



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. 67 OF 2024**

**EXTENDING A SPECIAL PERMIT (EXTENSION NO. 1) FOR  
416-420 MAIN STREET (PARCEL ID #6054-29-056780 & 6054-29-056774)**

**WHEREAS**, on March 1, 2021, the City Council (the “City Council”) of the City of Beacon (the “City”) adopted Resolution No. 32 of 2021 to 416 Main Street Beacon, LLC & 420 Main Street, LLC d/b/a 420 Main Street Beacon, LLC (the “Applicant”) for a Special Permit to construct a fourth story on an 11,715 square foot mixed-use building fronting on Main Street, comprised of a 4,295 square foot ground-floor retail space, as well as 6,220 square feet of commercial office space on the second and third floors and 1,200 square feet of residential space containing one (1) apartment unit on the stepped back fourth floor and to construct a 1,017 square foot live/work building (the “Project”) on property located at 416-420 Main Street, on parcels known and designated on the tax map as Parcel ID #6054-29-056780 and 6054-29-056774 (the “Property”); and

**WHEREAS**, on May 11, 2021, the City’s Planning Board granted the Applicant Preliminary and Final Subdivision Plat, Site Plan, and Certificate of Appropriateness approvals for the Project; and

**WHEREAS**, on June 22, 2022, the Applicant was issued Building Permit No. 2022-0192; and

**WHEREAS**, pursuant to Section 223-18.F(1)(b)[2] of the Beacon City Zoning Code and Condition No. 5(b) of the Special Use Permit Resolution, the Special Use Permit shall expire “if all required improvements are not made within two (2) years from the date of issuance of the Building Permit”; and

**WHEREAS**, as of the date of this Resolution, the Applicant has not completed all required improvements within two (2) years from the date of issuance of the first building permit on June 22, 2022; and

**WHEREAS**, the Applicant’s June 12, 2024 request for an extension was timely received as two (2) years had not lapsed since the date the first building permit was issued; and

**WHEREAS**, in accordance with Section 223-18.F(2) and Condition No. 9 of the Special Use Permit Resolution, the City Council may grant one (1) or more extensions, of up to six (6) months each, “to complete construction of the improvements, upon a finding that the Applicant is prosecuting construction with due diligence and has offered a reasonable explanation of its inability to complete the Project” and “all appropriate erosion control measures to protect surrounding properties are in place”; and

**WHEREAS**, the Applicant’s June 12, 2024 letter requesting an extension asserts it has been working diligently to complete the Project since issuance of its building permit, the construction of the Project is approximately eighty percent (80%) as of the date of its letter, and anticipates the Project will be fully constructed within the next six (6) months; and

**WHEREAS**, the Applicant further advises there are no changes proposed to the parameters of the Project, there have been no changes in material facts and circumstances since the City Council granted its Special Use Permit, and it timely submitted an extension of its building permit pending approval of this request; and

**WHEREAS**, the Beacon City Building Inspector advised the Applicant is prosecuting the required improvements with due diligence, proper erosion control measures are in place, and the six (6) month extension is reasonable.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with Beacon City Zoning Code § 223-18.F(2) and Condition No. 9 of the Special Use Permit, the City Council of the City of Beacon finds the Applicant has been prosecuting the construction of the improvements with due diligence, offered a reasonable explanation of its inability to complete the project, and proper erosion control measures are in place and hereby grants a six (6) month extension of City Council Resolution No. 32 of 2021 which shall expire on December 22, 2024 unless subsequently extended by further action of the City Council.

**BE IT FURTHER RESOLVED**, the extension granted herein shall be deemed null and void in the event the Applicant does not satisfy the following conditions:

- (a) Timely renewal of any permits or approvals issued by the City of Beacon in connection with the Special Use Permit Resolution, except Building Permit No. 2022-0162 which was timely submitted to the Building Department for renewal prior to its expiration.
- (b) Installation of any remaining plantings or trees required in connection with the Special Use Permit or Planning Board approvals, by no later than September 30, 2024, and provided that openings in the interim are securely fashioned so as to not create a hazard or danger to the health, safety, or welfare of the resident of Beacon.
- (c) Pay to the City all applicable fees and professional review fees incurred in connection with this extension request or which remain outstanding (if any) within thirty (30) calendar days of this Resolution.

**BE IT FURTHER RESOLVED**, except as expressly modified by the amendment contained herein, the Special Use Permit Resolution dated March 1, 2021 is otherwise to remain in full force and effect.

Resolution No. 67 of 2024		Date: July 1, 2024					
<input type="checkbox"/> Amendments		<input type="checkbox"/> 2/3 Required					
<input type="checkbox"/> On roll call		<input type="checkbox"/> 3/4 Required					
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Paloma Wake</b>	x				
x		<b>Amber Grant</b>	x				
	x	<b>Molly Rhodes</b>	x				
		<b>Jeffrey Domanski</b>	x				
		<b>Pam Wetherbee</b>	x				
		<b>Dan Aymar-Blair</b>	x				
		<b>Mayor Lee Kyriacou</b>	x				
		<b>Motion Carried</b>	x				