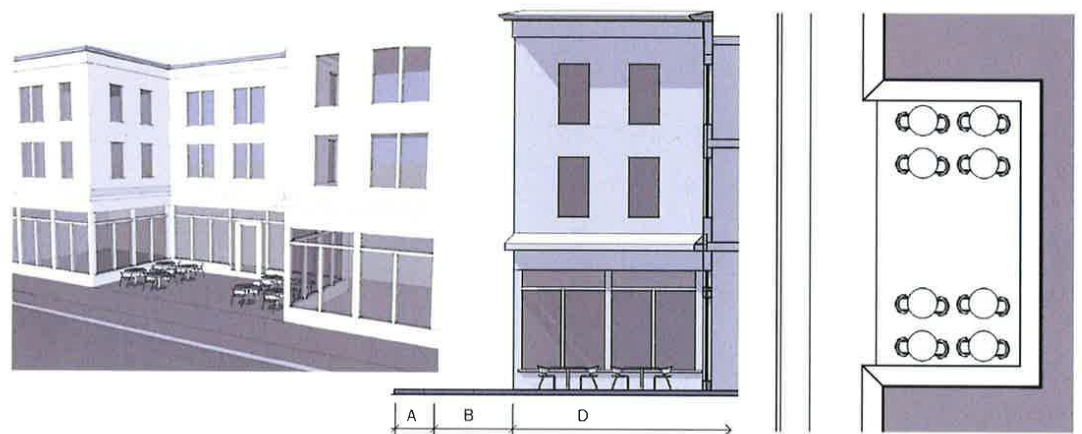
**Figure
18-4:
Illustrative
View,
Section
View,
and
Plan
View
of
Storefront
Frontage
Type**



See Figure 18-7 for key to letters

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

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



See Figure 18-7 for key to letters

G. Parking location and quantity.

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

minimum setback of five feet in which ornamental and/or buffer landscaping is planted.

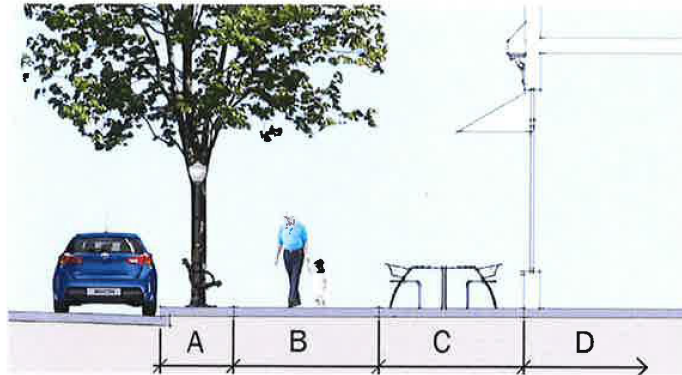
- (2) The minimum quantity of required on-site parking spaces shall be as follows:
 - (a) Residential: one space per unit.
 - (b) Office and nonretail commercial: two spaces per 1,000 square feet of floor area.
 - (c) Retail commercial and personal services: two spaces per 1,000 square feet of floor area.
 - (d) Other uses: as determined to be appropriate by the Planning Board in the course of site plan review, or in the case of a new use where site plan review is not required under § 223-41.18A, as determined by the Building Inspector in consultation with the City Planner.
- (3) The requirements in Subsection G(2) above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available in the public record, demonstrating one or more of the following:
 - (a) That the projected operational characteristics of the proposed use require a different amount of parking.
 - (b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or PB Districts.
 - (c) That the applicant has provided sufficient bicycle parking to reduce anticipated vehicular travel demand.
 - (d) That there is sufficient public parking available within 800 feet of the site and within the CMS or PB Districts to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.
 - (e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and within the CMS or PB Districts and voluntarily dedicate such land to the City for public parking.

- (f) That a professional parking study of the proposed use and the surrounding area demonstrates that a different amount of parking would be appropriate for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.
- (4) For lots of 8,000 square feet or less, where the provision of on-site parking is infeasible, the Planning Board may waive all parking requirements, provided that the total floor area of the building is no greater than 5,000 square feet.
- (5) Section 223-26B of this chapter shall apply in the CMS District.

H. Streetscape improvements.

- (1) Within the building transition zone, the Planning Board may require the lot owner to provide planters, trees, shrubs, or other landscaping to enhance the appearance of the streetscape. Ornamental fencing four feet or less in height may be provided to separate privately owned space from public space. Chain link, vinyl, and solid fencing shall be prohibited. For commercial uses, display areas, and outdoor dining and seating areas may be provided.
- (2) A pedestrian clearway, at least eight feet wide, with unobstructed space for pedestrian activity shall be provided along the sidewalk, unless site conditions require a narrower clearway. Within the street transition zone, if space permits, lot owners may place benches, tables, and outdoor seating areas with the approval of the Department of Public Works. The Planning Board shall require the planting of street trees on average 30 feet to 40 feet apart as a condition of site plan approval, whenever street and sidewalk conditions permit.
- (3) The Planning Board may require the placement of bicycle racks of an approved design within the street transition and building transition zones. The Planning Board may require any building containing 5,000 square feet or more of floor area to provide one bicycle rack or equivalent indoor bicycle parking space for every 2,000 square feet of floor area.
- (4) The Planning Board may require that an applicant constructing a building greater than 10,000 square feet in floor area pay for the provision of related street improvements to improve pedestrian and/or bicycle safety.

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



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

- I. Site plan and special permit amendments. For any proposed change to an approved site plan, the applicant shall meet with the Building Inspector who shall make a determination as to whether or not the proposed change is significant. If the Building Inspector determines that the change is significant (e.g., a change in dimensions of more than 10% shall be presumed to be significant), the application shall be referred to the Planning Board for an amendment to the site plan or special permit, as appropriate. If the Building Inspector determines that the change is not significant and otherwise complies with applicable requirements, the Building Inspector is authorized to issue a building permit without further review.
- J. Design standards.
 - (1) Because of the design standards in this section, the architectural review provisions of Chapter 86 shall not apply within the CMS District. In addition to the preceding sections of this article, all new buildings or substantial alterations of existing buildings shall comply with the following design requirements. These design standards are intended to promote the following purposes:
 - (a) Preserve and enhance the unique character and general public welfare of the City of Beacon;

- (b) Promote pedestrian access and activity, as well as a general sense of area security;
 - (c) Restore and maintain the role of streets as civic and social spaces, framed by active uses;
 - (d) Encourage economic development and a convenient mix of uses and services; and
 - (e) Support a sense of design context that appropriately relates historic buildings, general facade and window patterns, and traditional streetscapes in the area to new redevelopment efforts, while still allowing architectural flexibility.
- (2) Key terms: Standards using the verb "shall" are required; "should" is used when the standard is to be applied unless the Planning Board finds a strong justification for an alternative solution in an unusual and specific circumstance; and "may" means that the "standard" is an optional guideline that is encouraged but not required.
- (3) Proposed new buildings should be compatible with nearby historic-quality buildings along Main Street. References to the existing context should include scale, type and texture of materials, roof and cornice forms, spacing and proportion of windows and doors, signs, and street-front fixtures. Building exteriors in or directly adjoining the Historic District and Landmark Overlay sections of the CMS District shall reinforce historic patterns and neighboring buildings with an emphasis on continuity and compatibility, not contrast, but new construction may still be distinguishable in architectural details, most evident in window construction and interiors.
- (4) Buildings should have a top-floor cornice feature and first-floor architectural articulation, such as a storefront with a secondary cornice or an architecturally emphasized entrance doorway, to accent the central body of the building.
- (5) Architectural features and windows shall be continued on all sides of the building that are clearly visible from a street or public parking area, avoiding any blank walls, except in cases of existing walls or potential common property walls. Larger buildings shall incorporate significant breaks in the facades and rooflines at intervals of no more than 35 feet.
- (6) Building elements that provide additional architectural interest, such as balconies, bay windows, open porches, and

cornices, may encroach up to four feet above the sidewalk, if the bottom of the encroaching building elements is at least 12 feet above grade.

- (7) Metal, glass or canvas-type awnings and canopies or projecting signs are encouraged and may encroach up to six feet over the sidewalk above seven feet. Vinyl awnings are discouraged unless the applicant can demonstrate to the Planning Board's satisfaction that the finish and design of such awning are of high quality, aesthetically pleasing and meet the intended standards of the district.
- (8) Buildings shall have a front entrance door facing the primary street and connected to the sidewalk. Front entrance doors for commercial buildings and retail storefronts shall be active and provide main access during business hours.
- (9) Primary individual window proportions shall be greater in height than in width, but the Planning Board may allow exceptions for storefront, transom, and specialty windows. Mirrored, reflective, or tinted glass, all-glass walls, and exterior roll-down security gates shall not be permitted. Any shutters shall match the size of the window opening and appear functional.
- (10) Commercial buildings shall have at least 70% glass on the first-floor facades, located between two feet and 10 feet above the sidewalk. Main Street or East Main Street buildings should have at least 30% glass on the upper-floor facades.
- (11) Finish building materials should be wood, brick, traditional cement-based stucco, stone, smooth cast stone, smooth-finished fiber-cement siding, or other materials deemed acceptable by the approving body. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic rough-cut stone, synthetic brick, synthetic stucco, exterior insulation and finishing system (EIFS), direct-applied finish system (DAFS), and chain link, barbed wire, plastic, or vinyl fencing shall not be permitted.
- (12) Materials and colors should complement historic buildings on the block. Fluorescent, neon, metallic, or other intentionally garish colors, as well as stripes, dots, or other incompatible patterns, shall be prohibited.

- (13) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high. Lighting shall be energy efficient, have full spectrum color quality, and, except for short-term event lighting, shall prevent any lighting above 500 lumens that directly projects above the horizontal level into the night sky with full cut-off fixtures.
- (14) Mechanical equipment and refuse containers shall be concealed from public view by approved architectural or landscaping elements and shall be located to the rear of the site. Window or projecting air conditioners shall not be permitted on the front facade of new buildings or additions.
- (15) The Planning Board may waive setback requirements for landmark civic buildings, including government buildings, schools, libraries, or places of worship, and for pedestrian-oriented places, such as public greens or plazas and outdoor eating areas.
- (16) The following Figure 18-7 provides annotated photographs to illustrate design standards in this section:

**Figure
18-7:
Design
Illustrations**

Traditional Main St. Example

More Modern Example

Design Standards Consistent Examples

Design Standards Consistent Examples

Design Standards

- Façade and roof line breaks at intervals of no more than 35'
- Top floor cornice feature
- Bay windows, balconies and open porches may encroach up to 4' over the sidewalk
- Primary window proportions greater in height than in width
- Secondary storefront cornice or first floor articulation
- Commercial first floor facing Main Street
- Wood, brick, stucco, stone, or fiber-cement siding and trim recommended
- Metal, glass, or canvas-type awnings and canopies or projecting signs may encroach up to 6 feet over the sidewalk above 7 feet
- Street trees planted on average 30' - 40' apart
- Commercial buildings shall have at least 70% glass on first floor facades between 2' and 10' above the sidewalk

Design Standards Inconsistent Examples

Two-story minimum required, allowing second floor occupancy

Architectural features and windows should be continued on all sides, avoiding any blank walls

Vinyl, aluminum, or sheet metal siding or sheet trim shall not be permitted

Buildings should have a top floor cornice feature

Primary window proportions shall be greater in height than in width

Commercial buildings shall have at least 70% glass on the first floor facade

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

Design Standards Consistent Examples

Wood, brick, stucco, stone, or fiber-cement siding and trim recommended

Bay windows, balconies and open porches may encroach up to 4' into the setback

Required landscaping between the sidewalk and building to enhance the streetscape

In the Linkage District, a step-back of at least 15' behind the façade above the third story

Primary window proportions greater in height than in width

Secondary cornice or first floor articulation

Residential buildings shall have at least 30% glass on first floor facades

Top floor cornice feature

Façade and roof line breaks at intervals of no more than 35'

Street trees planted on average 30' - 40' apart

Metal, glass, or canvas-type awnings and canopies may encroach up to 6 feet over the sidewalk above 7 feet

- K. Main Street infill strategies illustrative sketch plan. This sketch plan provides one possible set of design solutions for infill development with parking to the rear, which was included in the 2017 Comprehensive Plan Update as an illustration of planning principles for the Central Main Street District. The Plan also recommended the provision of periodic pocket parks or plazas and transit shuttle stops to be coordinated with new development projects and civic uses (see pages 61-67).²

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



2. Editor's Note: The 2017 Comprehensive Plan Update is on file in the City offices.

City of Beacon Workshop Agenda
1/13/2020

Title:

Discussion of a Proposed Local Law to Amend Chapters 223 and 210 of the Code of the City of Beacon Concerning the City's Schedule of Regulations and Associated Amendments Regarding Permitted Uses in the City of Beacon

Subject:

Background:

ATTACHMENTS:

Description	Type
Draft Local Law Amending Chapters 223 and 210 of the Code of the City of Beacon 1.7.20	Local Law
Zoning Dimensional Table Draft 1.7.20	Backup Material
Zoning Dimensional Table Draft 1.7.20 Edits	Backup Material
Zoning Use Table Draft 1.7.20	Backup Material
Zoning Use Table Draft 1.7.20 Edits	Backup Material
EAF Part 1 Narrative	EAF
Full EAF Part 1 Regarding a Proposed Local Law to Amend Chapters 223 and 210 of the Code of the City of Beacon	EAF

LOCAL LAW NO. ____ OF 2019

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW AMENDING CHAPTERS 223 AND 210
OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapters 223 and 210 of the Code of the City of Beacon regarding the Schedule of Regulations and associated amendments.

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

Section 1. Chapter 223 of the Code of the City of Beacon, Article II, Section 2, entitled “Establishment of Districts” is hereby amended as follows:

§ 223-2 Establishment of districts.

The City of Beacon is hereby divided into the following classes of districts:

A. Residential:

- (1) R1-120 One-Family Residence District, 120,000 square feet per dwelling unit.
- (2) R1-80 One-Family Residence District, 80,000 square feet per dwelling unit.
- (3) R1-40 One-Family Residence District, 40,000 square feet per dwelling unit.
- (4) R1-20 One-Family Residence District, 20,000 square feet per dwelling unit.
- (5) R1-10 One-Family Residence District, 10,000 square feet per dwelling unit.
- (6) R1-7.5 One -Family Residence District, 7,500 square feet per dwelling unit.
- (7) R1-5 One-Family Residence District, 5,000 square feet per dwelling unit.
- (8) RD-7.5 Designed Residence District, 7,500 square feet per dwelling unit (minimum lot size of two acres).

~~[1] Editor's Note: This local law also provided for the renumbering of former Subsections A(8) through (16) as Subsections A(9) through (17).~~

- (9) RD-6 Designed Residence District, 6,000 square feet per dwelling unit (minimum lot size of ~~five~~ two acres).
- (10) RD-5 Designed Residence District, 5,000 square feet per dwelling unit (minimum lot size of 5,000 square feet).
- (11) RD-4 Designed Residence District, 4,000 square feet per dwelling unit (minimum lot size of ~~two acres~~ 5,000 square feet).
- (12) RD-3 Designed Residence District, 3,000 square feet per dwelling unit (minimum lot size of 5,000 square feet).
- (13) RD-1.8 Designed Residence District, 1,800 square feet per dwelling unit (minimum lot size of 5,000 square feet).
- (14) RD-1.7 Designed Residence District, 1,700 square feet per dwelling unit (minimum lot size of 5,000 square feet).

~~[2] Editor's Note: This local law also provided for the redesignation of former subsection A(13) and (14) as A(14) and (15), respectively.~~

~~(15) RMF-1.5 Multifamily Residence District, 1,500 square feet per dwelling unit (minimum lot size of 5,000 square feet).~~

~~(16) RMF-8 Multifamily Residence District, 800 square feet per dwelling unit (minimum lot size of 5,000 square feet).~~

~~(15)-(17)~~ Senior Affordable Housing Overlay (SAHO) District.

B. Commercial:

(1) ~~PB Business Off Street Parking~~ T Transitional District.

