

**Planning Board  
February 15, 2017**

The Planning Board meeting was held on Wednesday, February 15, 2017 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman Jay Sheers, Members Rick Muscat, Patrick Lambert, Gary Barrack, Jill Reynolds and David Burke. Also in attendance were City Attorney Jennifer Gray, City Engineer John Russo (in for Art Tully), City Planner John Clarke, and Building Inspector Tim Dexter. Member Randall Williams was excused.

**Miscellaneous Business**

**Comprehensive Plan Updates**

John Clarke provided an overview of proposed updates to the City's Comprehensive Plan currently under consideration by the City Council. He pointed out changes are proposed to Scenic Hudson's Long Dock property from Waterfront Development (WD) zone to Waterfront Park (WP) zone, and Metro North property near the river from Waterfront Park (WP) zone to Waterfront Development (WD). The other major change is to extend the Central Main Street (CMS) zone on to Fishkill Avenue from Main Street to Verplanck Avenue. The proposal includes the addition of pocket parks along Main Street. In addition they are proposing to expand commercial uses in the Linkage District along the north side of West Main Street. Discussion that the plan appeared to focus on tourism rather than the needs of residents who live in Beacon took place. Consideration was given to parking which touched on the possibility of charging developers a fee in lieu of parking and alternate methods of generating funds to create parking.

**Regular Meeting**

Mr. Sheers called for corrections/additions or a motion to approve minutes of the January 10, 2017 meeting. He reported the vote taken to send a recommendation to the Zoning Board of Appeals to rehear the case for 36 North Cedar Street should be changed to "Mr. Muscat made a motion to strongly encourage members of the Zoning Board of Appeals to rehear the case with the hope of changing their decision, *seconded by Mr. Burke. All voted in favor. Motion carried.*" Mr. Lambert made a motion to approve the minutes of the January 10, 2017 meeting as amended, seconded by Mr. Muscat. All voted in favor. Motion carried.

**ITEM NO. 1 CONTINUE PUBLIC HEARING FOR APPLICATIONS FOR  
SUBDIVISION AND SITE PLAN APPROVAL FOR TWO COMMERCIAL LOTS,  
SUBMITTED BY CERVONE REALTY, 332-334 FISHKILL AVENUE**

Engineer Steve Burns reported they recently received the survey for this project and will prepare documents for the next meeting. Mr. Lambert made a motion to continue the public hearing after all documents have been submitted, seconded by Mr. Barrack. All voted in favor. Motion carried.

**ITEM NO. 2 CONTINUE REVIEW OF APPLICATIONS FOR SUBDIVISION APPROVAL (3 LOTS) AND SITE PLAN APPROVAL TO CONVERT AN EXISTING FOUR-FAMILY DWELLING INTO A TWO-FAMILY DWELLING, SUBMITTED BY BEACON RESIDENTIAL, LLC, 40 NORTH STREET**

Engineer Steve Burns explained this application has changed to a Subdivision Approval only as the existing four family house will be renovated and converted into a single family dwelling. The property, 40 North Street, extends to South Street, lies in the R1-5 and Historical Overlay Zone and two new lots for single family houses will be created along South Street. A new parking area was added for the existing house and a new sewer service line will connect to the main in South Street. Mr. Burns identified deficiencies in the manhole at Davis and North Streets which he reported to the City's water/sewer department.

Mr. Clarke explained no exterior changes are proposed to the existing building however the two new houses will require Certificates of Appropriateness because they lie in the Historical Overlay District. He suggested architectural designs should focus on ways to de-emphasize garage doors. Additional landscaping should be added to screen the parking area and the plan should indicate trees to be removed and any replacements.

Mr. Russo reported the survey shows a neighbor's retaining wall encroaches the applicant's parcel and must be addressed so it is not an issue in the future when the lot is sold. He asked for additional information on grading for the new parcels and sight distance measurements be added to the plan.

