



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 71 OF 2025

**GRANTING SPECIAL USE PERMIT EXTENSION FOR
416-420 MAIN STREET (PARCEL ID# 130200-6054-29-056780)**

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 four-story mixed-use building fronting on Main Street, comprised of ground-floor retail space, commercial office space on the second and third floors, and one (1) artist live/work space (the “Project”) at 416-420 Main Street, on real property known and designated on the tax map as Parcel ID #6054-29-056780 (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, pursuant to the Planning Board’s Preliminary and Final Subdivision Plat approval the Applicant has merged a second lot, formerly Parcel #6054-29-056774, into the first; and

WHEREAS, on June 22, 2022, the Applicant was issued Building Permit No. 2022-0162 and a temporary Certificate of Occupancy, which expires on September 25, 2025; and

WHEREAS, as part of the Project, and in response to City Council Comments, the Planning Board’s approval required the Applicant to construct Central Public Green Place, which has been completed; 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 January 29, 2025, the applicant was issued an initial Temporary Certificate of Occupancy for all of the building, except the 4th floor and 1st floor corner restaurant space; and

WHEREAS, on February 18, 2025, the City Council granted the Applicant its second six-month extension of its Special Use Permit, which was set to expire on June 22, 2025; and

WHEREAS, on June 20, 2025, 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 second request for an extension; and

WHEREAS, on March 25, 2025, the Applicant received a new Temporary Certificate of Occupancy for the Property applicable to all four (4) floors of the building, thereby evidencing work at the Property is nearly complete; 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, the Applicant’s June 20, 2025, letter requesting a third extension advised that the construction work is nearing final completion, the public green park space and commercial uses have been opened, including a food and drink establishment, and barring further unexpected delays, is expected to request a final Certificate of Occupancy before the expiration of the third extension set forth herein; and

WHEREAS, on June 25, 2025, the Building Inspector advised the City Attorney that the Applicant has been proceeding with due diligence, the site is stabilized so erosion control measures are not required, all required improvements and conditions of approval by the City Council are nearly completed, and that the six (6) month extension is reasonable; and

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 December 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, including Amendments Nos. 1 & 2, are otherwise to remain in full force and effect.

| Resolution No. 71 of 2025 | | | Date: July 21, 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 | | | | |
| | | Amber Grant | | | | | x |
| | | Molly Rhodes | x | | | | |
| | | Jeffrey Domanski | x | | | | |
| | x | Pam Wetherbee | x | | | | |
| x | | George Mansfield | x | | | | |
| | | Mayor Lee Kyriacou | x | | | | |
| | | Motion Carried | x | | | | |