

## Zoning Board of Appeals

March 17, 2015

The Zoning Board of Appeals met on Tuesday, March 17, 2015, at 7:20 p.m. in the Municipal Center courtroom, One Municipal Plaza, Beacon, New York. Chairman Jack Dunne, and Members Richard Kish, Judy Smith, and Montos Vakirtzis; and Deputy Building Inspector Dave Buckley were present. Members Claudia Haug, Jim Heron, and Neil Sullivan were excused.

Mr. Dunne outlined the format of the Board's proceedings for the benefit of the public. He noted four members were present and four votes would be needed to grant a variance. The meeting was then opened on a motion made by Mr. Kish, seconded by Mr. Vakirtzis. All voted in favor. Motion carried.

Mr. Dunne called for corrections/additions or a motion to approve the minutes of the January 20, 2015 meeting. Ms. Smith made a motion to approve the minutes of the January 20, 2015 meeting as presented, seconded by Mr. Kish. All voted in favor. Motion carried.

**ITEM NO. 1 APPLICATION SUBMITTED BY WEBER PROJECTS III, LLC, 9-11 CREEK DRIVE, TAX GRID NO. 30-6054-37-066670, LOCATED IN THE GB ZONING DISTRICT, FOR RELIEF FROM SECTION 223.17(D) TO CONSTRUCT TWO NEW MULTI-FAMILY RESIDENTIAL BUILDINGS: (1) FOUR-STORY BUILDING WITH PENTHOUSE (40 APARTMENTS) THAT IS 54 FT. IN HEIGHT (35 FT. MAXIMUM PERMITTED); AND (1) FOUR-STORY BUILDING (16 APARTMENTS) THAT IS 41 FT. IN HEIGHT (35 FT. MAXIMUM PERMITTED)**

The public hearing on the application submitted by Weber Projects III, LLC, 9-11 Creek Drive, for relief from Section 223.17(D) to construct two new multi-family residential buildings that are 54 ft. and 41 ft. in height was opened on a motion made by Mr. Kish, seconded by Mr. Vakirtzis. All voted in favor. Motion carried.

Architect Aryeh Siegel and owner Rodney Weber were present to describe the proposed project at 9-11 Creek Drive (former address 3 Churchill Street). This parcel was recently subdivided to separate an existing brick factory mill building from the remainder of the property. The existing building on Parcel #2 was approved for rehabilitation into six condominium units, and they are now before the Planning Board for approval to construct two new buildings on Parcel #1 – one four-story building with 16-units and one four-story 40-unit building with a penthouse. The buildings were planned to balance the residential density allowed on the site which has ample parking, a recreation area, and the Greenway Trail. Four-story buildings fit in with the scale and building types of the surrounding mill buildings, however zoning code only allows three-story structures.

Mr. Siegel explained the larger 40-unit building is four stories with a setback penthouse level; the smaller 16-unit four-story building has no penthouse. Photographs were taken between existing houses on Spring Valley Street, as well as from Main Street and the view of the creek from the Churchill Street Bridge so images of the proposed buildings could be superimposed to show how they would appear in the landscape. The large scale photographs were reviewed and

topography features supporting their request were presented. Mr. Siegel explained the site grade is approximately 27 ft. lower than the Main Street elevation. In addition there are several structures that will block view of the buildings from Main Street, i.e. the Spanish Pentecostal Church, Miller's coal silos, and the former train station (Hair Haven). In addition to new trees that will be added as part of Site Plan Approval, existing large mature trees almost completely block views from Spring Valley Street during the summer. The proposed buildings will be much lower than the nearby mill building at One East Main Street. Mr. Siegel reported some of the tree growth was actually blocked out so the buildings could be properly depicted on the large scale photographs. The smaller 16-unit building is essentially the same height as the existing mill factory building, and the main portion of the larger building is slightly lower in elevation.

Mr. Weber felt the Planning Board did not render an opinion on this application when they initially presented the project in January because they did not have the degree of information available in this presentation. They only had black and white plans depicting sketches of the site showing the comparative height of new and existing buildings. They had not yet prepared the proposed buildings imposed onto photographs from the various angles.

George Mansfield, 5 Churchill Street, was excited about the project because it will be a tremendous improvement from the junk yard that once existed. He initially had concern for tree removal but the photographs provide a better understanding of the project's scope. His house is located across the creek and he agreed that tree cover basically covers his view of that property. He spoke to two other neighbors along the creek who were unable to attend the hearing but were very much in support of the project.

Daniel Marron, 92 Spring Valley Street, explained he only had concern that they would have adequate parking and was happy that the junk yard would no longer exist.

There were no further comments from the public and Mr. Dunne read the following correspondence into the record.

Dear Zoning Board,

I wanted to state that I am in favor of this project and have no problem with the height variance requested by Weber Projects III, LLC. As owner of 490-492 Main St., as well as having my business, Gate House Realty, at that location, I think this project will only positively affect Beacon with healthy growth and enforce a strong local economy moving forward. The density is what we need to progress into a thriving city. By having a design that complements the character of the historic site as proposed here, we create a place that is different and exciting. The quaintness of Beacon's Main St. and mill buildings are part of what has put Beacon on the map. Let's continue in that direction! I also own a 2 family at 37 Tioronda Ave which is across the street from this project. I am not concerned about any view obstruction. Because the mill building and proposed new construction sit much lower on the landscape than my property, from my vantage it does not block any view I would be concerned about. This site has been an eyesore for decades and I am very excited for the changes to come.

Kindly,  
Charlotte Guernsey, Principal Broker and Owner  
Gate House Realty  
492 Main Street, Beacon, New York 12508

Dear Members of the Beacon Zoning Board:

The last decade has been one of big change for Beacon. We've seen the opening of Dia, the largest privately held modern art foundation in the US. We've seen the emergence of new shops that help make Beacon a more self-sustained City and we've seen the influx of artists and small business owners/self-employed move to the area.

Unfortunately, the homes of Beacon have not kept up with the changes. The demand for faux Victorian mini-McMansions has waned with these changes, and it's about time the city is able to offer loft style homes with integrated workspace.

My review of Weber Properties' proposal for the apartment building at 3 Churchill Street, finds that these spaces are larger than average to anticipate that need. My discussions with Mr. Weber have also indicated that we are like-minded in believing that homes in Beacon need to be forward thinking in that they should have open floor plans, and separate work spaces – much like the work/live space push spearheaded by Ron Sauers a decade ago.

The new blood of Beacon are freelancers, work from home types, and the self-employed. They have two choices in housing currently – buy an older “mill worker” home and gut renovate to adapt it to today's style of living (a costly expense), or building new (virtually unthinkable with the limited number of building lots available). Why can't we offer them another avenue? I am in support of Weber Properties' proposal because I think it fills a hole in the Beacon housing market. Lastly, I have looked at the height of the building in relationship to surrounding buildings, and in consideration of the topography of the area, and find it well suited to the site.

Thank you,  
Elizabeth Strianese  
62 Spring Valley Street  
Beacon, New York 12508

There were no further comments or questions and Ms. Smith made a motion to close the public hearing, seconded by Mr. Vakirtzis. All voted in favor. Motion carried.

After carefully considering the application, Mr. Kish made a motion to grant the variance as requested, seconded by Ms. Smith. All voted in favor. Motion carried; 4-0.

There was no further business to discuss and Mr. Vakirtzis made a motion to adjourn the meeting, seconded by Mr. Kish. All voted in favor. Motion carried. The meeting adjourned at 7:40 p.m.