City Attorney Jennifer Gray advised the applicant to revise or update unanswered questions on the Full EAF. Mr. Lambert made a motion to authorize the circulation of a letter of intent for the Planning Board to act as Lead Agency subject to submission of an updated EAF, seconded by Ms. Reynolds. All voted in favor. Motion carried.

**ITEM NO. 4 CONTINUE REVIEW OF APPLICATION FOR SITE PLAN APPROVAL, 3 BUILDINGS – 98 UNITS, WEST END LOFTS, SUBMITTED BY KEARNEY REALTY & DEVELOPMENT GROUP, WOLCOTT AVENUE**

Sean Kearney of Kearney Realty & Development Group, introduced Engineer Jeff Contelmo of Insite Engineering and AJ Coppola of Coppola Associates and described their proposal to construct three residential buildings – the building to the rear of the parcel will have 25 market rate apartments; and the two buildings facing Wolcott Avenue will contain 50 Artist Lofts and 22 middle-income apartments. Mr. Kearney reported they met with the Architectural Review subcommittee three times to refine details of the site and building architecture. They feel they are at a point with the overall site and building layout to allow work to begin on engineering details, and a traffic consultant has been retained to conduct a traffic study as requested.

AJ Coppola summarized work that took place with the Architectural Review Subcommittee and reviewed changes that were made to the building facades. He reported the larger building was shifted back to break up the monotonous front façade and porticos were provided for each of the three entrances to incorporate pedestrian friendly elements. Mr. Coppola reported they will continue work with the review board.

Jeff Contelmo and Cody Quinn presented the site plan and responded to initial consultant comments. They are working on a visual analysis consistent with the LWRP and commissioned a traffic study of nearby intersections. They will continue work on engineering comments recently submitted and landscaping as it blends with building architecture.

John Clarke reported two area variances that may be required for the parking aisle and parking space width. The proposed dimensions are consistent with Greenway Guides and most updated parking standards therefore he advised the board that they may want to recommend the City Council change those requirements in the Linkage Zoning District. The site plan is three spaces shy of meeting the parking requirement and Mr. Clarke felt an adjustment could be made so each apartment has a designated parking space. The proposed Affordable Workforce Housing provisions don't comply with some of the details of the code. Mr. Clarke advised the applicant that the City Council is working on revisions that may assist with that compliance. He spoke about lighting changes, sidewalks and handicap accessibility.

Mr. Russo requested a copy of the Phase I that was done for the project, and asked that a cut and fill analysis must be done. The lighting plan should be made part of the site plan set and geotechnical work is needed to determine materials on site. A construction phasing plan, traffic study, snow storage areas and other written comments must be addressed. An elevation drawing and material samples of the retaining wall that separates this project from City Hall will be provided. Two dumpsters will be provided – one for the southerly building and one will be shared by the two northerly buildings. Discussion took place about landscaping, porches/balconies, and coordination with “The View” with regard to the connecting walkway. Additional design modifications are needed for the porticos and a request was made for a revised building rendering after the architecture is more defined.

### **ITEM NO. 3 REVIEW APPLICATION FOR SUBDIVISION APPROVAL (2 LOTS), SUBMITTED BY SEVEN & ONE DEVELOPMENT, LLC, 16 CHURCH STREET**

Matt Day of Day Engineering presented his client's proposal to subdivide 16 Church Street, an L-shaped parcel in the R1-5 Zoning District with an existing single-family house, into two residential lots. A variance is needed for the existing house because the new lot line creates a rear yard setback of 26 ft. where 30 ft. is required. In order to avoid the need for another variance, the proposed house size will be reduced to allow parking to the rear of the property rather than in the front yard.

Mr. Russo asked that topography for the site be provided on the plan, an I & I study of the existing house must be done, and sight distance measurements must be provided. He noted other miscellaneous comments are listed in his engineering review memo. Mr. Clarke asked that a certified survey be provided to confirm lot dimensions, and pointed out the driveway of the neighboring property to the north appears to encroach on the newly created lot which will require an easement. He asked that existing trees be shown on the plan and suggested a new street tree be added.

