

- Call to Order
- Pledge of Allegiance
- Roll Call:

Council Member	Present	Excused	Not Present
Landisi, Jerry – Ward One			
Kelly, Charles – Ward Two			
Casale, Randy – Ward Three			
Fredericks, Marlene – At Large			
Mansfield, George – At Large			
Pasti, Sara – Ward Four			
Gold, Mayor Steve			
City Administrator			
City Attorney			

- **Public Comment:** Pertaining to any item. Maximum time for this section is thirty minutes. Maximum time for individual public comment is three (3) minutes per constituent.
- **Public Hearings:**
- **Comments on Any Public Hearing Notice**
- **Community Segment:**
- **Approval of Minutes:**
- **Communications:**
- **Reports** - Reports to be typed or handwritten and to be forwarded to the recording secretary at cswift@cityofbeacon.org.
 - City Administrator
 - Report of Activities
 - City Attorney – **First of the Month**
 - Council Reports of Activities
 - Mayor Report of Activities
 - County Legislator Reports

- **Public Comments:** Pertains **ONLY** to items on the agenda that will be subject to a vote. Each speaker may have one opportunity to speak up to five minutes.

UNFINISHED BUSINESS:

- **Resolutions:**

- **Local Laws and Ordinances:**

1. **Second Reading** – Proposed Local Law – A New RD 1.7 Designed Residence Zoning District and Rezoning Certain Properties to This New District.
 - A. Approve the Negative Declaration
 - B. Approve the Proposed Local Law

NEW BUSINESS:

☉ **Resolutions:**

1. Approve Appointment of City of Beacon Auditors
2. Approve Appointment of City of Beacon Engineer
3. Change the date established for Grievance Day in the City of Beacon for Real Property Tax Assessment Review.
4. Authorize Mayor to execute contract with Royal Carting. Tabled at the 02/01/10 Council Meeting

☉ **Local Laws and Ordinances:**

1. **First Reading** Proposed Local Law Amending the Parking Provisions of the Zoning Law. **Set Public Hearing for Monday, March 1, 2010**
 - a. Add to Agenda
 - b. Set Public Hearing

☉ **Ratifications**

1. Lewis Tompkins Hose Co. as of February 2nd Fred Simmonds went from active status to exempt status and Mike Witkowski went from associate status to active status.

☉ **Appointments**

Conservation Advisory Committee:

- Two Year Term – Term to Expire 12/31/11 – Erika Waldron
- To fill an Unexpired Term – Term to Expire 12/31/10 Prudence Posner
- Two Year Term – Advisory Member-Naomi Sachs – Term to Expire 12/31/11

☉ **Announcements:**

☉ **Budget Amendments:**

☉ **Public Comments: Can Be On Any Issue Or Item. The Speaker May Have One Opportunity To Speak Up To Five Minutes Only.**

☉ **Next Workshop: Monday, February 22, 2010**

☉ **Next Council Meeting: Monday, March 1, 2010 – ***FIVE MONDAYS IN MARCH*****

☉ **Motion To Go Into Executive Session**

☉ **Adjournment**

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MEMORANDUM

To: Mayor Steve K. Gold and the Beacon City Council

Date: January 27, 2010

Subject: **Proposed Local Law Creating an RD-1.7 District and Amending the City's Zoning Map**

At your request, we have prepared the attached **Negative Declaration** in connection with the above captioned matter.

After the Negative Declaration has been adopted, the date of its adoption should be inserted in the upper right-hand corner of its first page in the space provided and the Declaration should be filed with the Environmental Notice Bulletin as indicated on the second page.

If you have any questions with regard to the Negative Declaration, please let us know.

David H. Stolman, AICP, PP
President

Attachment

cc: Iola Taylor
Meredith Robson
Lt. Timothy Dexter
Richard Wolf, Esq.

J:\DOCS2\100\Beacon\Code Amendments\RD-1.7 NegDec cover.dhs.doc

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State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: _____

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Beacon City Council, as Lead Agency, has determined that the Proposed Action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Local Law Creating an RD-1.7 Designed Residence Zoning District and Amending the City of Beacon's Zoning Map

SEQR Status: Type I

Conditioned Negative Declaration: No

Description of Action: The Proposed Action involves the adoption of a Local Law creating an RD-1.7 Designed Residence District, and amending the City's Zoning Map to rezone certain properties on Branch Street and Bank Street from R1-20 and RD-6 into the new RD-1.7 District.