~~(2)[3] OB Office Business District.~~

~~[3] Editor's Note: Former Subsection B(2), HB Hotel Business District, was repealed 6-17-2013 by L.L. No. 11-2013. This local law also provided for the renumbering of former Subsection B(3) through (8) as Subsection B(2) through (7), respectively.~~

~~(3) LB Local Business District.~~

~~(4) CB Central Business District.~~

(2) GB General Business District.

(3) CMS Central Main Street District.

(4) L Linkage District.

C. Industrial:

(1) LI Light Industrial District.

(2) HI Heavy Industrial District.

D. POD Parking Overlay District.

E. WP Waterfront Park Zone.

F. WD Waterfront Development Zone.

G. FCD Fishkill Creek Development District.

Section 2. Chapter 223 of the Code of the City of Beacon, Article III, Section 10, entitled “Non-conforming uses and structures,” Subsections H-L are hereby amended as follows:

§ 223-10 Non-conforming uses and structures

...

~~H. Residential uses on Main Street. [Added 12-29-1997 by L.L. No. 14-1997]~~

- (1) ~~Legislative intent. The Central Business (CB) and General Business (GB) Districts along Main Street have traditionally been and will continue in the future to essentially be retail/service in nature. In order for the Main Street business district to be healthy and vital, it must compete successfully with other business districts. One of the essential characteristics of a healthy downtown business district is a high degree of continuity between adjacent retail and service uses, so that consumers can conveniently walk from one storefront to the next without frequently being interrupted by gaps between the retail and service uses. These gaps are the result of uses which are not open to the general public such as, in this case, residential uses. Residences which are located at the front of the ground floor of the buildings on Main Street are believed to be more injurious to the health and vitality of this business district than residences located at the rear of the ground floor of said buildings because the shopping portion of the business district is primarily, but not exclusively, at the front of said buildings. It is recognized, however, that there are currently several vacant storefronts on Main Street. The City Council has determined that the residential units affected by this subsection should not be converted to retail space unless the vacancy rate for such retail space has declined to an acceptable level in the discretion of the City Council. As a result, the special permit procedure outlined herein will specifically take into consideration the vacancy rate on Main Street at the time this subsection is implemented.~~
- (2) ~~Discontinuance. The following provisions pertain to buildings located on Main Street in the Central Business and General Business Zoning Districts: residential uses which are neither located on the upper floors nor in the rear of the first floor of said buildings shall be discontinued effective October 1, 2002. The City of Beacon shall notify all affected property~~

~~owners no later than October 1, 2001, that all residential units so situated in the Central Business (CB) and General Business (GB) Zoning Districts must be converted no later than October 1, 2002, pursuant to the terms of this subsection.~~

~~(3) Special use permit. Any property owner affected by this section shall be eligible to apply to the City Council for a special use permit to continue said residential occupancy for a period of two years. There shall be no further permits issued after the aforementioned permit has expired. Such application must be made no later than April 1, 2002, in order to maintain eligibility for the special use permit. The general provisions regarding the issuance of special use permits set forth in this chapter shall also apply to this application. In addition, the City Council shall take the vacancy rate for storefronts on Main Street into consideration when determining whether to issue such a permit.~~

~~I. I. Variance procedure. Any person or persons jointly or severally aggrieved by the terms of this chapter shall have the right to review a special permit determination by the City Council by a public hearing before the Zoning Board of Appeals and by a proceeding under Article 78 of the Civil Practice Law and Rules, which proceedings must be commenced within 30 days of the filing of such determination with the City Clerk.~~

~~J. Exemption. This local law shall not apply to the residence located at 317 Main Street. This use as a single family dwelling shall be continued as a nonconforming use notwithstanding the remaining provisions of this local law. However, the existing commercial portion of these premises which front on Main Street, may not be converted to a residential use.~~

~~I. H. General nuisances. Upon a complaint registered by the Building Inspector or 50% of the property owners within 250 feet of a nonconforming use which is considered to be a general nuisance or hazard to the health, safety, welfare and morals of uses or structures within 250 feet of such nonconforming use or uses, the Zoning Board of Appeals shall hold a public hearing and make a finding with respect to the nuisance or hazardous condition which exists and shall determine the necessity of terminating such nonconforming use. Such uses shall be terminated within such reasonable time as shall be determined by the Zoning Board of Appeals as related to the reasonable amortization of the capital investment in such uses.~~

Section 3. Chapter 223 of the Code of the City of Beacon, Article III, Section 13, entitled “Yards; building projections,” Subsections I-O are hereby amended and added as follows:

§223-13 Yards, building projections, heights, and accessory structures

...

I. Visibility at intersections. On a corner lot in any residence district, no fence wall, hedge or other structure or planting more than three feet in height shall be erected, placed or maintained within the triangular area formed by ~~the intersecting street center lines and~~ a straight line joining ~~said street center lines at~~ points which are ~~100~~ 25 feet distant from ~~the point of intersection, measured along said street center lines~~ intersecting lines of the curb or edge of pavement. The height of three feet shall be measured above the road surface at the ~~center line~~ edge of the road having the lesser

elevation. This subsection shall not apply to existing and city-approved street trees, provided that no branches are closer than six feet to the ground.

- J. Corner lots. On a corner lot in any residence district, there shall be provided a side yard on the side street equal in depth to the required front yard on said lot, or, if the lot is to be occupied by a one-family home, such side yard may be reduced to 25% of actual lot width.
- K. Exception for existing alignment of buildings. If on one side of a street within 250 feet of any lot there is pronounced uniformity of alignment of the fronts of existing buildings and of the depths of front yards greater or less than the depth specified in the Schedules of Regulations,[1] a front yard shall be required in connection with any new building which shall conform as nearly as practicable to those existing on the adjacent lots, except that no such building shall be required to set back from the street a distance greater than 40 feet.
- L. Awnings. No awning, or similar weather shielding feature, projecting beyond the property line of any lot into the sidewalk portion of a street shall be erected or maintained on any building, unless such awning or feature shall be firmly attached to the building and is at all points at least eight feet above the sidewalk area.
- M. Swimming pools and tennis courts. All swimming pools and tennis courts shall be considered structures and shall set back from lot lines at least the minimum distance required for other principal buildings and structures in that district.
 - (1) If a swimming pool, as located, is within 100 feet from a dwelling other than the owner's or within 50 feet from any street or property line, the same must be completely surrounded by a fence or wall enclosure not less than four feet in height with openings, holes or gaps (exclusive of gates or doors) therein not more than four inches in one dimension, a part of which enclosure may consist of a dwelling house or accessory building. A wall or fence or other enclosure wholly enclosing a dwelling house shall constitute compliance with this requirement.
 - (2) Each and every swimming pool gate or door opening through such enclosure shall be equipped and maintained with effective self-closing and self-latching devices, except that the floor of any occupied dwelling house forming a part of such enclosure need not be so equipped. The use of a natural barrier, hedge or pool cover will be deemed to satisfy the requirement of a fence or wall as specified above when approved by the Building Inspector.
- N. The minimum height of any principal building on a lot shall be one-story and 12 feet.
- O. Medical service accessory structure. A single temporary structure is permitted not exceeding 250 square feet, in compliance with § 223-17E, conforming to the minimum accessory building setback requirements and located in the rear or side yard, behind the front building line, not displacing or blocking access to required off street parking, and connected to the principal dwelling unit in a manner that is satisfactory to the Building Inspector for a period not exceeding one year. A medical service accessory structure shall be solely used, without charge, by the owner or occupant of the dwelling unit or an individual related to the owner or occupant, for medical services to be provided until permanent accessible housing can be arranged, as demonstrated by a medical note and other

proof to the satisfaction of the Building Inspector. The Building Inspector, upon good cause shown, may extend the one-year limitation for a period not to exceed one year.

Section 4. Chapter 223 of the Code of the City of Beacon, Article III, Section 17, entitled “Schedule of Regulations” is hereby amended as follows:

§ 223-17 Schedules of Regulations.

- A. The accompanying Schedules of Regulations constituting § 223-17C and D herein list and define the use of land and buildings, the height of buildings, the yards and other open space to be provided in connection with buildings, the area of lots, off-street parking space and other matters. The regulations listed for each district as designated are hereby adopted and prescribed for each such district, subject to the provisions of this section, and, unless otherwise indicated, shall be deemed to be the minimum requirements in every instance of their application.
- B. It is the intention that the uses set forth for each district shall not be permitted uses in any other district in the schedules, unless allowed specifically or by reference as permitted uses in said district.
- C. Schedule of Use Regulations ~~for Residential Districts~~.^[1]
 - [1] Editor's Note: The Schedule of Use Regulations ~~for Residential Districts~~ is included as an attachment to this chapter.
- D. Schedule of Dimensional Regulations ~~for Nonresidential Districts~~.^[2]
 - [2] Editor's Note: The Schedule of Dimensional Regulations ~~for Nonresidential Districts~~ is included as an attachment to this chapter.
- E. Schedule of Regulations for Accessory Buildings on Residential Lots.^[3]
 - [3] Editor's Note: The Schedule of Regulations for Accessory Buildings on Residential Lots is included as an attachment to this chapter.

Section 5. Chapter 223 of the Code of the City of Beacon, Article III, Section 18, entitled “Special permit uses,” Subsection B is hereby amended as follows:

§ 223-18 Special permit uses.

- B. Application for a special permit.
 - (1) Application for required special permits shall be made to the City Council or Planning Board as indicated in §223-17, Schedule of Use Regulations. If the approval authority is the City Council, the application shall be first submitted to the Planning Board as agent for the City Council, and the applicant shall appear before the Planning Board prior to appearing before the City Council. All application materials, including plans, shall be submitted in electronic file format acceptable to the Building Department, in addition to at least five paper copies (or such other format or

amount as determined by the Building Department), at least two weeks prior to the regular Planning Board meeting at which it will be considered. The Planning Board shall, upon receiving ~~such an~~ application for the City Council, forward a copy of the application to the City Council for the Council's use in initiating the state environmental quality review process and for otherwise processing the application. The Planning Board shall render a report to the City Council on each such application, which report shall be rendered within 45 days of the date such application is received by the Board. Each report shall be submitted to both the Building Inspector and the City Engineer. The City Council or Planning Board shall conduct a public hearing within 62 days from the day on which a complete application is received. Public notice of said hearing shall be provided by the applicant in accordance with § 223-61.3 of this chapter. The City Council or Planning Board shall decide upon the application within 62 days after the hearing, provided that the SEQR process has been concluded. The time in which the City Council or Planning Board must render its decision may be extended by mutual consent of the applicant and the ~~Board~~ approving authority. The City Council or Planning Board may authorize the issuance of a permit, provided that it shall find that all of the following conditions and standards have been met:

- (a) The location and size of the use, the nature, hours, and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will ~~be in harmony~~ not conflict with the existing permitted uses on adjacent blocks or the appropriate and orderly development of the ~~district in which~~ area where it is located.
 - (b) The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site are such that the use will not conflict with the existing permitted uses on adjacent blocks and will not hinder or discourage the appropriate development use of adjacent land and buildings.
 - (c) Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristic in Article IV than would be the operations of any permitted use, not requiring a special permit.
 - (d) Parking areas will be of adequate size for the particular use and properly located and suitably screened from adjoining residential uses, ~~and~~ the entrance and exit drives shall be laid out so as to achieve maximum safety, and uses will not cause unreasonable traffic congestion or create a traffic hazard.
 - (e) Uses, buildings, and operations will be accessible for emergency services and appropriately located for water, sewer, and other infrastructure requirements.
 - (f) The use will comply with other regulations in the Code and will be compatible with the recommendations in the City's Comprehensive Plan and Local Waterfront Revitalization Program.
- (2) The decision of the City Council or Planning Board on the application, after the holding of the public hearing, shall be filed in the office of the City Clerk within five business days after such decision is rendered and a copy thereof mailed to the applicant.

Section 6. Chapter 223 of the Code of the City of Beacon, Article III, Section 20, entitled “Hotels” in its entirety is hereby renumbered as follows:

§ 223-14.1 Hotels.

Section 7. Chapter 223 of the Code of the City of Beacon, Article III, Section 20.1, entitled “Adult uses,” Subsection C is hereby amended as follows:

§ 223-20.1 Adult uses.

...

C. Location. Adult uses are to be restricted as to location in the following manner in addition to any other requirements of this code:

- (1) Adult uses shall not be located within a five-hundred-foot radius of the following zoning districts which permit residential development: R1-120, R1-80, R1-40, R1-20, R1-10, R1-7.5, R1-5, RD-7.5, RD-6, RD-5, RD-4, RD-3, RD-1.8, RD-1.7, ~~RMF-1.5 and RMF-.8.~~ and Senior Affordable Housing Overlay District.
- (2) Adult uses shall not be located within a one-half-mile radius of another such use.
- (3) Adult uses shall not be located within a five-hundred-foot radius of the property lines of any school, church or other religious institution or place of religious worship, park, playground or playing field.
- (4) Adult uses shall not be located in or within 500 feet of any Historic District and Landmark Overlay Zone.

Section 8. Chapter 223 of the Code of the City of Beacon, Article III, Section 22, entitled “Nursing homes,” Subsection B is hereby amended as follows:

§ 223-22 Nursing homes.

...

B. Site.

- (1) In any R1-40 or R1-20 District, the minimum lot area shall be 40,000 square feet, plus 2,500 square feet for each additional resident person over 10 in number.
- (2) In any R1-10, R1-7.5, R1-5, RD-7.5, RD-6, RD-5, RD-4, RD-3, RD-1.8 or RD-1.7 District, the minimum lot area shall be 20,000 square feet, plus 1,500 square feet for each additional resident person over 10 in number.
- ~~(3) In any other district, where permitted, the minimum lot area shall be 10,000 square feet, plus 1,000 square feet for each additional resident person over 10 in number.~~

Section 9. Chapter 223 of the Code of the City of Beacon, Article III, Section 24.1, entitled “Accessory apartments,” Subsections D and F are hereby amended as follows:

§ 223-24.1 Accessory apartments.

...

D. Apartment size. The minimum floor area for an accessory apartment within a detached single-family dwelling shall be 400 square feet. The maximum floor area shall be 650 square feet, but in no case shall the floor area of the apartment exceed 30% of the total floor area of the dwelling building in which it is located. For an accessory apartment located in an accessory building, the minimum floor area shall ~~also~~ be 300 square feet, and the maximum shall be 600 square feet, except that the ~~City Council~~ Planning Board may permit a smaller or larger accessory apartment where appropriate in an existing accessory building constructed prior to August 1, 1989. There shall be no more than one accessory apartment permitted per single-family lot. However, in the case of a lot which contains an existing accessory building or buildings that comply with the minimum required setbacks required for a principal building in the zoning district in which the lot is located and that were constructed prior to August 1, 1989, one accessory apartment shall be permitted in each such accessory building in addition to the one permitted in the detached single-family dwelling; the area of such lot shall be at least 100% larger than the minimum lot area required in the district in which the lot is located for each accessory apartment in excess of the first one.

...

F. Off-street parking. A minimum of ~~two~~ one off-street parking spaces shall be provided for each accessory apartment in addition to the off-street parking required for other uses existing on the lot.

...

Section 10. Chapter 223 of the Code of the City of Beacon, Article III, Section 24.3, entitled “Artist live/work spaces” is hereby renumbered in its entirety as follows:

§ 223-14.2 Artist live/work spaces.

Section 11. Chapter 223 of the Code of the City of Beacon, Article III, Section 24.5, entitled “Wireless telecommunications services facilities,” Subsection H(3) is hereby amended as follows:

§ 223-24.5 Wireless telecommunications services facilities.

...

H. Location and access

- (3) Applications for all non-small cell wireless facilities shall locate, site and erect said facility in accordance with the following priorities, Subsection H(3)(a) being the highest priority and Subsection H(3)(g) being the lowest priority:
- (a) Collocation on existing wireless telecommunication services facilities on lands owned or controlled by the City.
 - (b) Collocation on a site with existing wireless telecommunication services facilities in the City.
 - (c) On sites, buildings and structures located in the HI and LI Zoning Districts.
 - (d) On sites, buildings and structures in the ~~PB, OB, LB and~~ GB Zoning Districts.
 - (e) On sites, buildings and structures in the L, T, and CMS Zoning Districts.
 - (f) On sites, buildings and structures in Residential Zoning Districts.
 - (g) On sites, buildings and structures in the FCD, WD, WP, or Historic District and Landmark Overlay Zone.