Mr. Muscat made a motion to authorize the circulation of a letter of intent for the Planning Board to act as Lead Agency, seconded by Mr. Barrack. All voted in favor. Motion carried.

**ITEM NO. 5 REVIEW APPLICATION FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, “EDGEWATER” FOR 7 RESIDENTIAL BUILDINGS - 307 UNITS, SUBMITTED BY SCENIC BEACON DEVELOPMENTS, LLC, 22 EDGEWATER PLACE**

Rodney Weber thanked board and consultants for their input on their preliminary plans for residential development of property known as “Edgewater”. Since the proposal’s conception, work has taken place on site layout, building architecture, parking, and site grading. The traffic study which considered all other ongoing developments resulted in a positive recommendation. They are in dialogue with owners of Tomkins Terrace with regard to entering the site over their property. Building elevations were increased to reduce the building footprint and create the least impact on the land. The building layout is intended to create a feeling of community with the goal to attract new millennials and retain baby boomers.

Architect Aryeh Siegel provided a project overview of the site which is near Tompkins Terrace apartments overlooking the train station parking area. The buildings are 150 ft. in length and designed to meet the requirements of the unique RD-1.7 Zoning District. The buildings appear separated with connecting sections of glass facades, with shared utilities and elevators to reduce the building footprints. They are four stories with the exception of the flat roofed building which has a setback fifth story that will require a variance. Mr. Siegel reviewed site landscaping which is mostly surrounded by mature trees, which will include walking paths, grasses and garden areas.

Mr. Clarke provided an overview of his comments and recommendations for the project: additional information is needed on the EAF, an LWRP consistency justification is needed, the project must be referred to Dutchess County in coastal management zone, and the variances needed are sometimes five times over the minimum requirements. Views of the site from the river should be provided, improvements on the sidewalk system and additional landscaping is needed. Information is needed for the lighting plan and affordable workforce provisions require breakdown and locations of units. Discussion took place regarding the need for the Subdivision application and the City’s code requirements.

Mr. Siegel reported they will be seeking a parking variance to provide 308 spaces (one space per unit) where 390 are required; 60 of those spaces will be provided underground in order to reduce surface parking. The site is within easy walking distance of the train, and a bike/car sharing program will be provided for the tenants. City Attorney Jennifer Gray suggested they consider setting aside an area to land-bank parking spaces so they can be constructed in the future if needed. Mr. Siegel reported variances will be needed for proposed building heights on Buildings #3, #4 and #6.

Discussion took place with regard to the length of buildings and the effort to break the mass with connecting glass areas. Mr. Weber reported that adjoining the buildings allows them to reduce the overall building footprint to 13% and increase green space to 66% of the whole property. Mr. Dexter reported the buildings could be broken down into separate buildings by the building code with a certain type of wall system however zoning is different. He will give the proposal a closer look to see if the buildings can be interpreted as being separate considering the glass passageways contain apartments.

Mr. Sheers reported he would like to see a less intense development to reduce the extreme variances needed for the project as currently proposed. Mr. Lambert and Mr. Barrack felt the project as presented is too dense and they would not support the number of variances required. Mr. Burke asked if the proposal would be referred to the Architectural Review subcommittee, appreciated their efforts to reduce impact on the environment, and expressed his support of the necessary variances. Ms. Reynolds was not opposed to the density or variances, and supported car sharing and promotion of bike use. Mr. Muscat appreciated the concepts yet felt they were requesting a large number of variances. Mr. Sheers reported a determination must be made with regard to the buildings in order to define what variances are needed. He advised the applicant to return after receiving variances unless changes are made to the plan.

Mr. Muscat made a motion to authorize the circulation of a letter of intent for the Planning Board to act as Lead Agency subject to submission of a revised EAF, seconded by Ms. Reynolds. All voted in favor. Motion carried.