Location: City of Beacon, Dutchess County

Reasons Supporting This Determination: See Attachment

Lead Agency: City of Beacon City Council
1 Municipal Plaza, Suite 1
Beacon, New York 12508

For Further Information:

Contact Person: Mr. Steve K. Gold, Mayor

Address: Municipal Plaza, Suite 1, Beacon, New York 12508

Telephone Number: (845) 838-5010

This notice has been provided to the following email address for publication in the Environmental Notice Bulletin:
enb@gw.dec.state.ny.us

ATTACHMENT
NEGATIVE DECLARATION: REASONS SUPPORTING DETERMINATION

LOCAL LAW AMENDING THE CITY OF BEACON
ZONING LAW TO CREATE AN RD-1.7 DESIGNED RESIDENCE DISTRICT
AND REZONING CERTAIN PROPERTIES INTO THE NEW DISTRICT

The Proposed Action involves the adoption of a Local Law creating an RD-1.7 Designed Residence District and amending the City's Zoning Map to rezone certain properties on Branch Street and Bank Street from R1-20 and RD-6 into the new RD-1.7 District. The properties to be included in the new RD-1.7 district comprise approximately 12 acres of land.

The Proposed Action does not directly involve construction or other development activities, and on its own, will not have any significant adverse impacts on the environment. The Edgewater project mentioned below will undergo project-specific environmental analysis in accordance with the New York State Environmental Quality Review Act (SEQRA) when application for this project is actually made.

The proposed Local Law creating an RD-1.7 zoning district and the rezoning of approximately 12 acres of land within 1/2-mile of the Metro-North rail station into the new district is undertaken to locate higher-density residential development within walking distance to public transportation to focus growth in and around the Main Street business district as recommended by the Beacon Comprehensive Plan.

The Beacon Comprehensive Plan based its proposed land use plan and recommendations, in part, on other studies, including the 1987 Dutchess County Plan, "Directions," the 1996 Regional Plan Association's "Third Regional Plan for the New York/New Jersey/Connecticut Metropolitan Area, and the 2000 Dutchess County "Greenway Connections." These plans advocated, among other ideas, revitalization of the Main Street business district, expansion of Beacon's economic base, and location of new compact mixed-use districts within walking distances from high-density residential areas.

The location and extent of the proposed RD-1.7 District follow the land use pattern proposed by the Beacon Comprehensive Plan. The Plan recommends increasing density in the R1-20 and the RD-6 neighborhoods to the north of the waterfront/station neighborhood and in certain areas along Fishkill Creek and decreasing density in other areas of the city. The total area recommended for decreased density is more than three times larger than the area recommended for increased density. The land uses proposed by the Comprehensive Plan are designed and located to generally reduce the number of potential applications for new single-family home subdivisions in outlying or

undeveloped areas of the City that would require expensive expansion of utility and transportation infrastructure, and community services to support them. The new higher-density RD-1.7 District would concentrate residential development where existing utility and transportation infrastructure, and community services are capable of supporting increased population, and decrease adverse environmental impacts in undeveloped areas of the City thereby enabling fiscally and environmentally sound, sustainable growth.

The underlying goals of the RD-1.7 District regulations are those of the Beacon Comprehensive Plan, including maintenance of a variety of housing types for City residents, economic development, support and strengthening of the Main Street business district, and maintenance of the character of established neighborhoods.

The RD-1.7 regulations are designed to be compatible with existing zoning surrounding the new district, and to complement and work with the proposed new TOD district to the south. New higher-density residential development, made possible by the rezoned district, would locate more potential resident consumers within walking distance of the new mixed-use waterfront/station neighborhood local retail and services, and the Main Street business district to the east. The higher density development would also be within walking distance to public transportation, waterfront parks, recreational opportunities and cultural institutions.

Properties to be added to the high density RD-1.7 District would be rezoned into the new district from a low density, R1-20, single-family district and a medium density, RD-6, multi-family district. Rezoning from R1-20 and RD-6 would increase the intensity of use in the new RD-1.7 District as compared to the current zoning.

The Beacon Comprehensive Plan indicates on page 16 that no SEQRA review would be required for zoning amendments that conform in all respects to the land uses proposed by the Plan. The Proposed Action, although conforming conceptually to the Comprehensive Plan recommendations, differs in certain respects from the details of the recommendations, thereby prompting SEQRA review of the zoning changes.