Section 12. Chapter 223 of the Code of the City of Beacon, Article III, Section 24.6, entitled “Artist studio as an accessory special permit use” is deleted in its entirety.

Section 13. Chapter 223 of the Code of the City of Beacon, Article III, Section 26, entitled “Off-street parking, loading, and vehicular access,” Subsections C, E and F are hereby amended as follows:

§ 223-26 Off-street parking, loading, and vehicular access.

...

C. Location, use, design, construction and maintenance.

- (1) Location. The off-street parking facilities which are required by this section shall be provided on the same lot or premises with such structure or land use; except that off-street parking spaces required for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility. In any residence district, no off-street parking facility shall be developed in any required front yard or in any required side or rear yard adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in § 223-17C.

(2) Parking specifications.

- (a) Each parking space provided in an unenclosed area shall be at least nine feet wide and at least 18 feet long, except that the Planning Board, in approving a plan under § 223-25, may permit that portion of the total required parking which is specifically set aside for and limited to employee parking to have a width of at least 8 1/2 feet and a depth of at least 18 feet. This possible exception shall not be permitted in the ~~CB~~ CMS District.
- (b) Each parking space which is bordered by walls or columns on two or more sides shall be not less than 10 feet wide nor less than 18 feet long. Enclosed or garaged parking areas shall not contain any columns, walls or other obstacles which would prevent or obstruct the use of any parking space.
- (c) The maneuvering area needed to permit parked vehicles to enter and exit off-street parking spaces shall have a width of at least 24 feet, except where the Planning Board approves a lesser distance as adequate for areas with parallel or angled parking spaces.

(3) Landscaping. Except for parking spaces accessory to a one-family dwelling, all off-street parking areas shall be landscaped with appropriate trees, shrubs and other plant materials and ground cover, as approved by the Planning Board based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe, convenient and attractive parking facility with a minimum amount of maintenance, including plant care, snowplowing and the removal of leaves and other debris. At least one tree with a minimum caliper of three inches at a height of four feet above ground level shall be provided within such parking area for each 10 parking spaces.

- (a) Wherever possible, planting islands, at least eight feet in width, shall be provided to guide vehicle movement and to separate opposing rows of parking spaces so as to provide adequate space for plant growth, pedestrian circulation and vehicle overhang. Such planting islands and the landscaping within them shall be designed and arranged in such a way as to provide vertical definition to major traffic circulation aisles, entrances and exits, to channel internal traffic flow and prevent indiscriminate diagonal movement of vehicles and to provide relief from the visual monotony and shadeless expanse of a large parking area.
- (b) The Planning Board may require curbing to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials.
- (c) No obstruction to driver vision shall be erected or maintained on any lot within the triangle formed by the street line of such lot, the outer edge of the access driveway to the parking area and a line drawn between points along such street line and access drive 30 feet distant from their point of intersection.

(4) Grades, drainage, paving and marking. All proposed and required parking facilities, regardless of size, shall be graded, surfaced, drained and maintained throughout the duration of their use so as to comply with the New York State Stormwater Management Design Manual, as amended from time to time, and/or Chapter 190, Stormwater Management and Erosion and Sediment Control, of this Code, or other acceptable stormwater management practice(s), as deemed suitable to the City Engineer to the extent necessary to avoid nuisances of dust, erosion or

excessive water flow across public ways or adjacent lands. The drainage analysis for said parking facilities shall include pre- and post-development conditions as well as remediation and/or mitigation of stormwater runoff. The maximum slope within a parking area shall not exceed 5%. In RD ~~and RMF~~ Districts and in nonresidential developments, the Planning Board shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits.

- (5) Traffic circulation. In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require written assurance and/or deed restrictions, satisfactory to the Corporation Counsel, binding the owner and his heirs and assignees to permit and maintain such internal access and circulation and inter-use of parking facilities.
- (6) Two or more uses on same lot. Where two or more different uses occur on a single lot, the total amount of parking facilities to be provided shall be the sum of the requirements of each individual use on the lot, except that the Planning Board may approve the joint use of parking space by two or more establishments on the same lot or on contiguous lots, the total capacity of which is less than the sum of the spaces required for each, provided that said Board finds that the capacity to be provided will substantially meet the intent of this article by reason of variation in the probable time of maximum use by patrons or employees at such establishments and provided that such approval of such joint use shall be automatically terminated upon a change of use at any such establishment.
- (7) Designed residence and multifamily residence districts.
 - (a) In RD ~~and RMF~~ Districts, in order that some of the required parking spaces may be convenient for use by visitors as well as by occupants, 2/3 of the required car spaces for a residential building shall, whenever possible, be directly accessible to a main entrance to that building and within 100 feet of that entrance.
 - (b) In RD ~~or RMF~~ Districts, off-street parking lots shall be located behind, underneath, or to the side of the building, whenever possible. Any parking to the side of the building shall be screened from street views by a low wall, hedge, fence, and/or other landscaping and, whenever possible, it shall be located at least 40 feet from any property line that fronts on a street.

...

- E. Waiver of improvement. Except within ~~the Central Business District and~~ the Central Main Street District, and notwithstanding any other provision of this chapter, the City Council or Planning Board, in reviewing plans submitted in accordance with the provisions of this section or § 223-18 or 223-25, may waive the initial improvement of up to 50% of the required off-street parking spaces, provided that all of the required spaces are shown on the proposed plan and further provided that suitable agreements, satisfactory to the City Council or Planning Board, are obtained assuring the City that the property owner(s) will be responsible for the construction of such waived spaces, or any portion thereof, within six months of the date such spaces may be deemed necessary by the City Council or Planning Board.

F. Schedule of Off-Street Parking Requirements. Off-street parking spaces shall be provided as follows, except that the Board of Appeals may modify these provisions as a condition of the issuance of a special permit according to the provisions of § 223-19.

1- and 2-family dwelling	2 spaces for each dwelling unit
Multifamily dwelling and/or apartment or artist live/work space	1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area
Professional office or home occupation permitted in a residential district	2 spaces in addition to spaces required for the residential use, except that there shall be 4 spaces for each medical or dental practitioner in addition to spaces required for the residential use
Bed-and-breakfast establishment, rooming house or boardinghouse	1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee
Hotel	Subject to § 223- 20L <u>14.1 C</u>
Place of worship, theater, auditorium, athletic field or other place of assembly	1 space for each 4 seats or pew spaces or, in places or, in places without seats, 1 space for each 100 square feet of floor space used for public assembly
Nursery school or day-care center	1 per employee plus 1 per classroom
Primary or secondary school	1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater
Dance, art, tutorial, martial arts or similar instructional school	1 space for each 150 square feet of gross floor space
Hospital, nursing home, convalescent home or home for the aged	1 space for each 3 resident persons, plus space for each employee, including medical, nursing and service staff employed at the same time when the building is operating at full capacity
Golf and country club	1 space for each 2 memberships
Bowling alley or other place of commercial recreation or public amusement	5 spaces for each bowling lane; all others, 1 space for each 4 persons of maximum occupancy or 1 space for each 200 square feet of gross floor area, whichever is greater
Retail or service business, including auction gallery	1 space for each 200 square feet of gross floor area, excluding utility areas
Restaurant or coffee house	1 space for each 3 patron seats or 1 space for each 150 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Office for business or professional use (other than accessory to residential use)	1 space for each 200 square feet of gross floor area, excluding utility areas

Banking office	1 space for each 200 square feet of gross floor area, excluding utility areas
Funeral parlor or under-taking establishment	10 spaces per establishment, plus 1 space per employee
Motor vehicle sales and service	1 space per employee, plus 1 space per 150 square feet of gross floor space
Veterinary office	1 space per employee, plus 1 space per 300 square feet of gross floor space
Car washing establishment	Subject to § 223-21F
Research or development laboratory	1 space per employee, but not less than 1 space per 600 square feet of gross floor space
Manufacturing or industrial use	1 space per 2 employees but not less than 1 space per 400 square feet of gross floor space
Wholesale, storage, utility or other similar commercial use	1 space per employee but not less than 1 space per 1,000 square feet of gross floor space
Senior citizen use	2 spaces for each 3 dwelling units
Museums in LI and/or LB Zone located within walking distance (3,000 feet) of entrance to train station	1 parking space per 3,000 feet of gross floor space
Artist studio	1 space for each 500 square feet of gross floor space
Art gallery/exhibit space	1 space for each 250 square feet of gross floor area
Bar or brew pub	1 space for each 3 patron seats or 1 space for each 50 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Microbrewery or microdistillery	1 space for each employee on the largest shift, plus 1 space for each 3 patron sitting or standing spaces in any tasting room or other visitor facility open to the general public
Museum	1 space for each 300 square feet of gross floor area
Other uses not listed	Off-street parking requirements for types of uses which do not fall within the categories listed above shall be determined by the Planning Board upon consideration of relevant factors entering into the parking needs of each such use

- (1) Notwithstanding § 223-26F above, with respect to lots which, on the effective date of this section, are located wholly or partially within 2,500 feet of the train station platform, the City Council shall have the authority to limit the amount of parking to be provided for multifamily and nonresidential development projects on said lots having a parking requirement in accordance with § 223-26F of 25 spaces or more, in the interest of appropriately and reasonably minimizing the environmental impact of the project's vehicular traffic accessing the train

station. In such cases, the City Council shall ensure that convenient pedestrian access is provided by the project, or is otherwise available between the project and the train station. Where a substantial change in elevation exists between the project and the train station, the City Council may require the project to provide, if deemed feasible by the Council, an elevator, escalator, stairs and/or other similar pedestrian conveyance or access for such purpose.

...

Section 15. Chapter 223 of the Code of the City of Beacon, Article III, Section 26.2, entitled “Tattoo parlors” is deleted in its entirety.

Section 16. Chapter 223 of the Code of the City of Beacon, Article III, Section 26.3, entitled “Retail sales from a truck or trailer” is deleted in its entirety.

Section 17. Chapter 223 of the Code of the City of Beacon, Article IVA, Section 41.4, entitled “Waterfront Development (WD) Zone,” Subsections B, C, G(2), G(6), H, J(7) and J(11)(b) are hereby amended as follows:

§ 223-41.4 Waterfront Development (WD) Zone.

...

B. Permitted principal uses. Permitted principal uses shall be as follows:

- (1) Any principal use permitted in the WP Zone.
- (2) Residential multifamily ~~and/or attached~~ dwelling units.
- (3) Convenience retail and personal service shops ~~s~~ designed to serve the needs of area residents and commuters.
- (4) Restaurants, bars ~~s~~ or brew pubs.
- (5) Inns, hotels, fitness centers, spas ~~and or~~ day care centers ~~s~~.
- (6) Art, craft or fine arts galleries ~~iesy~~.
- (7) Professional or small business offices ~~s~~ in a mixed-use buildings ~~s~~, and not to exceed 40% of the total floor area in a mixed-use buildings ~~s~~. The Planning Board may limit the extent of office uses on the first floor, depending on the building location within the overall development.
- (8) Professional, small business and service facilities ~~iesy~~ in the lower floors of a multistory residential buildings ~~s~~.
- (9) Artist live/work spaces ~~s~~.
- (10) Public square, plaza, promenade or pocket park.

- (11) Public or semipublic use; live theater, concert hall, museum or meeting room suitable for social, civic, cultural or education activity.
- (12) Conference center.
- (13) Microbrewery or microdistillery
- (14) Other use similar to the above uses as determined by resolution of the City Council.

C. Special permit uses. The following uses may require a special permit ~~from the Planning Board, pursuant to the provisions set forth in Subsection F:~~

- (1) ~~Public or semipublic uses; live theaters, concert halls, museums or meeting rooms suitable for social, civic, cultural or education activities~~ Wireless telecommunication services facility, subject to §223-24.5.
- (2) ~~Conference centers.~~ Small cell wireless telecommunications facility, subject to §223-26.4.
- (3) ~~Other uses similar to the above uses as determined by resolution of the City Council.~~

...

G. Procedure for special permit and waterfront development concept plan review.

- (2) Planning Board review of special permit and waterfront development concept plan application.
 - (a) Environmental compliance.
 - [1] The approval of a waterfront development project is an action under the State Environmental Quality Review Act, and all proceedings to review such project shall comply with applicable requirements of SEQR.
 - [2] Upon receipt of an application for a special permit and waterfront development concept plan, the Planning Board shall commence a coordinated review under SEQR and institute lead agency procedures after identifying all involved and interested agencies, as provided by law.
 - [3] Because any waterfront development will constitute an important element in the implementation of the City's Local Waterfront Revitalization Plan, the preparation of a Draft Environmental Impact Statement shall be required by the lead agency. Such DEIS shall comply with all requirements of law. To the extent possible in accordance with law, the DEIS submitted in connection with the special permit and waterfront development concept plan approval shall be sufficiently specific so as to eliminate the need for additional and/or supplemental DEIS's during the site plan stage of the approval process.
 - [4] To the extent possible in accordance with law, the preparation of the DEIS shall be integrated into the existing agency review processes and should occur at the same time as the other agency reviews, including the special permit and waterfront development

concept plan review. When a SEQR hearing is to be held, it should be conducted jointly with other public hearings on the proposed action, whenever practicable.

~~[5] (b)~~ Notwithstanding Subsection ~~F G~~(2)(a)[1] through [4] immediately above, where a waterfront development project includes a phase (or phases) comprised solely of uses permitted in the Waterfront Park District, and where a lead agency has been established and has scoped a DEIS for the overall waterfront development project, said phase (or phases) may be segmented for the purposes of environmental review in accordance with the provisions of SEQR. In such case, the lead agency shall require the preparation of a full environmental assessment form (EAF) for its use in rendering a determination of significance regarding said phase(s). Further, the lead agency shall notify all involved and interested agencies that the phase(s) will be segmented and shall send a copy of the EAF with said notification.

~~(b) Special permit approval. The Planning Board may authorize the issuance of a special permit for a waterfront development project, provided that it shall find that the following conditions and standards have been met:~~

~~[1] The proposed waterfront development project will fulfill the purposes of the waterfront development zone.~~

~~[2] The proposed waterfront development project meets the Waterfront Development Design Standards set forth in § 223-41.4J, to the extent applicable at the special permit stage.~~

~~[3] The proposed waterfront development project will be in harmony with the appropriate and orderly development of the City's waterfront area.~~

~~[4] The proposed waterfront development project will not hinder or discourage the appropriate development and use of adjacent lands.~~

~~[5] The proposed land uses will be in accordance with the approved waterfront development concept plan.~~

~~[6] The proposed waterfront development uses meet the standards of § 223-41.4B.~~

~~[7] The proposed project is otherwise in the public interest.~~

~~(c) Conditions. In approving any waterfront development concept plan and special permit, the Planning Board may attach such conditions, safeguards and mitigation measures as it deems necessary or appropriate to assure continual conformance to all applicable standards and requirements and to fulfill the intent and purposes of this law.~~

...

(6) Processing of phases comprised of Waterfront Park District uses. Notwithstanding other provisions of the waterfront development review and approval process, where a waterfront development project includes a phase (or phases) comprised solely of uses permitted in the

Waterfront Park District, the Planning Board may process and grant special permit approval to said phase(s) in advance of the complete processing of the overall project so long as the SEQR process has been complied with in accordance with the provisions of § 223-41.4 ~~G F(2)(a)F5~~ herein; said phase is an integral part of an appropriate waterfront development concept plan, as determined by the Planning Board; and the overall review and approval process for waterfront development special permits as outlined herein, including all referrals and hearings, has been complied with for said phase(s). After the granting of special permit approval, said phase(s) may proceed to site development plan review and approval for said phase(s) in accordance with Subsection H immediately below.

H. Site development plan review. After approval of the waterfront development special permit the Planning Board may grant site plan approval to a waterfront development project.

