



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 30 OF 2025

**GRANTING SPECIAL PERMIT EXTENSION NO. 2 FOR 416-420 MAIN STREET
(PARCEL ID #130200-6054-29-056780 & 130200-6054-29-056774)**

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 which is set to expire on June 21, 2025; 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, on July 1, 2024, the City Council granted the Applicant its first six-month extension of its Special Use Permit, which was set to expire on December 22, 2024; and

WHEREAS, on December 20, 2024, the Applicant submitted a timely request for a second extension of its Special Use Permit as six (6) months had not lapsed since the City Council granted the Applicant’s first request for an extension; and

WHEREAS, Beacon City Zoning Code § 223-18.F(2)(b) provides the City Council may grant one (1) or more extensions of the Special Use Permit, for up to six (6) months each, “upon a finding that an applicant is prosecuting construction with due diligence and has offered a reasonable explanation of its inability to complete the project. No such extensions shall be granted unless the City Council finds that all appropriate erosion control measures to protect surrounding properties are in place”; and

WHEREAS, on January 29, 2025, the applicant was issued a Temporary Certificate of Occupancy for all of the building, except the 4th floor and 1st floor corner restaurant space, thereby evidencing that work at the Property is nearing completion; and

WHEREAS, the Applicant’s December 20, 2024, letter requesting a second extension advised that the construction work is near completion and, barring further unexpected delays, is expected to request a final Certificate of Occupancy before the expiration of the second extension set forth herein; and

WHEREAS, on February 5, 2025, the former Building Inspector advised the City Attorney that the Applicant has been proceeding with due diligence, proper erosion control measures are in place, the six (6) month extension is reasonable, and that certain delays were caused by long lead times to finish interior spaces, and that changes in weather prevented the finishing of certain plantings and other items for the public park space.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Beacon City Zoning Code § 223-18.F(2)(b), 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 second six (6) month extension of the Special Use Permit, City Council Resolution No. 32 of 2021, which second extension shall expire on June 22, 2025, 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 for the Property.
- (b) 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. 30 of 2025		Date: February 18, 2025					
<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
		Paloma Wake	x				
x		Amber Grant	x				
		Molly Rhodes	x				
		Jeffrey Domanski	x				
		Pam Wetherbee					x
	x	George Mansfield	x				
		Mayor Lee Kyriacou	x				
		Motion Carried	x				