The Comprehensive Plan recommends a high-density RD-1 Designed Residence District with a maximum of 43 dwelling units per acre for the R1-20 and RD-6 areas to be rezoned into a higher density district. The Proposed Action is an RD-1.7 Designed Residence District with a maximum of 25 dwelling units per acre, which is a density that is 42% lower than the density recommended by the Comprehensive Plan. Therefore, the new RD-1.7 District would be less dense than the recommendation of the Comprehensive Plan.

Recognizing that there could be potential adverse impacts associated with the establishment of the RD-1.7 higher-density residential district, development in the new

district was included in traffic and fiscal impact studies prepared for the City of Beacon. Findings from the studies will be summarized later in the discussion.

Other potential impacts associated with the proposed land uses were analyzed in the Comprehensive Plan. While development in the RD-1.7 District would increase energy use and potentially decrease air quality, the compact multi-family nature of the new development, its location near public transportation and within walking distance to shopping and recreation would limit the extent of the impacts as compared to the current City land use patterns and zoning.

Potential impacts to surface water quantity and quality related to construction in proximity to the Hudson River would be avoided or mitigated by proper erosion and sediment control and installation of stormwater management measures.

Traffic Study

Potential changes in traffic and traffic impacts resulting from implementation of the RD-1.7 District were identified and analyzed in a “Waterfront Redevelopment Traffic Management Study,” January 2009, prepared for the City by Frederick P. Clark Associates, Inc.¹ The study looked at the potential impacts from three major developments at or near the Beacon Train Station, including the Transit Oriented Development on properties owned by Metro-North (within the new TOD zoning district), the Long Dock mixed-use development and the Edgewater residential development in the new RD-1.7 District, along with potential mitigation measures.

In total, the three developments could generate 726, 889 and 856 new external vehicle trip ends during a typical weekday morning, weekday afternoon and Saturday midday peak hour, respectively, which includes all of the appropriate credits applied to reflect use of the train station for commuting and internal travel between the commercial, residential and commuter uses. For purposes of completing the analysis, traffic conditions and baseline traffic volumes for 2008 conditions were expanded to reflect 2016 and 2021 design years.

Results of the analysis for Phase 1 of the conceptual TOD development, which includes full development of the Long Dock and Edgewater projects, indicates that background conditions for traffic on Route 9D near the interchange with Interstate 84 will require mitigation. The traffic condition along Route 9D south of the interchange to the Beekman Street North intersection requires mitigation to accommodate the three developments. Road improvements and modifications to traffic control along Beekman Street will also be necessary.

¹ This traffic study is hereby incorporated in this EAF by reference.

Under the full development plan for the conceptual TOD, and the Long Dock and Edgewater developments, an additional northbound lane between Beekman Street and Talbot Avenue is necessary. Roadway widening will be needed at the Beekman Street and Verplanck Avenue intersection as well, along with modification of pavement markings and traffic signal control, and changes in timing and equipment.

The report concludes that, with recommended roadway improvements in place, the traffic generated by the three developments can be accommodated by area roads.

Fiscal Impact Study

Development generated by implementation of the RD-1.7 District would impact the fiscal resources of the City of Beacon and the Beacon City School District (CSD), as there may be a potential need to provide increased services and expanded infrastructure to accommodate new residents, businesses and visitors. A fiscal impact study (also known as a cost of services analysis) was commissioned by Beacon to project and assess such fiscal impacts. Entitled “City of Beacon – Cost of Services Study,” the study was prepared by AKRF, Inc.² and includes six potential new development projects within the City of Beacon, including those that may be generated by the establishment of the TOD and RD-1.7 zoning districts.

The analysis considers impacts to the City of Beacon and the Beacon City School District, reporting the costs of, and revenues derived from, each development project. The analysis also includes the economic and fiscal impacts associated with construction of the projects, and any potential capital investments by Beacon and the Beacon CSD to accommodate them. The principal findings of the study include: the estimated economic and fiscal benefits of construction of each project; a summary of the uses and users that would be generated; the estimated costs; the revenues that may be realized; and the net fiscal impacts to the City of Beacon and the Beacon CSD.

The following six projects were analyzed:

- Metro-North Transit Oriented Development – Mixed-use, residential, and commercial development that would be located in the new TOD District.
- Edgewater – Residential development that would be located in the new RD-1.7 District.
- Beacon Glen – Residential development that would be located along Fishkill Creek.

² This fiscal impact study is hereby incorporated in this EAF by reference.