(1) Application for site plan approval. The application for site development plan approval shall contain all the material set forth in § 223-25B of this Zoning Ordinance. In addition, the applicant shall submit the following:

- (a) Information to establish that the proposed site plan meets the waterfront development standards set forth in Subsection ~~H~~ I.
- (b) Information to establish that the proposed site plan is in substantial conformance with the approved waterfront development concept plan.
- (c) Preliminary elevations showing the general architectural and design treatment of all buildings, public and open spaces and other site plan elements.
- (d) Information to establish the relationship of the proposed project to later elements of the development of the site, including any other adjacent and nearby lands that are not part of the applicant's planned waterfront development projects.
- (e) Such other information as the Planning Board may reasonably require in order to evaluate the site plan application.
- (f) Application fees as may be required pursuant to Subsection ~~H~~ F.

(2) Planning Board review of site plan.

- (a) The Planning Board shall conduct a detailed review of the adequacy, location, arrangement, design and appearance of each aspect of the proposed development. While the scope of the Planning Board's review of the site plan will generally relate to the waterfront project at issue, the Planning Board shall have the authority to assure that aspects of the overall development of the site (e.g., stormwater management, domestic water and fire protection, sanitary sewer, all utilities, streets, etc.) shall be adequate to suit the purposes and needs of the entire ~~peninsula~~ waterfront area, as it is finally developed.
- (b) In acting on any site development plan application, the Planning Board shall take into consideration any approved special permits and waterfront development concept plans, the proposed design and layout of the entire waterfront area, including the proposed

location, height and buffer of buildings, traffic circulation within and without the site, provision of off-street parking, exterior lighting, display of signs, landscaping, buffer areas and open spaces and architecture and design, so that any development will have a harmonious relationship with the existing or permitted development of contiguous land and of adjacent neighborhoods, and so that pedestrian and vehicular traffic will be handled adequately and safely within the site and in relation to the adjoining street system. Particularly, the Planning Board shall assure that the proposed site plan meets the waterfront development standards set forth in Subsection ~~F~~ **J**.

- (c) The proposed site development plan shall be in general conformance with the waterfront development concept plan. While the waterfront development concept plan approval will approve a general layout on the site, the individual site plans for particular waterfront development projects will provide detailed building envelopes, elevations and site design details regarding proposals for various projects within the site. The Planning Board may exercise its discretion in allowing minor variations from the waterfront development concept plan so long as the site plan is, in the Planning Board's judgment, generally in keeping with the waterfront development concept plan. In no case, however, shall the Planning Board have the authority to approve a total number of dwelling units or total density in the waterfront development which exceeds the number approved as part of the special permit and waterfront development concept plan. Nor shall the Planning Board have the authority to approve the total square footage of nonresidential space above that approved in the special permit.
- (3) Time period for construction. At the time of approving the site plan, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work, and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.
- (4) Adjustments to site plan during construction. During the construction of an approved site plan, the Building Inspector or the City Engineer may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan, when such adjustments appear necessary in the light of technical or engineering considerations which develop during actual construction, or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property by any agency or instrumentality of the United States, New York State, Dutchess County or City government. The Building Inspector or City Engineer may, in his discretion, refer any such proposed change to the Planning Board for review. The Planning Board may determine to treat the modification as a minor site plan adjustment under this section or to treat it as a site plan amendment under Subsection G(5). If treated as a minor site plan adjustment, the Planning Board may authorize the Engineer or Building Inspector to approve the requested change.
- (5) Site plan amendments. If the Planning Board determines that the character of the proposed changes requires a site plan amendment, the Planning Board shall process the application as an amended site plan under this Subsection G(5) and shall have discretion to determine the extent

of further environmental analysis and project review that is required. After appropriate review, the Planning Board shall approve the site plan amendment by resolution.

- J. Development standards for Waterfront Development District. It is essential that development in this district meet the following development standards:

...

(7) Lighting. Streets, drives, walks and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. All exterior lighting for the project shall be directed downward or otherwise appropriately shielded and designed to minimize excessive light. It shall have an attractive appearance compatible with the overall project design and waterfront character. Lighting type, number and locations shall be subject to Planning Board review and approval as part of the site plan review.

(a) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high. ~~Lighting shall be energy efficient, have full spectrum color quality, and shall prevent any lighting above 60 watts that directly projects above the horizontal level into the night sky.~~

(b) All exterior lighting shall comply with the standards in §223-14B.

...

(11) Off-street parking and loading.

(b) Parking requirements.

[3]

[1] Multifamily dwelling: one space per unit.

[2] Retail or service business: one space for each 333 square feet of gross floor, excluding basement storage utility areas.

[3] Restaurant: one space for each ~~two~~ three patron seats or one space for each 300 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater.

[4] Office for business or professional use: one space for each ~~350~~ 400 square feet of gross floor area.

[5] Hotel: 0.75 space for each hotel guest room.

Section 18. Chapter 223 of the Code of the City of Beacon, Article IVA, Waterfront Zones, Section 41.6, entitled “Bulk regulations applicable to Waterfront Park Zone” is hereby amended as follows:

§ 223-41.6 Bulk regulations applicable to Waterfront Park Zone.

A. Minimum lot size: one acre. (NOTE: The minimum lot size shall be two acres for those uses requiring a special permit from the City Council.)

B. Maximum building coverage: 20%.

~~C. Maximum floor area ratio: 0.5.~~

~~D C.~~ Minimum building setback from mean high water line: 10 feet.

~~E D.~~ Maximum building height: 2 1/2 stories/35 feet. (NOTE: All habitable stories must be elevated above the one-hundred- year floodplain. The area below the elevated first habitable story may, but need not, be used for parking. When story heights are provided in these regulations, they are deemed to be habitable or occupiable stories over a parking level or as otherwise elevated above the one-hundred-year floodplain. A basement level used only for parking and not used for business purposes shall not be counted as a story.)

Section 19. Chapter 223 of the Code of the City of Beacon, Article IVA, Waterfront Zones, Section 41.7, entitled “Bulk regulations applicable to Waterfront Development Zone” is hereby amended as follows:

§ 223-41.7 Bulk regulations applicable to Waterfront Development Zone.

A. Minimum site size: five acres.

B. Maximum height.

(1) Area north of West Main Street (see illustration[1]): Average of four stories of residential/mixed use over parking. Height may not exceed average of 75 feet from average ground level of the existing Metro-North parking.

[1] Editor's Note: Said illustration is included as an attachment to this chapter.

(2) Area south of Light Industry (LI) zone (see illustration[2]): Average of three stories of residential/mixed use over parking. Height may not exceed average of 32 feet at Beekman Street, nor more than average of 70 feet above the average ground level of the existing Metro-North parking.

[2] Editor's Note: Said illustration is included as an attachment to this chapter.

(3) The illustrations of height attached in this subsection shall not be exceeded so that the public views to the east are adequately protected.

~~C. Maximum floor area ratio (excluding parking):~~

~~(1) Area north of West Main Street: 3.0.~~

~~(2) Area south of Light Industry (LI) zone: 2.0.~~

~~D C.~~ Minimum open space: 15% of the site area, 10% of which must be publicly accessible.

Section 20. Chapter 223 of the Code of the City of Beacon, Article IVC, Fishkill Creek Development (FCD) District, Section 41.13, entitled “Uses; plan review; design standards,” Subsections B, C, and I(7) are hereby amended as follows:

§ 223-41.13 Uses; plan review; design standards.

...

B. Principal uses permitted. A Fishkill Creek development may be a single use, or a mixed use which incorporates various permitted land use elements as part of a comprehensive development plan. These elements may include:

- (1) Apartment, attached ~~and or~~ multifamily dwellings.
- (2) Artist live/work spaces, artist studios ~~and or~~ workshops of artisans.
- (3) Bed-and-breakfast establishments ~~and or~~ inns.
- (4) Spas, fitness centers~~s~~, noncommercial swimming pools~~s~~, exercise studios~~s~~, day-care centers~~s~~, ~~and or~~ similar uses as determined by resolution of the City Council. Such uses shall be permitted in buildings that face a streets.
- (5) Restaurants, bar, brew pub, and or other eating and drinking establishments~~s~~. Such restaurants and other eating and drinking establishments shall be permitted in buildings that face a streets. No such individual ~~restaurant~~ use shall contain more than 5,000 square feet of gross floor area.
- (6) Professional and business offices~~s~~ in buildings that face a streets~~s~~.
- (7) Galleries~~iesy~~, exhibit spaces ~~and or~~ museums.
- (8) Community facilities~~iesy~~ that complements~~s~~ residential and commercial uses~~s~~, such as a public or semipublic performance and cultural centers~~s~~, live theaters~~s~~, concert halls~~s~~, meeting rooms suitable for social, civic, cultural or education activities, bandshells~~s~~, kiosks ~~and or~~ gazebos.
- (9) Assembly, manufacturing, workshop, and or other light industrial uses~~s~~, as determined by the City Council, in a fully enclosed buildings and not including any form of outdoor storage.
- (10) Day care center.
- (11) Trade school or training program, college, private school, or nursery school.
- (12) (~~40~~) Other nonresidential uses~~s~~ similar to the above uses as determined by resolution of the City Council.

C. Permitted accessory uses. Permitted accessory uses may include:

- (1) Uses which are clearly incidental to, and customarily found in connection with, the permitted principal uses. Exterior display of goods on special event days/weeks may be permitted,

subject to the issuance of a permit by the City. Exterior storage is not allowed. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food or drink stands, are permitted.

(2) Parking and bicycle facilities, including parking structures.

(3) Solar collector, roof garden, or greenhouse.

...

I. Fishkill Creek Development design standards.

(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.

(a) 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.

(b) ~~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 shall comply with the standards in §223-14B.

Section 21. Chapter 223 of Code of the City of Beacon, Article IVD, Central Main Street (CMS) District, Section 41.18, entitled “Regulations,” Subsections A, B, C, G(1), J(13), J(16) are hereby amended as follows:

§ 223-41.18 Regulations.

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

(1) Apartments, provided that for parcels fronting on Main Street or East Main Street they shall only be located on upper stories or at least 50 feet behind the facade in the rear portion of a ground floor. ~~The nonconforming residential uses on Main Street in § 223-10H shall not apply in the CMS District.~~

(2) ~~One-family, two-family, attached, and~~ Multifamily dwellings, provided that for parcels fronting on Main Street or East Main Street such uses are not permitted on the ground floor in the first 50 feet from the facade.

(3) Hotel, subject to § 223- ~~20 14.1; or~~ inn, ~~or bed-and-breakfast establishment, subject to § 223-24.4.~~

(4) Offices of any kind, including professional, medical, business, ~~and~~ banks or other financial institutions.

(5) Artist studio.

(6) Art gallery or exhibit space.

(7) Restaurant, coffee house, brew pub, bar, and or other establishments that serves food with or without alcoholic beverages, ~~and are not a bar.~~

~~(8) Food preparation business.~~

~~(8) (9)~~ Retail ~~and or~~ personal services.

~~(10) Funeral home.~~

~~(11) Off-street parking facilities, provided that they are set back at least 40 feet from the Main Street or East Main Street property line and screened from the street by buildings and/or landscaping.~~

~~(12) Public garage, as defined in this chapter, without motor vehicle repair, vehicle sales, or fuel sales, provided that it is set back at least 40 feet and screened from the street by buildings and/or landscaping.~~

~~(9) (13)~~ School, public or not-for-profit educational institution, college or university, trade or vocational school, job placement or training program, continuing education program or instructional school such as karate school, dance school or studio, language school or vehicular driving school, but not an elementary or nursery school.

~~(10) (14)~~ Indoor commercial recreation.

~~(11) (15)~~ Park, plaza, green, preserve, or community garden, ~~and other forms of outdoor plant cultivation.~~

~~(12) (16)~~ Artist live/work space subject to § 223-24.3, provided that they may only be located on upper stories or at least 50 feet behind the facade, in the rear portion of a ground floor, along Main Street or East Main Street, unless the space in the 50 feet behind the facade is used for the retail sale of the artist's wares.

~~(13) (17)~~ Theater, museum, library, concert hall and other music venues, and other similar kinds of cultural facilities.

~~(18) Auction gallery.~~

~~(19) Wireless telecommunications services facilities, provided that they are consistent with § 223-24.5 and, if mounted on a building, they do not increase its height by more than 15 feet above applicable height limits.~~

~~(15) (20)~~ Government facilities, including buildings, structures and uses owned or operated by the City of Beacon or any department or agency thereof.

~~(16) (21)~~ Spa, health club, gym, yoga and pilates studio, and similar kinds of fitness centers.

~~(17) (22)~~ Microbrewery or microdistillery, which has a retail or tasting room component of at least 200 square feet of floor area.

~~(23) Retail sales from a truck or trailer, subject to § 223-26.3.~~

~~(18) (24)~~ Workshop for the making or repair of clocks, watches, jewelry, musical instruments or similar artisan workshops, having a retail component of at least 200 square feet.

~~(25) Tattoo parlor, subject to § 223-26.2.~~

~~(19) (26)~~ Club, civic or fraternal, subject to § 223-24.2, provided that for parcels fronting on Main Street or East Main Street such uses are not permitted on the ground floor in the first 50 feet from the facade.

B. Uses by special permit.

(1) The following uses are allowed by special permit from the City Council or Planning Board as indicated in §223-17, upon a finding that the proposed use is consistent with the City of Beacon Comprehensive Plan Update, will enhance the architectural character of the street and will benefit the urban, pedestrian-friendly qualities of Main Street and East Main Street, and that the conditions and standards in § 223-18B(1)(a) through ~~(d) (f)~~ have been met:

(a) Food preparation business. ~~A public garage, as defined in this chapter, containing facilities used for repair of motor vehicles, but not for the sales of motor fuel. Such repair facilities shall not front on or be visible from Main Street or East Main Street.~~

(b) Off-street parking lot or parking structure as principal uses, in accordance with § 223-41.18G. ~~A bar in which the primary product is alcoholic beverages and food service is incidental. Any establishment that serves alcoholic beverages and is open later than 1:00 a.m. on any night shall be presumed to be a bar for purposes of this section.~~

~~(c) Wireless telecommunications facilities, subject to §223-24.5 and §223-26.4, provided that if mounted on a building, it does not increase its height by more than 15 feet above applicable height limits.~~

~~(d) Historic District or Landmark Overlay use, subject to §223-24.7.~~

(2) In considering the appropriateness of the proposed use, the City Council or Planning Board shall consider impacts on shadows, traffic, and parking and may impose traffic and parking mitigation measures. When making a decision on a special permit, the City Council or Planning Board shall follow the regulations in § 223-18 of this chapter.

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

- (1) Any accessory building or use customarily incident to a permitted use, except outside storage.
- (2) Signs, in accordance with the provisions of § 223-15, as applicable.
- (3) Off-street parking areas ~~or parking structure~~, in accordance with § 223-41.18G.
- (4) Exterior lighting, in accordance with the provisions of § 223-41.18J(13) and § 223-14B.
- (5) Home occupation, subject to § 223-17.1.
- (6) Roof garden or solar collector.
- (7) Greenhouse.

...

G. Parking location and quantity.

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

...

J. Design standards

...

- (13) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high. ~~Lighting shall be energy efficient, have full spectrum color quality, and, except for short-term event lighting, shall prevent any lighting above 500 lumens that directly projects above the horizontal level into the night sky with full cut-off fixtures.~~ All exterior lighting shall comply with the standards in §223-14B.

...