### **Architectural Review**

#### **New Single Family House – Judson Street**

Gary Joseph presented a proposal for a new single-family house on an existing vacant lot on Judson Street. Members reviewed elevation drawings, proposed color scheme and compared it to neighboring housing stock. After careful consideration, Mr. Lambert made a motion to approve the plan as presented with the following color scheme: Siding – Victorian Grey; Roof – Black; Double Hung Windows – Anderson Vinyl White; and Garage – White; Trim – White; the motion was seconded by Mr. Burke. All voted in favor. Motion carried.

#### **Certificate of Appropriateness – 217 Main Street; façade paint color change**

Members reviewed the proposal to repaint the existing green façade at 217 Main Street with California Paints' Historic Color Sayward Pine (black). After careful review and consideration, Mr. Muscat made a motion to issue a Certificate of Appropriateness and approve the color change as proposed, seconded by Mr. Barrack. All voted in favor. Motion carried.

#### **Certificate of Appropriateness – One East Main Street; Sign**

Alicia King presented her proposal for signage over a new storefront on the recently renovated building, retail space #2, at One East Main Street. Members reviewed the proposal and after a brief discussion Mr. Lambert made a motion to issue a Certificate of Appropriateness and approve the sign as presented – black background with white lettering, seconded by Mr. Barrack. All voted in favor. Motion carried.

### **Miscellaneous Business**

#### **Zoning Board of Appeals – February Agenda**

Members reviewed the Zoning Board of Appeals' February agenda, all but one item a repeat of January due to lack of a quorum. After a comprehensive examination of the new application, members had no recommendations or comments.

City Council Request to Review Proposed Local Law Amending Chapter 223 of the City Code concerning the Board of Appeals

Members discussed the proposed amendment to the City Code concerning the Zoning Board of Appeals, particularly Chapter 223, Section 54(C) and a comprehensive review and discussion of the proposed amendment took place. After considering the purpose of changing the requirement that three (rather than four) concurring votes would be necessary to decide in favor of the applicant on any matter before the board, Mr. Barrack made a motion to recommend the proposed amendment as outlined, seconded by Mr. Burke. All voted in favor. Motion carried.

City Council Request to Review Comprehensive Plan Updates and Proposed Local Law

Members reviewed and discussed the proposed updates the Comprehensive Plan and the draft Local Law Enacting Zoning Revisions to Implement Recommendations of the Comprehensive Plan, as requested. A comprehensive review and lengthy discussion with the City Attorney and City Planner took place.

After discussion of the contents of the proposed Comprehensive Plan update, Mr. Lambert made a motion to support the changes proposed in the Comprehensive Plan with a request to (1) focus on the needs of Beacon residents (i.e. encouraging uses such as supermarkets, hardware stores, pharmacies, etc.) without as much emphasis on tourism and the arts, and (2) include a recommendation that the architectural review standards set forth in the City Code should be updated and revised to provide more specificity, seconded by Mr. Burke. All voted in favor. Motion carried.

Next, City Attorney Jennifer Gray outlined the proposed Local Law Enacting Zoning Revisions to Implement Recommendations of the Comprehensive Plan. After considering Mr. Clarke's suggestion to reduce the size of parking spaces and aisles in the Linkage District from 9'x'20' to 9'x18' and from 25 feet to 24 feet, respectively, Mr. Barrack made a motion to recommend the City Council make the change as discussed, seconded by Ms. Reynolds. All voted in favor. Motion carried.

Mr. Lambert made a motion in support of the Local Law, seconded by Mr. Barrack. All voted in favor. Motion carried.

A lengthy discussion took place with regard to LEED standards and requirements near the waterfront. There was no further business to discuss and Mr. Lambert made a motion to adjourn the meeting, seconded by Mr. Burke. All voted in favor. Motion carried. The meeting adjourned at 9:55 p.m.