- Beacon Mills – Residential development that would be located along Fishkill Creek.
- 555 South Avenue – Residential development that would be located along Fishkill Creek.
- Long Dock Hotel and Conference Center – Commercial development that will include a 166-room hotel, conference facilities, a sports center, a spa, and restaurant.

According to the study, approximately 1,385 residential dwellings (including approximately 140 affordable/workforce units), 130,536 square feet of commercial space (approximately 58,536 square feet of retail, 48,000 square feet of office space and 24,000 square feet of community facility space), 166-hotel rooms, a 27,592-square foot conference center, and public open space would be developed if all six projects are constructed.

Based on program information and construction cost estimates, the study determined that cumulative direct construction expenditures would be more than \$440 million and estimated direct employment from construction of the six projects would be 2,649 person-years (person-year: one person working full-time for one year) in Dutchess County. The new direct jobs would create over 1,782 person-years of indirect and induced employment within Dutchess County.

An estimated combined total of \$165.07 million of direct employee compensation would be realized from the projects (excluding Long Dock). The estimated total direct, indirect, and induced employee compensation from construction in Dutchess County would be \$279.15 million. In New York State, the total estimated direct, indirect, and induced employee compensation from construction would be \$317.96 million.

The estimated direct employee compensation associated with construction of the Long Dock Hotel and Conference Center would be \$24.65 million. The estimated total indirect payroll would be \$24.21 million, and the estimated employee compensation for local residents would be \$12.33 million.

Therefore, the total estimated economic activity in New York State associated with construction of the projects (excluding Long Dock) would be \$765.84 million, \$674.44 million of which would occur in Dutchess County.

Construction activity would provide tax revenues for Dutchess County, the Metropolitan Transportation Authority (MTA), and New York State. In total, an estimated \$9.60 million of sales tax revenues would be generated for Dutchess County, the MTA, and New York State (\$4.73 million for New York State, \$442,974 for the MTA, and \$4.43

LOCAL LAW NO. ____ OF 2009

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW CREATING
A NEW RD-1.7 DESIGNED RESIDENCE ZONING DISTRICT
AND REZONING CERTAIN PROPERTIES TO THIS NEW DISTRICT**

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

SECTION 1. TITLE

This local law shall be entitled, "A Local Creating a new RD-1.7 Designed Residence District and Rezoning Certain Properties to This New District."

SECTION 2. INTENT AND PURPOSE

This local law is intended to implement a portion of the new City Comprehensive Plan.

SECTION 3. ZONING TEXT AMENDMENTS

1. **Section 223-17.C, "Schedule of Regulations for Residential Districts, of the Zoning Law shall be amended by adding a new RD-1.7 Designed Residence District in accordance with the chart attached hereto as Exhibit "A."**
2. **Sections 223-2.B(13) and (14) shall be respectively renumbered to Sections (14) and (15).**
3. **A new Section 223-2.B(13) shall be added to the Zoning Law and shall read as follows:**
 - (13) **RD-1.7 Designed Residence District, 1,700 square feet per dwelling unit (minimum lot size of 5,000 square feet).**
4. **Section 223-22.B(2) of the Zoning Law shall be amended to read as follows:**
 - (2) **In any R1-10, R1-7.5, R1-5, RD-6, RD-5, RD-4, RD-3, ~~or~~ 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.**

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MEMORANDUM

To: Mayor Steve K. Gold and the Beacon City Council

Date: February 5, 2010

Subject: **Proposed RD-1.7 Designed Residence
District and Parking Provisions of Zoning Law**

The purpose of this memorandum is to provide the City Council with information relative to the discussion of the proposed RD-1.7 zoning district and the parking provisions of the Zoning Law at the City Council's work session this coming Monday evening.

Schedule of Regulations for the Residential Zoning Districts

Attached is the Schedule of Regulations for Residential Districts contained in the City's Zoning Law. As you are aware, the Edgewater property is, for the most part, currently zoned RD-6 (which permits one dwelling unit for every 6,000 square feet of lot area). As you are also aware, the proposal is to rezone the subject property to RD-1.7, (which permits one dwelling unit for every 1,700 square feet of lot area), thereby increasing the maximum density to be allowed on the property.

The attached Schedule of Regulations for Residential Districts includes a variety of zones similar to the proposed RD-1.7 district, including but not limited to the RD-1.8, RD-3, RD-4, RD-5 and RD-6 zoning districts. The proposed Local Law includes a schedule which would insert the proposed RD-1.7 district and its dimensional standards below the RD-1.8 district.