- (16) The following Figure 18-7 provides annotated photographs to illustrate design standards in this section:

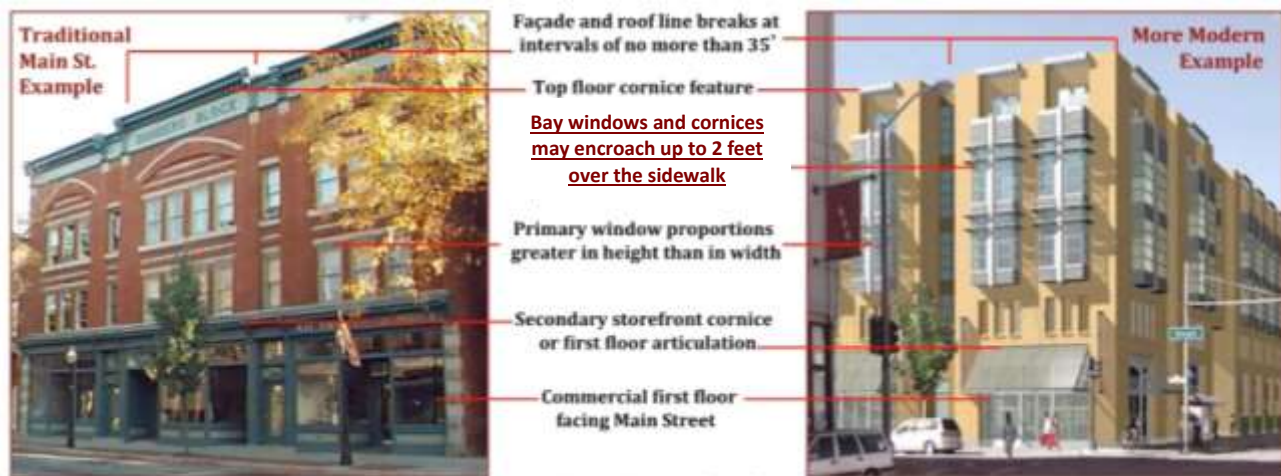


Figure 18-7: Design Illustrations

...

Bay windows, balconies, and open porches cornices may encroach up to 4' 2 feet over the sidewalk

Section 22. Chapter 223 of the Code of the City of Beacon, Article IVE, Linkage District (L), Section 41.19, entitled “Purpose” is hereby amended as follows:

§ 223-41.19 Purpose.

The purpose of this Article IVE is to increase the vitality, attractiveness and marketability of the part of the City of Beacon lying between Main Street and the Metro North Train Station (the "Linkage District") by providing more residential development along with flexibility of land use, while enhancing urban form as recommended in the City of Beacon Comprehensive Plan adopted on December 17, 2007 and the Comprehensive Plan Update adopted on April 3, 2017. This article is intended to encourage residential development to help support Main Street businesses and to create a vibrant, economically successful, walkable, and environmentally sustainable connection between Beacon's Central Business District and the train station and riverfront. It is intended to implement the general intent of the plan entitled "Connecting Beacon's Main Street with the Hudson River and Railroad Station," dated March 6, 2007 (hereinafter the "Linkage Plan"), prepared by the Dutchess County Department of Planning and Development and contained in the Appendix of the Comprehensive Plan (see Figure 21-21).[1] This article is also intended to provide a simplified and streamlined review process that facilitates redevelopment in accordance with its provisions and the intent of the Comprehensive Plan. [1] Editor's Note: See § 223-41.21L.

Section 23. Chapter 223 of the Code of the City of Beacon, Article IVE, Linkage District (L), Section 41.21, entitled “Regulations,” Subsections A, B, B.1, H and K(12) are hereby amended as follows:

§ 223-41.21 Regulations.

A. Uses by right. Uses listed below in this Subsection A are permitted by right subject to site plan review, except as otherwise noted, ~~to be conducted in an expedited fashion pursuant to Subsection H below in this §223-41.21.~~ Site plan review shall not be required for a change of use in an existing building where the new use is allowed by right, the building will not be expanded, and the minimum number of off-street parking spaces required for the new use in § 223-41.21F(2) is not more than 25% greater than the requirement for the existing use in § 223-26F herein. The following uses are allowed by right subject to site plan review:

- (1) ~~Multifamily dwelling~~ Two-family dwelling.
- (2) Attached or semidetached dwelling units.
- (3) Apartment building.
- (4) Inn.
- (5) Bed-and-breakfast establishment.
- (6) Artist studio, art gallery, or exhibit space.
- (7) Hotel.
- (8) Park, plaza, green, preserve, or community garden, ~~greenhouse and commercial plant cultivation~~.
- (9) Retail, personal services business, bank, or restaurant, coffee house, bar, brew pub or other establishment that serves food, with or without alcoholic beverages, provided that:
 - (a) The floor area of each such establishment is not greater than 5,000 square feet;
 - (b) The use is within 400 feet of the Route 9D-Beekman Street intersection, as identified on the Zoning Map, or located along the north side of West Main Street between Beekman Street and River Street;
- ~~(Reserved)[1][1] Editor's Note: Former Subsection A(9), Home occupation, was repealed 7-21-2014 by L.L. No. 11-2014.~~
- (10) Office, trade school, training program, microbrewery, or microdistillery, provided that:
 - (a) The total floor area of each such establishment is no greater than 25,000 square feet;
 - (b) The use is on the north side of West Main Street between Beekman Street and River Street or the use is within 400 feet of the Route 9D-Beekman Street intersection as identified on the Zoning Map;

~~Wireless telecommunications services facilities, provided that they are mounted on a building and do not increase its height by more than 15 feet above applicable height limits and are consistent with § 223-24.5.~~

(11) Government facilities, including buildings, structures and uses owned or operated by the City of Beacon or any department or agency thereof.

(12) Day care center.

(13) Museum, theater, concert or conference space.

(14) College, university, private school, or nursery school.

(15) Workshop.

(16) Artist live/work space.

(17) Spa, fitness center, or exercise studio.

B. Uses by special permit.

(1) The following uses are allowed in existing buildings as permitted uses. For newly constructed buildings, the following uses are allowed by special permit from the Planning Board, upon a finding that the proposed use is consistent with the City of Beacon Comprehensive Plan, will enhance the architectural character of the street, and will contribute to creating a more urban, pedestrian-friendly quality in the L District, and that the conditions and standards in § 223-18 B(1)(a) through ~~(d)~~ (f) have been met:

~~(a) Retail, personal services business, or restaurant, coffee house, retail sales from trucks or trailers in accordance with § 223-26.3 or other establishment that serves food, with or without alcoholic beverages, provided that:~~

~~{1} The floor area of each such establishment is not greater than 5,000 square feet;~~

~~{2} The use is within 400 feet of the Route 9D-Beckman Street intersection, as identified on the Zoning Map, or located along the north side of West Main Street between Beckman Street and River Street; and~~

~~{3} The Planning Board finds that there are no substantial detrimental effects on parking, traffic or on the character of surrounding neighborhoods or the community.~~

(a) (b) Office and manufacturing uses, including but not limited to microbreweries, microdistilleries, wineries and other or food preparation businesses, with or without tasting rooms, that may also sell goods made on the site for consumption off the premises, provided that:

[1] The total ~~office or~~ manufacturing or food preparation business floor area of the building is no greater than 25,000 square feet;

[2] The use is on the north side of West Main Street between Beekman Street and River Street or the use is within 400 feet of the Route 9D-Beekman Street intersection as identified on the Zoning Map; and

[3] The Planning Board finds that there are no substantial detrimental effects on parking, traffic or on the character of surrounding neighborhoods or the community.

(b) Wireless telecommunications services facility, subject to §223-24.5 and §223-26.4, provided that if mounted on a building, it does not increase the height by more than 15 feet above applicable height limits.

(c) Historic District and Landmark Overlay use, subject to §23-24.7.

(2) In considering the appropriateness of the proposed use, the Planning Board shall consider impacts on shadows, traffic, and parking and may impose traffic and parking mitigation measures, including but not limited to provision of pedestrian walkways and stairways on site. ~~When making a decision on a special permit, the Planning Board shall follow the procedures indicated in § 223-41.21H(2) of this chapter.~~

B.1. Accessory uses. The following are permitted accessory uses in the L District:

(1) Any accessory building or use customarily incident to a permitted use, except outside storage.

(2) Signs, in accordance with the provisions of § 223-15, as applicable.

(3) Off-street parking areas, in accordance with § 223-41.21F.

(4) Exterior lighting, in accordance with the provisions of § 223-41.21K(12) and § 223-14B.

(5) Parking structure ~~Home occupation, site plan review not required.~~

(6) Roof garden or solar collector, site plan review not required.

(7) Greenhouse.

H. ~~(Reserved) Site plan review/special permit procedures and criteria.~~

~~(1) In order to ensure an expedited review of site plans, this article contains a streamlined site plan review procedure for any proposed building or group buildings with 10,000 square feet or less in footprint area, as follows:~~

~~(a) The applicant shall meet with the Building Inspector, who shall provide a site plan application and instruction sheet describing the requirements for site plan approval and who may recommend that the applicant have a preapplication meeting with the Planning Board to determine application submission requirements.~~

~~(b) The applicant shall prepare a site plan with sufficient information for the Planning Board to determine whether or not it complies with the provisions of this article and is consistent with the general intent of the Linkage Plan.~~

~~(c) If no special permit is required, the applicant shall then meet with the Planning Board to discuss the proposal. No public hearing will be required, unless the Planning Board determines that the proposal may have substantial detrimental effects or may cause public controversy.~~

~~(d) Within 45 days after such meeting, or if there is a public hearing, within 45 days after the closing of the public hearing, the Planning Board shall issue an approval, approval with modifications, or denial of the application, stating the reasons for any modifications or denial. The Planning Board shall also issue a required schedule for initiation and completion of the project. Such approval shall lapse within two years if the applicant does not diligently pursue construction of the project, unless the applicant requests an extension, which may only be granted for good cause by the Planning Board.~~

~~(2) For projects with over 20,000 square feet in building footprint area, or projects that require a special permit, the applicant shall follow the procedures in §§ 223-18 and 223-25, except that the Planning Board shall take the place of the City Council in § 223-18. Such applications shall comply with those sections to the extent that such sections do not contain standards that conflict with this article. In case of a conflict, this article shall control.~~

~~(3) The Planning Board may require a performance guarantee for the construction of public improvements in connection with any project of 10,000 square feet or more in floor area.~~

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

K. Design standards.

(12) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high. ~~Lighting shall be energy efficient, have full spectrum color quality, and shall prevent any lighting above 60 watts that directly projects above the horizontal level into the night sky. All exterior lighting shall comply with the standards in §223-14B.~~

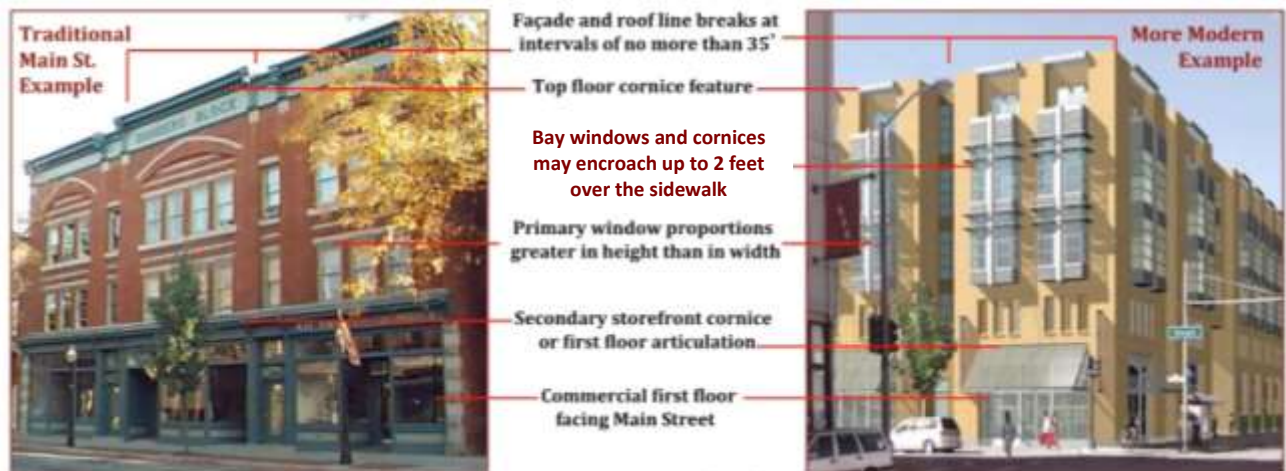


Figure 21-18: Design Standards

Bay windows, ~~balconies,~~
and ~~open porches~~ cornices
may encroach up to 4' 2
feet over the sidewalk

Examples A

Section 24. Chapter 223 of the Code of the City of Beacon, Article VI, Definitions and Word Usage, Section 63, entitled “Definitions” is hereby amended to add or amend the following definitions

§223-63 Definitions

ACCESSORY APARTMENT

A small rental housing unit, subject to the conditions in §223-24.1, allowed on single-family properties in residence districts and designed to meet the special housing needs of single persons, couples, other small households, the young, the elderly, persons of low and moderate income, or property owner relatives.

AMUSEMENT CENTER

Any place in which there are maintained or operated for the patronage or recreation of the public three or more coin-, token- or otherwise controlled amusement devices of any description, including but not necessarily limited to the types commonly known as video, gaming, pinball, baseball and football amusement games, where the use of such devices is a primary use of the premises.

ANIMAL CARE FACILITY

A facility used to temporarily house or give health care to domesticated household animals, such as cats and dogs, which is devoted to the welfare, protection, and humane treatment of animals. An animal care facility may or may not contain outdoor exercise areas or boarding kennels, as determined in the special permit review process under §223-18.

ARTIST STUDIO

The working and/or teaching space for one or more painters, print makers, photographers, jewelry makers, sculptors or artisans working with paper, ceramics, clay and/or other fine art or craft materials, persons working in the graphic or computer arts, or performing artists such as musicians, dancers or theater artists. Tattoo applicers, body piercers and similar businesses shall not be considered artists for the purposes of this definition. An artist studio as an accessory use is considered a home occupation, subject to §223-17.1. See also “Home Occupation”

AUCTION GALLERY

An establishment for the sale of goods or property to the highest bidder.

BANK

An establishment in which financial transactions are conducted and may include professionals administering advice related to financial matters.

CONCERT HALL

A building or part thereof devoted to the showing of live theatrical, musical, dance, or other performances.

CONFERENCE CENTER

A facility used for business meetings, cultural, educational, or professional programs, conferences, retreats, and seminars, which may have accommodations for eating and recreation.

DAY CARE CENTER

A program or facility, which is not a residence, in which child day care is provided to more than six children for more than three hours but less than 24 hours per day per child for compensation or otherwise, as certified under the laws of the State of New York.

DWELLING UNIT, ONE-FAMILY

A dwelling containing one dwelling unit only, not to include house trailer or mobile home.

DWELLING UNIT, ATTACHED

A dwelling unit having common walls with two or more other dwelling units. See also “Townhouse.”

FAÇADE OR FRONT WALL

The front wall of a building ~~is the wall~~ nearest to and facing the street on which the lot fronts.

FARM

Land and on-farm buildings, equipment and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. For the purposes of this chapter, a “farm” specifically excludes the display of farm products for sale, on-site advertising, and the raising of fur-bearing animals.

HOME OFFICE, PROFESSIONAL

Home office of a properly certified physician; psychologist; physical, occupational or speech therapist; licensed social worker; dentist; lawyer; engineer; architect; accountant; teacher or other similar professional person, when conducted entirely within a dwelling by the residents thereof, at least one of whom is said professional person, provided that no more than two nonresident persons are employed therein, and where there is no external evidence of such office, except for a sign and off-street parking facilities as respectively permitted and required in this chapter. A home professional office shall be clearly incidental and secondary to the use of the residence for dwelling purposes and shall be regulated in accordance with the requirements of §223-17.1 of this chapter. See also “Home Occupation”

HORTICULTURAL NURSERY

Any place used as a garden for the open cultivation and growing of trees, shrubs and other plants, including the replanting of said plants grown at places other than the nursery.

LOT WIDTH

The mean horizontal distance between the side lot lines, measured at right angles to the lot depth.

OFFICE

A structure used primarily for the conduct of business relating to administrative, clerical, financial, or social services and consulting, medical, dental, veterinarian, and other professional or client services not related to retail sales.

PARKING STRUCTURE

A multi-level structure for the parking of vehicles, conducted as a business or to serve a business or district.

SOLAR COLLECTOR

See Article X, §223-81.

STORAGE BUSINESS

A fully enclosed structure for the containment of materials, including warehouses and residential storage facilities with individual bays that are leased for the storage of personal property.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. Structures include accessory buildings, decks, swimming pools, and tennis courts, but sidewalks, ground-level parking lots and terraces, driveways, and patios are not considered structures.

THEATER

A building or part thereof devoted to the showing of films, live theatrical, musical, dance, or other performances.

TOWNHOUSE

A one-family dwelling attached in a row of at least three such units with each home having its own front and rear access to the outside. See also "Dwelling Unit, Attached."

WHOLESALE BUSINESS

An enclosed place of business primarily engaged in sales, storage, display, and distribution of merchandise to retailers, industrial users, institutional uses, or other commercial businesses,

including a warehouse, but not to include auto wrecking yards, junkyards, or outdoor storage of materials, unless outdoor storage of materials is specifically permitted as an accessory use in the district.

WORKSHOP

Work places, including retail sales, for carpenters, plumbers, cabinetmakers, upholsters, electricians, printers, tailors, dressmakers, shoemakers, jewelers, sculptors, watch and clockmakers, opticians and musical or scientific instrument repairers, or shops which employ similarly skilled persons.

Section 25. Chapter 223 of the Code of the City of Beacon, Article VII, Miscellaneous Provisions, Section 67, entitled “Referral of Proposals to Dutchess County Planning Department” is hereby amended as follows:

§ 223-67 Referral of proposals to Dutchess County Planning Department.

At least 30 days prior to the public hearing at which ~~such amendment~~ a proposal is to be considered, the ~~Town Board approving authority~~, in accordance with the provisions of Article 12-B, §§ 239-l and 239-m of the General Municipal Laws, as amended, shall refer to the Dutchess County Planning Department ~~all proposals~~ a zoning amendment to the code or map, site plan, special permit, area or use variance, comprehensive plan, or other authorization under the zoning provisions applying to affecting real property ~~abutting~~ within 500 feet of the following:

- A. The boundary of any existing or proposed state or county park or recreation area.
- B. The right-of-way of any existing or proposed county or state road, highway, parkway or expressway.
- C. The existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines.
- D. The existing or proposed boundary of any county- or state-owned land on which a public building or institution is located.
- E. The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law, except this subparagraph shall not apply to the granting of area variances.
- F. The boundary of any city, village or town.

Section 26. Chapter 223 of the Code of the City of Beacon, Article IX, Scenic Roads, Section 71, entitled “Authority” is hereby amended as follows:

§ 223-71 Authority.

Pursuant to the authority granted by Municipal Home Rule Law, Article 2, § 10 of the Consolidated Laws of New York and consistent with the goals of the ~~1974 Development Plan~~ 2017 Comprehensive Plan Update, as amended, the City of Beacon hereby provides for the balancing of traditional matters of common convenience and public safety with designation of City roads as scenic roads. Further, in order to maintain the irreplaceable character and aesthetic and historic features and the scenic nature

of roads so designated, the City of Beacon is authorized to regulate, in accordance with this article, the future alterations for improvements of roads so designated, including but not limited to widening of the right-of-way or of the traveled portions of the road, paving, changes of grade, straightening, removal of stone walls and removal of mature trees.

Section 27 Chapter 223 of the Code of the City of Beacon, Article X, Solar Collectors and Installations, §223-82, entitled “Permitting and placement requirements,” Subsection A(2) is hereby amended as follows

§ 223-82 Permitting and placement requirements.

A. Rooftop and building-mounted solar collectors are permitted in all zoning districts in the City, subject to the following requirements.

...

(2) Any height limitations provided in the City Code shall not be applicable to solar collectors except for the restrictions provided for in the Central Main Street District § 223-41.18 ~~E(6) and (7) D(7) and (8)~~ E(6) and (7) and the Linkage District § 223-41.21D(5). Solar collectors shall be erected only to such height as reasonably necessary to accomplish the purpose for which they are intended to serve, but in no case shall the maximum height of a panel in a tilted position exceed two feet above the surface of the roof, unless in a nonresidential district, and such structures shall not obstruct solar access to neighboring properties.

...

Section 28. Chapter 223 Attachments 1 and 2 of the Code of the City of Beacon, entitled “Schedule of Regulations for Residential Districts” and “Schedule of Regulations for Nonresidential Districts” as set forth at the end of Chapter 223 are hereby deleted in their entirety.

Section 29. Chapter 223 Attachment 1 Code of the City of Beacon, entitled “Section 223-17, City of Beacon Schedule of Use Regulations” shall be adopted as follows and as set forth at the end of Chapter 223.

SEE ATTACHED CHART

Section 30. Chapter 223 Attachment 1 Code of the City of Beacon, entitled “Section 223-17, Schedule of Dimensional Regulations” shall be adopted as follows and as set forth at the end of Chapter 223.

SEE ATTACHED CHART

Section 31. Chapter 210 of the Code of the City of Beacon, Vehicle Repair and Sales, §210-2, entitled “Motor vehicle repair shops, body shops and detail shops; gasoline filling stations,” Subsection B is hereby amended as follows

§ 210-2 Motor vehicle repair shops, body shops and detail shops; gasoline filling stations.

...

B. Within ~~an LB Local Business or CB Central Business~~ the GB General Business District, gasoline filling stations shall comply with the following additional standards and requirements:

- (1) The site for each gasoline filling station shall have a street frontage of at least 100 feet and an area of at least 10,000 square feet.
- (2) No new gasoline filling station shall be permitted to locate within 750 feet of any portion of an existing gasoline filling station.
- (3) Along all property boundaries adjoining streets, a continuous landscaped area shall be maintained, except where interrupted by permitted access drives. The City Council may, in approving the issuance of a special use permit, require such other additional landscaping and screening as set forth above as, in its opinion, may be necessary or appropriate for the proper development of the particular site.

Section 32. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapters 223 and 210 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 33. 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 34. 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 35. Effective Date

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

Section 223-17, Schedule of Dimensional Regulations (suggested edits in red)

DRAFT 1.7.20

Zoning District	Minimum Lot Size (see also 223-12 l)				Minimum Yard ^a			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see 223-13) (stories ft)	Maximum % Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area ^h				Front (ft)	Side (ft)	Rear ^{d,e} (ft)			Multi-Fam	All Other				
	Area (sf)	Per Unit (sf)	Width (ft)	Depth (ft)											
R1-120	120,000	120,000	250'	350'	75'	50'	75'		2.5 35'	N.A.	7%	1		R1-120	
R1-80	80,000	80,000	150'	200'	50'	30'	50'		2.5 35'	N.A.	10%	1		R1-80	
R1-40	40,000	40,000	150'	150'	40'	25'	50'		2.5 35'	N.A.	15%	1		R1-40	
R1-20	20,000	20,000	125'	125'	30'	20'	40'		2.5 35'	N.A.	20%	1		R1-20	
R1-10	10,000	10,000	85'	100'	25'	15'	35'		2.5 35'	N.A.	25%	1		R1-10	
R1-7.5	7,500	7,500	75'	100'	20'	10'	25'		2.5 35'	N.A.	30%	1		R1-7.5	
R1-5	5,000	5,000	50'	100'	15'	10'	20'		2.5 35'	N.A.		1		R1-5	
RD-7.5 ^{d,e}	2 acres	7,500	200'	200'	20-35'	25'	50'	30'	3 35'	15%	20%	12		RD-7.5 ^{d,e}	
RD-6 ^{d,e}	2 acres	6,000	200'	200'	50'	25'	50'	30'	2.5 35'	15%	20%	16		RD-6 ^{d,e}	
RD-5 ^{d,e}	5,000	5,000	50'	100'	30'	10'	25'	30'	3 35'	20%	30%	16		RD-5 ^{d,e}	
RD-4 ^{d,e}	5,000	4,000	200'	200'	40'	20'	40'	30'	2.5 35'	20%	25%	20		RD-4 ^{d,e}	
RD-3 ^{d,e}	5,000	3,000	50'	100'	30'	20'	25'	30'	3.5 45'	20%	40%	24		RD-3 ^{d,e}	
RD-1.8 ^{d,e}	5,000	1,800	50'	100'	30'	20'	25'	30'	10 ^b 100'	25%	40%	c		RD-1.8 ^{d,e}	
RD-1.7 ^{d,e}	5,000	1,700	50'	100'	30'	20'	25'	30'	4.5 ^f 55 ^f	25%	40%	36 ^g		RD-1.7 ^{d,e}	
T	5,000	i	50'	100'	10'	10'	20'		– 35'					T	
GB		1,500		100'	15'	20'	25'		– 35'					GB	
CMS				75'	0-10'	0'	20'		3 38'				10%	CMS	Art IVD
L				75'	0-20'	0-30'	25'		4 48'				15%	L	Art IVE
FCD	2 acres	3,960							3 40'	35%			30%	FCD	Art IVC
WP	1 acre				10'				2.5 35'	20%				WP	Art IVA
WD	5 acres								See Art IVA				15%	WD	Art IVA
LI		1,500	60'	100'	20'	20'	25'		35'	70%			20%	LI	
HI			60'	100'	30'	20'	25'		40'	70%			20%	HI	

NOTES:

- ~~ab~~ Except in multifamily developments, A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners and a copy of such agreement to be filed with the building permit application for such garage.
- ~~bh~~ But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- ~~ci~~ But not more than 24 dwelling units in any building 3 1/2 stories or less in height.
- ~~dk~~ For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- ~~el~~ In any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and subject to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreational or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided or developed in the future.
- ~~fn~~ A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~ge~~ And each building shall not exceed 150 feet in length. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~hq~~ For all development proposals involving a total lot area of more than three acres within a R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more as defined in § 223-63.
- i As regulated in the least restrictive adjoining residential district.

Section 223-17, Schedule of Dimensional Regulations (suggested edits in red)

DRAFT 1.7.20

Zoning District	Minimum Lot Size (see also 223-12 l) Area ^h				Minimum		Yards ^a		Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see 223-13) (stories ft)	Minimum-Height (stories + ft)	Maximum % Building Coverage		Maximum Number of Units per Building	Floor-Area-Ratio	Zoning District	Also Refer to Pertinent Sections
					Front (ft)	Total-Side		Rear ^{d,e} (ft)				Multi-Fam	All Other				
	Area (sf)	Per Unit (sf)	Width (ft)	Depth (ft)		Side (ft)	of 2 (ft)										
R1-120	120,000	120,000	250'	350'	75'	50'	100'	75'	—	2.5 35'	1 + 12'	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150'	200'	50'	30'	70'	50'	—	2.5 35'	1 + 12'	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150'	150'	50' 40'	25'	60'	50'	—	2.5 35'	1 + 12'	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125'	125'	40' 30'	20'	50'	40'	—	2.5 35'	1 + 12'	20%NA.	20%	1	—	R1-20	
R1-10	10,000	10,000	85'	100'	35' 25'	15'	40'	35'	—	2.5 35'	1 + 12'	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75'	100'	30' 20'	10'	20'	30' 25'	—	2.5 35'	1 + 12'	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50'	100'	30' 15'	10'	20'	30' 20'	—	2.5 35'	1 + 12'	N.A.	—	1	—	R1-5	
RD-7.5 ^{d,e}	2 acres	7,500	200'	200'	20-35'	25'	50'	50'	70' 30'	3 35'	1 + 12'	15%	20%	12	—	RD-7.5 ^{d,e}	
RD-6 ^{d,e}	5 2 acres	6,000	3 200'	200'	50'	25'	50'	50'	70' 30'	2.5 35'	1 + 12'	15%	20%	16	—	RD-6 ^{d,e}	
RD-5 ^{d,e}	5,000	5,000	50'	100'	30'	10'	20'	25'	30'	3 35'	1 + 12'	20%	30%	16	—	RD-5 ^{d,e}	
RD-4 ^{d,e}	2 acres-5,000	4,000	200'	200'	40'	20'	40'	40'	70' 30'	2.5 35'	1 + 12'	20%	25%	20	—	RD-4 ^{d,e}	
RD-3 ^{d,e}	5,000	3,000	50'	100'	30'	10' 20'	20'	25'	30'	2.5 + 35'-3.5 45'	1 + 12'	20%	40%	24	—	RD-3 ^{d,e}	
RD-1.8 ^{d,e}	5,000	1,800	50'	100'	30'	10' 20'	20'	25'	30'	10 ^b 100'	1 + 12'	15 25%	40%	— ^c	—	RD-1.8 ^{d,e}	
RD-1.7 ^{d,e}	5,000	1,700	50'	100'	30'	10' 20'	20'	25'	30'	4.5 ^f 55' ^f	1 + 12'	25%	40%	36 ^g	—	RD-1.7 ^{d,e}	
PB	As-regulated-in-the-least-restrictive-adjoining-residential-district															PB	
OB T	5,000	i	40' 50'	100'	30' 10'	20' 10'	—	25' 20'	—	— 35'	—	—	—	—	1	OB T	
LB	—	—	—	100'	—	20'	—	25'	—	— + 35'	—	—	—	Min Open Space	2	LB	
GB	—	1,500	—	100'	— 15'	20'	—	25'	—	— 35'	—	—	—		2	GB	
CMS	—	—	—	75'	0-10'	0'	—	25' 20'	—	3 48'	2 + —	—	—	10%	—	CMS	Art IVD
L	—	—	—	75'	0-20'	0-30'	—	25'	—	4 38'	2 + —	—	—	15%	—	L	Art IVE
FCD	2 acres	3,960	—	—	—	—	—	—	—	3 40'	—	35%		30%	—	FCD	Art IVC
WP	1 acre	—	—	—	10'	—	—	—	—	2.5 35'	—	20%		—	0.5	WP	Art IVA
WD	5 acres	—	—	—	—	—	—	—	—	See Art IVA	—	—		15%	3/2	WD	Art IVA
LI	—	1,500	— 60'	100'	— 20'	20'	—	25'	—	— — 35'	—	70%		— 20%	2	LI	
HI	—	—	— 60'	100'	— 30'	20'	—	25'	—	— 35' 40'	—	70%		— 20%	2	HI	

NOTES:

- ~~a~~ If not occupied by a dwelling unit. Notwithstanding the one-story and 15-foot height limitation, a clubhouse in a multifamily project shall not exceed 2 1/2 stories and 35 feet in height. [Amended 2-16-2010 by L.L. No. 2-2010]
- ~~a~~b Except in multifamily developments, A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.
- ~~c~~ A main building containing two or more dwelling units in an RD-3 District may be erected to a height of 3 1/2 stories or 45 feet, and a main building for a permitted nonresidential use may be erected to a height of five stories or 50 feet, provided that it is set back from any street or adjoining residential property a distance at least equal to its height.
- ~~d~~ But 2,500 square feet per dwelling unit for the first two dwelling units if the average height of main buildings is to be less than six stories, and except that for each one-bedroom or smaller dwelling unit, the required minimum lot area per dwelling unit shall be reduced by 20%, and for each three-bedroom or larger dwelling unit, increased by 20%.
- ~~e~~ But not less than 1/2 the height of the permitted building.
- ~~f~~ A one-family house may be located on a lot meeting all the requirements of, and subject to the standards of, the most restrictive adjoining single-family residence district.
- ~~g~~ Except that any side yard containing a driveway for an apartment development shall be at least as large as a required front yard.
- ~~h~~b But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- ~~c~~i But not more than 24 dwelling units in any building 3 1/2 stories or less in height.
- ~~j~~ This maximum may be increased to 20% for multifamily developments having 3,000 square feet or more of a lot area per dwelling unit.
- ~~k~~d For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- ~~e~~t In any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreational or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided or developed in the future.
- ~~m~~ Except that any new one-family detached dwelling lot created subsequent to July 11, 1988, shall be required to comply with the minimum size and dimensional requirements of the R1-7.5 District. [Added 7-5-1988]
- ~~f~~n A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~g~~o And each building shall not exceed 150 feet in length. [Added 2-16-2010 by L.L. No. 2-2010]
- ~~p~~ There shall be no parking in the front yard. [Added 10-17-2016 by L.L. No. 11-2016]
- ~~h~~q For all development proposals involving a total lot area of more than three acres within a R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more as defined in § 223-63.
- i As regulated in the least restrictive adjoining residential district.
- ~~b~~ Abutting residential districts or where driveway is proposed between building and lot line.
- ~~c~~ First floor area shall be limited to the extent necessary to provide required off-street parking and loading spaces.

Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	I	GB	CMS	L	WD	WP	FCD	LI	HI
Residential												
One-Family Detached Dwelling		P	P	P	x	x	x	x	x	x	x	x
One-Family Attached/Semidetached	Including Townhouses	x	P	P	x	x	P	x	x	P	x	x
Two-Family Dwelling		x	P	P	x	x	x	x	x	x	x	x
Multifamily Dwelling		x	SP*	P	P	P	P	P	x	P	x	x
Artist Live/Work Space	Subject to §223-14.2	x	x	P	P	P	P	P	x	P	P	x
Retail/Office/Service												
Retail, Personal Service, or Bank		x	x	x	P	P	P	P	x	x	P	x
Office		x	x	P	P	P	P	P	x	P	P	x
Artist Studio, Art Gallery/Exhibit Space		x	x	P	P	P	P	x	x	P	P	x
Funeral Home		x	x	x	P	x	x	x	x	x	P	x
Commercial Recreation, Indoor		x	x	x	P	P	x	x	x	x	P	P
Auction Gallery		x	x	x	P	x	x	x	x	x	P	P
Adult Use	Subject to §223-20.1	x	x	x	x	x	x	x	x	x	SP	x
Food/Lodging												
Restaurant or Coffee House		x	x	x	P	P	P	P	SP*	P	x	x
Bar/Brew Pub/Microbrewery/Microdistillery		x	x	x	P	P	P	P	x	P	P	P
Food Preparation Business		x	x	x	P	SP	SP	x	x	x	P	P
Bed and Breakfast	Subject to §223-24.4	SP	SP	SP	P	x	P	x	SP*	P	P	x
Inn		x	x	x	P	P	P	P	SP*	P	P	x
Hotel	Subject to §223-14.1	x	x	x	P	P	P	P	x	x	P	x
Social/Community												
Spa/Fitness Center/Exercise Studio		x	x	P	P	P	P	P	x	P	P	x
Day Care Center		x	x	P	P	x	P	P	x	P	SP	x
Park, Preserve, Community Garden		P	P	P	P	P	P	P	P	P	P	x
Theater, Concert or Conference Space		x	x	x	P	P	P	P	x	P	P	x
Museum		SP*	SP*	SP*	P	P	P	P	x	P	P	SP
Place of Worship/Religious Facility		P	P	P	P	x	x	x	x	x	P	x
Social Club	Subject to §223-24.2	SP	SP	SP	SP	P	x	x	x	x	SP	x
Government Facility		P	P	P	P	P	P	P	P	P	P	P
Golf Course		SP*	SP*	x	x	x	x	x	x	x	x	x
Healthcare												
Hospital or Nursing Home	Subject to §223-21.1 and 22	SP*	SP*	x	x	x	x	x	x	x	P	P
Animal Care Facility		SP	SP	x	SP	x	x	x	x	x	SP	x
Educational												
College or University		SP*	SP*	x	P	P	P	x	x	P	P	P
Trade School or Training Program		x	x	x	P	P	P	x	x	P	P	P
Private School or Nursery School		SP	SP	SP	P	x	P	x	x	P	SP	x

x = Use Not Permitted
 P = Permitted Use
 SP=Special Permit Use by Planning Board
 SP*=Special Permit Use by City Council

For Specific
 Standards See -->

Article
IVD

Article
IVE

Article
IVA

Article
IVA

Article
IVC

1.7.20

DRAFT

Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI	
Parking/Auto-Oriented													
Off-Street Parking or Parking Structure	Subject to §223-26	x	x	SP	SP	SP	x	x	x	x	x	x	
Vehicle Sales or Rental Lot		x	x	x	SP	x	x	x	x	x	SP	x	
Gas Filling Station and/or Car Wash	Subject to Ch. 210 & 223-21	x	x	x	SP	x	x	x	x	x	SP	x	
Auto Body or Repair Shop	Subject to Chapter 210	x	x	x	SP	x	x	x	x	x	SP	x	
Ambulance Service		SP	SP	SP	P	x	x	x	x	x	P	x	
Industrial or Assembly													
Wholesale or Storage Business		x	x	x	P	x	x	x	x	x	P	P	
Workshop		x	x	SP	P	P	P	x	x	P	P	P	
Industrial/Manufacturing Use		x	x	x	x	x	SP	x	x	P	P	P	
Other													
Wireless Telecommunications Facility	Subject to §223-24.5	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	
Small Cell Wireless Facility	Subject to §223-26.4	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	
Farm		P	x	x	x	x	x	x	x	x	x	x	
Horticultural Nursery		P	P	x	P	x	x	x	x	x	P	x	
Historic District Overlay Use	Subject to §223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)													
Accessory Apartment	Subject to §223-24.1	SP	SP	SP	x	x	x	x	x	x	x	x	
Private Tennis Court or Pool	Subject to §223-13	P	P	P	x	x	x	x	x	x	x	x	
Home Occupation or Artist Studio	Subject to §223-17.1	P	P	P	x	x	x	x	x	x	x	x	
Medical Service Structure	Subject to §223-13	P	P	P	x	x	x	x	x	x	x	x	
Parking Structure		x	x	SP	x	P	P	P	x	P	x	x	
Roof Garden or Greenhouse		P	P	P	P	P	P	P	P	P	P	P	
Solar Collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P	
x = Use Not Permitted		For Specific					Article	Article	Article	Article	Article	1.7.20	DRAFT

x = Use Not Permitted
P = Permitted Use
SP=Special Permit Use by Planning Board
SP*=Special Permit Use by City Council

For Specific
Standards See -->

Article IVD	Article IVE	Article IVA	Article IVA	Article IVC	1.7.20
----------------	----------------	----------------	----------------	----------------	--------

DRAFT

Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	PB	GB T	LB	GB	CMS	L	WD	WP	FCD	LI	HI
Residential														
One-Family Detached Dwelling		P	P	P	P	P	x	P x	x	x	x	x	x	x
One-Family Attached/Semidetached	Including Townhouses	x	P	x	x P	P	x	P x	P	P x	x	P	x	x
Two-Family Dwelling		x	SP* P	x	x P	x	x	P x	P x	x	x	x	x	x
Multifamily Dwelling		x	SP*	x	x P	x	SP* P	P	P	P	x	P	x	x
Artist Live/Work Space	Subject to §223-14.2	x	x	x	x P	SP*	SP* P	P	SP P	P	x	P	SP* P	x
Retail/Office/Service														
Retail, Personal Service, or Bank		x	x	x	x	P	P	P	SP P	P	x	x	P	P x
Office		x	x	x	P	P	P	P	SP P	P	x	P	P	P x
Retail Truck or Trailer	Subject to §223-26.3	x	x	x	x	x	P	P	P	x	SP*	x	P	P
Artist Studio, Art Gallery/Exhibit Space		SP* x	SP* x	SP*	SP* P	SP*	SP* P	P	P	x	x	P	SP* P	SP* x
Funeral Home		x	x	x	x	P	P	P x	x	x	x	x	P	P x
Commercial Recreation, Indoor		x	x	x	x	x	P	P	x	x	x	x	P	P
Auction Gallery		x	x	x	x	x	P	P x	x	x	x	x	P	P
Tattoo Parlor	Subject to §223-26.2	x	x	x	x	x	P	P	x	x	x	x	P	P
Adult Use	Subject to §223-20.1	x	x	x	x	x	x	x	x	x	x	x	SP*	SP* x
Food/Lodging														
Restaurant or Coffee House		x	x	x	SP* x	SP*	P	P	SP P	P	SP*	P	P x	P x
Bar or Brew Pub		x	x	x	x	SP*	SP* P	SP* P	x P	P	x	P	SP* P	SP* P
Microbrewery/Microdistillery		x	x	x	x	SP*	SP* P	P	SP* P	x P	x	x	SP* P	SP* P
Food Preparation Business		x	x	x	x	x	x P	P SP	SP	x	x	x	x P	x P
Bed and Breakfast	Subject to §223-24.4	SP	SP	SP*	SP	SP*	SP* P	P x	P	x	SP*	P	SP* P	P x
Inn		x	x	x	x	x	x P	P	P	P	SP*	P	x P	x
Hotel	Subject to §223-14.1	x	x	x	x	x	SP* P	P	P	P	x	x	SP* P	SP* x
Social/Community														
Spa/Fitness Center/Exercise Studio		x	x	x	x P	x	x P	P	x P	P	x	P	x P	x
Day Care Center		x	x	x	x P	x	x P	x	x P	P	x	P	x SP	x
Park, Preserve, Community Garden	With No Admission Fee	SP* P	SP* P	SP*	SP* P	SP*	SP* P	P	P	P	P	x P	SP* P	SP* x
Theater, Concert or Conference Space		x	x	x	x	x	P	P	x P	SP* P	x	P	P	P x
Museum		SP*	SP*	SP*	SP*	P	P	P	x P	SP* P	x	P	P	SP* SP
Place of Worship/Religious Facility		P	P	P	P	P	P	x	x	x	x	x	P	P x
Social Club	Subject to §223-24.2	SP* SP	SP* SP	SP*	SP* SP	SP*	SP* SP	P	x	x	x	x	SP* SP	SP* x
Government Facility		P	P	P	P	P	P	P	P	P	P	P	P	P
Golf Course		SP*	SP*	x	x	x	x	x	x	x	x	x	x	x
Healthcare														
Hospital or Nursing Home	Subject to 223-21.1/22	SP*	SP*	SP*	SP* x	SP*	x	x	x	x	x	x	x SP	x SP
Animal Care Facility		x SP	x SP	x	x	x	x SP	x	x	x	x	x	x SP	x
Educational														
College or University		x SP*	x SP*	x	x	x	SP* P	P	x P	x	x	x P	SP* P	SP* P
Trade School or Training Program		x	x	x	x	x	SP* P	P	x P	x	x	x P	SP* P	SP* P
Private School or Nursery School		SP*	SP*	SP*	SP*	SP*	x P	P x	x P	x	x	x P	SP*	SP* x

x = Use Not Permitted

P = Permitted Use

SP=Special Permit Use by Planning Board

SP*=Special Permit Use by City Council

For Specific
Standards See -->

Article IVD Article IVE Article IVA Article IVA Article IVC 1.7.20

DRAFT

Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	PB	GB T	LB	GB	CMS	L	WD	WP	FCD	LI	HI
Parking/Auto-Oriented														
Off-Street Parking as a Principal Use	Subject to §223-26	SP* x	SP* x	SP*	P SP	P	P SP	P SP	x	x	x	x	P x	P x
Vehicle Sales or Rental Lot		x	x		x		P SP	x	x	x	x	x	x SP	x
Gas Filling Station and/or Car Wash	Subject to Ch.210/§223-21	x	x	x	x	x	SP* SP	x	x	x	x	x	x-SP	SP* x
Auto Body or Repair Shop	Subject to Chapter 210	x	x	x	x	x	SP* SP	x	x	x	x	x	SP	SP* x
Ambulance Service		SP* SP	SP* SP	SP*	SP* SP	SP*	SP* P	x	x	x	x	x	SP* P	SP* x
Industrial or Assembly														
Wholesale or Storage Business		x	x	x	x	x	P	x	x	x	x	x	SP* P	P
Workshop		x	x	x	x SP	x	P	P	x P	x	x	P	P	P
Industrial/Manufacturing Use		x	x	x	x	x	x	x	SP	x	x	P	P	P
Other														
Wireless Communication	Subject to §223-24.5	SP*	SP*	SP*	SP*	SP*	SP*	P SP*	P SP*	x SP*	x SP*	x SP*	SP*	SP*
Small Cell Wireless Facility	Subject to §223-26.4	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*	P/SP*
Farm		P	P x	P	P x	P	x	x	x	x	x	x	x	x
Horticultural Nursery		SP* P	SP* P	SP*	SP* x	SP	SP* P	x	x	x	x	x	SP* P	SP* x
Historic District Overlay Use	Subject to §223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Ski Facility (Mt. Beacon)		SP	x	x	x	x	x	x	x	x	x	x	x	x
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)														
Accessory Apartment	Subject to §223-24.1	SP* SP	SP* SP	x	x SP	x	x	x	x	x	x	x	x	x
Private Tennis Court or Pool	Subject to §223-13	P	P	x	x P	x	x	x	x	x	x	x	x	x
Home Occupation or Artist Studio	Subject to §223-17.1	P	P	x	x P	x	x	P x	P x	x	x	x	x	x
Medical Service Structure	Subject to §223-13	P	P		P	x	x	x	x	x	x	x	x	x
Parking Structure		x	x		x SP		x	P	x P	x P	x	x P	x	x
Roof Garden or Greenhouse		P	P	x	x P	x	x P	P	P	P	x P	x P	x P	x P
Solar Collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P	P	P

x = Use Not Permitted

P = Permitted Use

SP=Special Permit Use by Planning Board

SP*=Special Permit Use by City Council

For Specific
Standards See -->

Article Article Article Article Article 1.7.20
IVD IVE IVA IVA IVC

DRAFT

ATTACHMENT A
Full EAF PART 1, QUESTION F

**AMENDMENTS TO THE CODE OF THE CITY OF BEACON CONCERNING
THE CITY'S SCHEDULE OF REGULATIONS AND ASSOCIATED
AMENDMENTS REGARDING PERMITTED USES IN THE CITY OF
BEACON**

Description of the Proposed Action

The Proposed Action will amend Chapters 223 and 210 of the Code of the City of Beacon ("City Code") concerning the City's Schedule of Regulations and associated amendments regarding permitted uses in the City of Beacon. The intent of the Proposed Local Law is to update the City's zoning provisions in accordance with the City's Comprehensive Plan Updated, adopted April 3, 2017 and improve future development of the City of Beacon.

The proposed Local Law eliminates the following zoning districts (1) the RMF 1.5 Multifamily Residence District, (2) the RMF 8 Multifamily Residence District, (3) the PB Business Off-Street Parking District, (4) the LB Local Business District, (5) the OB Office Business District and (6) the CB Central Business District. In addition, the proposed Local Law adds the Transitional District as a new Zoning District to the City Code.

The majority of the Proposed Local Law amends the City's Schedule of Regulations and other City Code provisions with respect to what uses are permitted in each Zoning District.

The proposed Local Law also amends certain provisions in the City Code to do the following:

- Remove all regulations pertaining to non-conforming residential uses on Main Street.
- Amend the permitted and special permit uses for the Waterfront Development Zone, Fishkill Creek Development District, Central Main Street District and the Linkage District.
- Amend the special use permit application process and review standards set forth in City Code § 223-18.B.
- Amend the bulk regulations applicable to the Waterfront Park Zone and Waterfront Development Zone.
- Add new definitions to City Code City Code § 223-63.

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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: City of Beacon Local Law Amending Chapters 223 and 210 of the Code of the City of Beacon		
Project Location (describe, and attach a general location map): City of Beacon		
Brief Description of Proposed Action (include purpose or need): The proposed Local Law amends Chapters 223 and 210 of the Code of the City of Beacon concerning the City's Schedule of Regulations and associated amendments regarding permitted uses in the City of Beacon.		
Name of Applicant/Sponsor: City of Beacon	Telephone: 845-838-5000	
	E-Mail: Aruggiero@cityofbeacon.org	
Address: 1 Municipal Plaza		
City/PO: Beacon	State: New York	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Counsel must approve proposed Local Law.	n/a
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City, 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
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
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

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):

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. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

The Proposed Action involves the adopting of amendments to the City's Zoning Code, Chapter 223 of the Code of the City of Beacon.

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

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

If Yes,

i. What is the proposed new zoning for the site? n/a

C.4. Existing community services.

- a. In what school district is the project site located? City of Beacon School District

- b. What police or other public protection forces serve the project site?

City of Beacon

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

City of Beacon

- d. What parks serve the project site?

n/a

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)?

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

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

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

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

If Yes,

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

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

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input 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	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input 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 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 type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

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

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

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

If Yes:

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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a 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 type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <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? _____ 	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
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? _____	
If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ 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)? _____ 	
<ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____ 	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
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? _____	
If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ 	
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? _____	
If Yes: <ul style="list-style-type: none"> 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: <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 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 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 type="checkbox"/> No</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 truck trips/day and type (e.g., semi trailers and dump trucks): _____</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 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>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input 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: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?</p> <p>Describe: _____</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>n. Will the proposed action have outdoor lighting?</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>_____</p>	<input 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?</p> <p>Describe: _____</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes <input 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?</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 the proposed storage facilities: _____</p> <p>_____</p>	<input type="checkbox"/> Yes <input 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?</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>ii. Will the proposed action use Integrated Pest Management Practices?</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)?</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: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (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: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	<input 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 the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____</p>	<input type="checkbox"/> Yes <input 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. Identify Facilities: _____ _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____</p>	<input type="checkbox"/> Yes <input 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. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____</p>	<input type="checkbox"/> Yes <input 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. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____</p>	<input 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. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

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	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site	
<input type="checkbox"/> Moderately Well Drained: _____ % of site	
<input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site	
<input type="checkbox"/> 10-15%: _____ % of site	
<input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name _____	Classification _____
• Wetlands: Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500-year Floodplain? <input 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 type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<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 type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</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 type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</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 type="checkbox"/> No</p> <p>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 type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">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 type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
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 type="checkbox"/> No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

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

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name City of Beacon Date 12/6/2019

Signature [Signature] Title City Attorney

City of Beacon Workshop Agenda
1/13/2020

Title:

Discussion of a Proposed Local Law to Amend Chapter 134 of the Code of the City of Beacon Concerning Historic Preservation

Subject:

Background:

ATTACHMENTS:

Description	Type
Proposed Local Law to Amend Chapter 134 of the Code of Beacon Concerning Historic Preservation	Local Law

DRAFT 11/26/2019

DRAFT LOCAL LAW NO. ____ OF 2019

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CHAPTER 134 OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to
amend Chapter 134 of
the Code of the City of
Beacon concerning
Historic Preservation.

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

Section 1. Chapter 134 of the Code of the City of Beacon entitled “Historic Preservation” is hereby amended as follows:

§ 134-1. Purpose.

There exist within the City of Beacon landmarks, structures, buildings and districts of special historic significance which, by reason of their antiquity or uniqueness of architectural construction or design, are of particular significance to the heritage of the City, county, state or nation.

§ 134-2. Historic District.

A Historic District and Landmark Overlay Zone (HDLO) is hereby established for the purposes of encouraging the protection, enhancement, perpetuation and use of buildings and structures and appurtenant vistas having special historical or aesthetic value which represent or reflect elements of the City's cultural, social, economic, political and architectural history.

§ 134-3. Definitions.

Unless specifically defined below, words or phrases in this chapter shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this chapter its most reasonable application.

ALTERATION

Any act or process that changes one or more of the exterior architectural features of a structure, including but not limited to the erection, construction, ~~restoration, renovation,~~ reconstruction, demolition, moving or removal of any structure.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Planning Board indicating its approval of plans for alteration, construction, removal or demolition of a landmark or of a structure within an historic district.

CERTIFICATE OF ECONOMIC HARDSHIP

A certificate issued by the Zoning Board of Appeals authorizing an alteration, construction, removal or demolition even though a certificate of appropriateness has previously been denied.

CONSTRUCTION

The act of making an addition to an existing structure or the erection of a new principal or accessory structure on a lot or parcel.

DEMOLITION

Any act or process that destroys in part or in whole a landmark or a structure within an historic district.

EXTERIOR ARCHITECTURAL FEATURES

The design and general arrangement of the exterior of a structure open to view from a public ~~street, public sidewalk, or public park way, public property or any part of any public building,~~ including the kind and texture of building materials and number, proportion, type and spacing of windows, doors, walls, roofs, murals, projections and signs. This term shall also include all earthworks, sidewalks, driveways, fences, trees, landscaping and other site features visible from a public ~~street way, public sidewalk property or any public park, part of any public building, that are specifically identified as a contributing historic element on the~~ Historic Resource Inventory Form.

HISTORIC DISTRICT

An area designated as an "historic district" by action of the City Council in enacting this chapter and which contains within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.

LANDMARK

A property or structure designated as a "landmark" by action of the City Council in enacting this chapter that is worthy of rehabilitation, restoration and preservation because of its historic and/or architectural significance to the City of Beacon.

OWNER OF RECORD

The person, corporation or other legal entity issued as owner of a parcel according to the records of the Dutchess County Clerk.

RECONSTRUCTION

The act of rebuilding an existing exterior architectural feature that involves an alteration of the existing outward appearance or materials.

REPAIR

Any change that restores an exterior architectural feature in kind without change to materials or outward appearance and is not construction, ~~removal~~ demolition or alteration.

STRUCTURE

Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, walls, sidewalks, signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.

§ 134-4. Designation of landmarks or historic districts.

- A. The City Council may act upon its own initiative or upon petition from the owner of a proposed landmark, site, structure or property, the Planning Board, or historic preservation committee, to consider designation of a historic district or historic landmark, site, structure or property. ~~All designated historic districts and landmarks shall be included in the HDLO.~~ All nominations shall include a New York State Office of Parks, Recreation and Historic Preservation Historic Resource Inventory Form, or an equivalent form, describing the building and site and identifying the criteria for nomination under § 134-4.B.
- B. 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 criteria:

- (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.
- C. Notice of a proposed designation shall be sent by certified mail or personal delivery to the owner of the property proposed for designation, describing the property proposed and announcing a public hearing by the City Council to 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.
- D. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the City of Beacon at least fourteen (14) calendar days prior to the date of such hearing.
- E. The City Council shall hold a public hearing prior to designation of any landmark or historic district. 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.
- F. In determining whether or not to designate a new historic landmark, the City Council shall consider the factors listed in § 134-4.B and any testimony or evidence presented during the public hearing.
- G. The City Council shall make a decision within sixty (60) days of the conclusion of the hearing, the City Council shall render its decision on the proposed designation. If the City Council fails to act within sixty (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 (5) Council members is necessary to designate a new historic landmark if the property owner objects to such designation. All designated historic districts and landmarks shall be included in the HDLO.
- H. 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.

- I. A list of designated properties shall be maintained on file with the City Clerk and shown on the City of Beacon Zoning Map.

§ 134-5. Uses permitted by special permit.

Section 223-24.7 of Chapter 223, Zoning, of the City Code, enumerates the uses which may be permitted by special permit, issued by the City Council, in the Historic District and Landmark Overlay Zone, and the process by which such uses may be permitted.

§ 134-6. Certificate of appropriateness.

- A. No person shall carry out any exterior alteration of a landmark or property within a historic district without first obtaining a certificate of appropriateness from the Planning Board or a certificate of economic hardship from the Zoning Board. ~~No certificate of appropriateness is needed for changes to interior spaces, unless they are open to the public, to architectural features that are not visible from a public street, or way, public property, or public building, or for the installation of a temporary sign as described in § 223-15F of the Zoning Ordinance of the City of Beacon if located in a nonresidential district.~~ Nothing in this chapter shall be construed to require any historic upgrade or change in materials, unless an alteration is proposed by the property owner, or prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within an historic district which does not involve a change in design, material, or outward appearance.

- B. No certificate of appropriateness is needed for the following actions:

- (1) Alterations to interior features or spaces;
- (2) Alterations to exterior architectural features that are not visible from a public street, public sidewalk, or public park;
- (3) Repair or replacement of an existing architectural feature in kind;
- (4) Installation of a temporary sign as described in § 223-15F of the Zoning Ordinance of the City of Beacon, if located in a nonresidential district;
- (5) Painting or color changes consistent with § 134-7B(3)(i);
- (6) Addition of seasonal and removable accessory features, such as storm windows and holiday decorations;
- (7) Alterations to existing landscaping, driveways, retaining walls, and other site features, unless the site feature is identified as a contributing historic element on the Historic Resource Inventory Form; and

(8) Emergency or security-related measures as approved by the Building Inspector; and

(9) Minor accessory or utility-related change that does not detract from the historic character of the building or site, such as a new lighting fixture, power line, electrical outlet, dryer vent, water spigot or fuel tank, as determined by the Building Inspector.

§ 134-7. Criteria for approval of a certificate of appropriateness or special permit in the HDLO.

A. Historic districts are living entities that have typically grown and accommodated change through multiple time periods. HDLO buildings are recognized as models for how to design high-quality, enduring structures that have gained in public appreciation over time, thereby serving as excellent examples for sustainable development. In reviewing an HDLO application and plans, the City Council or Planning Board shall give consideration to:

- (1) The historic or architectural value or significance of the structure and its relation to the historic character of the surrounding area.
- (2) The relationship of the exterior architectural features of such structure to the rest of the structure and to the surrounding area.
- (3) The compatibility of exterior design in terms of scale, arrangement, texture and materials proposed, roof and cornice forms, spacing and proportion of windows and doors, exterior architectural details, signs, and street-front fixtures.

B. In applying the principle of compatibility, the City Council or Planning Board shall use the following standards for new structures, additions, or alterations in the HDLO. Standards using the verb “shall” are required; “should” is used when the standard is to be applied unless the Planning Board or City Council 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.

- (1) The design, character, and appropriateness to the property of the proposed alteration or new construction.
 - (a) Construction shall build on the historic context with applications required to demonstrate aspects of inspiration or similarities to adjacent HDLO structures or historic buildings in the surrounding area.
 - (b) Compatibility does not imply historic reproduction, but new architecture shall also not arbitrarily impose contrasting materials, scales, colors, or design features.
 - (c) The intent is to reinforce and extend the traditional patterns of the HDLO district, but new structures may still be distinguishable in up-to-date technologies and details, most evident in window construction and interiors.

- (d) Exterior accessory elements, such as signs, lighting fixtures, and landscaping, shall emphasize continuity with adjacent HDLO properties and the historic characteristics of the sidewalk and streetscape.
 - (e) Where possible, parking shall be placed towards the rear of the property in an unobtrusive location with adequate screening from public views, unless another location provides better screening.
- (2) The scale and height of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood.
- (a) Where possible, an addition to an historic structure should be placed towards the rear, or at least recessed, so that the historic structure remains more prominent than the subsidiary addition.
 - (b) Any alteration or addition to an historic structure shall not damage or obscure the character-defining features of the architecture or site to the maximum extent possible.
 - (c) The height of any new building facades in the HDLO shall not conflict with the heights of adjacent historic structures on adjoining HDLO parcels.
 - (d) Larger buildings or additions should incorporate significant breaks in the facades and rooflines, generally at intervals of no more than 35 feet.
- (3) Architectural and site elements and their relation to similar features of other properties in the HDLO.
- (a) It is not appropriate to disrupt the relationship between an historic building and its front yard or landscape, including screening historic properties from traditional street views by high walls or hedges.
 - (b) Historic storefronts, porches, cornices, window and door surrounds, or similar architectural features should not be enclosed, obscured, or removed so that the character of the structure is substantially changed.
 - (c) Deteriorated building features should be repaired rather than being replaced and, if not repairable, should be replicated in design, materials, and other historic qualities.
 - (d) New buildings in the HDLO should have a top-floor cornice feature and first-floor architectural articulation, such as an architecturally emphasized entrance doorway or porch, to accent the central body of the building.
 - (e) Architectural features and windows shall be continued on all sides that are clearly visible from a street or public parking area, avoiding any blank walls, except in cases of existing walls or potential common property walls.

- (f) New HDLO buildings shall have a front entrance door facing the primary street and connected to the sidewalk.
- (g) Primary individual window proportions shall be greater in height than width, but the approving body may allow exceptions for storefront, transom, and specialty windows. Mirrored, reflective, or tinted glass and all-glass walls, except greenhouses, shall not be permitted. Any shutters shall match the size of the window opening and appear functional.
- (h) Finish building materials should be wood, brick, traditional cement-based stucco, stone, smooth cast stone, smooth-finished fiber-cement siding, or other materials deemed acceptable by the approving body. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic rough-cut stone, synthetic brick, synthetic stucco, exterior insulation and finishing system (EIFS), direct-applied finish system (DAFS), and chain link, plastic, or vinyl fencing shall not be permitted.
- (i) Materials and colors should complement historic buildings on the block. Fluorescent, neon, metallic, or other intentionally garish colors, as well as stripes, dots, or other incompatible patterns, shall be prohibited.
- (j) Mechanical equipment and refuse containers shall be concealed from public view by approved architectural or landscaping elements and shall be located to the rear of the site. Window or projecting air conditioners shall not be permitted on the front façade of new buildings or additions.

§ 134-8. Certificate of appropriateness application procedure.

A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Planning Board. The application shall include:

- (1) The name, address and telephone number of the applicant.
- (2) Scaled drawings showing the ~~proposed~~ changes, only if new construction is proposed.
- (3) Descriptions or samples of materials to be used.
- (4) Where the proposal includes signs or lettering, a scaled drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, if any, and a plan showing the sign's location on the property.
- (5) Any other information which the Planning Board may deem necessary in order to visualize the proposed work.

- B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Planning Board. The certificate of appropriateness required by this act shall be in addition to and not in lieu of any site plan, subdivision, special permit or building permit that may be required by any other ordinance of the City of Beacon.
- C. The applicant may consult with the Planning Board or its designated agent prior to submitting an application.
- D. Where site plan review or subdivision approval is also required for the application, the certificate of appropriateness procedure shall be conducted simultaneously with such review by the Planning Board.
- E. The Planning Board shall approve, deny or approve the permit with modifications within 45 days from receipt of the completed application. The Planning Board may hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views. Notice of the public hearing shall be provided by the applicant in the same manner as required in § 223-61.2.B.
- F. All decisions of the Planning Board shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Planning Board's decision shall state the reasons for denying or modifying any application.

§ 134-9. Hardship criteria and application procedure.

- A. An applicant whose certificate of appropriateness has been denied may apply ~~for relief~~ to the Zoning Board of Appeals for a certificate of economic hardship to obtain relief from the requirements of this chapter. Upon receipt of an application for relief, the Zoning Board shall, within 45 calendar days thereafter, hold a public hearing. Notice of the public hearing shall be provided by the applicant in the same manner as required in § 223-61.2.B.
- B. At the public hearing, the Zoning Board may hear testimony and entertain the submission of written evidence from the applicant and/or the public.
- C. To obtain a certificate of economic hardship, the applicant must prove the existence of economic hardship by establishing that:
 - (1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and
 - (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and

- (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- D. The Zoning Board shall take into consideration the economic feasibility of alternatives to removal, alteration or demolition of a landmark or portion thereof, and balance the interest of the public in preserving the historic landmark or building, or portion thereof, and the interest of the owner in removing, altering or demolishing the landmark or portion thereof.
- E. The Zoning Board shall make a decision within 30 days of the conclusion of the hearing on the application. The Board's decision shall be in writing and shall state the reasons for granting or denying the hardship application.
- F. All decisions of the Zoning Board of Appeals shall be in writing. A copy shall be sent to the applicant, and a copy shall be filed with the City Clerk. The Board's decision shall state the reasons for approving or denying the application. If the Zoning Board of Appeals approves the application, the Board shall issue a certificate of economic hardship.

§ 134-10. Enforcement.

All work performed pursuant to a certificate of appropriateness issued under this chapter shall conform to any requirements included therein. It shall be the duty of the Building Inspector to inspect periodically any such work to assure compliance. In the event that work is found that is not performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Planning Board, the Building Inspector shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

§ 134-11. Penalties for offenses.

- A. Failure to comply with any of the provisions of this local law shall be deemed a violation, and the violation is subject to the penalties provided in § 223-53 of Chapter 223, Zoning.
- B. The City Council is also authorized to institute any and all actions required to enforce this chapter. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

§ 134-12. Fees.

The applicant shall not be charged an application fee, professional review fees or fees to prepare and publish any public notice incurred in connection with the certificate of appropriateness application, unless the certificate of appropriateness application is part of another land use application concerning the historic property.

~~A. Each application for a certificate of appropriateness shall be accompanied by a fee, in an amount set by the City Council, payable to the City Clerk.~~

~~B. The applicant may be charged a fee by the Planning Board for the actual cost of preparation and publication of each public notice of hearing on the application. Said fees shall also be fixed from time to time by resolution of the City Council.~~

§ 134-13. Assessment abatement.

Any person who is granted a certificate of appropriateness and performs the work detailed in the application submitted to the Planning Board will not be subject to an increase in assessment for the subject property as a result of the improvements made to the buildings and structures on said property. This clause does not apply to applicants who also receive a special permit as set forth in § 223-18 of Chapter 223, Zoning.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 134 of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

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

Section 4. Severability

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

Section 5. Effective Date

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

City of Beacon Workshop Agenda
1/13/2020

Title:

Personnel

Subject:

Background: