

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on October 2, 2017. Please note that the video recording of this meeting is available at on our website: [www.cityofbeacon.org](http://www.cityofbeacon.org).

**Council Members Present:**

Lee Kyriacou, At Large  
George Mansfield, At Large  
Peggy Ross, Ward One  
Pamela Wetherbee, Ward Three  
Randy Casale, Mayor

**Council Members Absent/Excused:**

Omar Harper, Ward Two  
Ali Muhammad, Ward Four

**Also Present:**

Anthony Ruggiero, City Administrator  
Nick Ward-Willis, City Attorney

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***A moment of silence was observed for those who serve and have served in the US military***

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**First Opportunity for Public Comments:** Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight.

**Speakers:**

Theresa Kraft: With regard to the Charter amendments, feels that the health insurance issue should go to public referendum.

**Presentation:**

2018 Proposed Budget: The Mayor read his budget message and explained the State Comptroller's ranking of Beacon's fiscal stress as low . City Administrator Ruggiero explained the finer points of the proposed budget with a power point presentation. Council Member Kyriacou asked questions about the levy and its effect on the tax rate. The City Administrator and Director of Finance answered his questions.

**Public Hearing No. 1:**

2018 CDBG Grant Program: The City Administrator explained the program and shared the details of the projects.

There were no speakers.

Motion to close by Council Member Mansfield, second by Council Member Wetherbee  
5-0

**Council Member Reports:**

Ali Muhammad: Absent

Omar Harper: Absent.

Lee Kyriacou: Commented on the CMS Zone. (See attached)

George Mansfield: Advised that the dedication of the Ron and Ronnie Sauers Bridge is scheduled for Oct. 14. This dedication is to show appreciation for all of the work they did toward the revitalization of Beacon.

Pam Wetherbee: Attended the Traffic Safety Committee meeting on September 26. The committee will be making recommendations to address the concerns on Blackburn and Main. Received a phone call from a resident advising of his concerns at that intersection as well.

Peggy Ross: Announced the details of the Sukkah in Polhill Park.

Mayor Randy Casale: Announced that he too received a call from the same resident voicing his concerns about that intersection. Believes that the Traffic Safety Committee will make a good recommendation. Gave details about the pumpkin carving event, the high school athlete's parade and the Sukkah.

City Administrator Anthony Ruggiero: Announced that Dutchess County will be holding a police exam. Gave details of the prep sessions that are being held throughout the County. Read the amended Charter language.

Mayor Casale added that the City Council will meet with the School Board on Oct. 23 at 6pm to discuss the tax cap. (This meeting was canceled due to scheduling conflicts with the BCSD). The Mayor also mentioned the Special Workshop meeting with the Planning Board and Zoning Board which has been scheduled for 7pm on Oct. 23.

**Resolutions, Ordinances and Local Laws:**

1. Resolution Authorizing the Request of Rosenethe Estates, LLC for an Extension of Time to Submit a Complete Building Permit.
  - Motion by Council Member Mansfield, second by Council Member Ross  
5-0
2. Resolution to Schedule a Public Hearing for October 16, 2017 to Receive Comments Concerning an Amendment to the Local Law Enacting the Residential Building Moratorium
  - Motion by Council Member Mansfield, second by Council Member Ross  
5-0

**Budget Amendments:** October 2, 2017

- Motion by Council Member Wetherbee, second by Council Member Ross  
5-0

**Second Opportunity for Public Comments:**

Michal Mart: Asked about the water usage issue in the amendment to the moratorium. Mayor Casale explained that the City has some manufacturing buildings that should not remain vacant. Manufacturing creates jobs. This will be discussed at the October 16 council meeting.

**Executive Session:**

Motion to enter executive session was made by Council Member Wetherbee, second by Council Member Mansfield

Next Workshop: October 10, 2017

Next Meeting: October 16, 2017

**To:** Mayor and City Council                      **CC:** Administrator, Attorney, Planner, Bldg. Dept.  
**From:** Lee Kyriacou, Councilman At Large  
**Date:** 2 October 2017  
**Subject:** Fishkill Avenue between Main Street and Verplanck Avenue

Please receive these remarks in the same spirit as my past ones – to advance our rezoning discussion in light of our self-imposed time limits. These are starting points, recognizing it takes a full council discussion, public input, expert advice and more.

Since my last comments on Central Main Street (CMS) zoning, I had a chance to look closely at the first block of Fishkill Avenue – the structures on the block, the zoning and Comprehensive Plan. Having done so, I am opposed to extending the CMS zone to that block. Rather, the zoning should remain medium-density residential zoning (possibly with some changes) and we should add historic overlay zoning – largely because of existing homes and historic structures on that block, which warrant our protection.

The Comprehensive Plan did recommend extending the CMS zone to the first block of Fishkill Avenue. However, the only express justification for it is this one cryptic sentence: “The Plan supports the extension of the urban form of Main Street to Route 52 between Main Street and Verplanck Avenue.” Frankly, this is not by itself justification. There is no mention of what is currently on that block, current or desired uses, structures to preserve or not to preserve, adjacent areas, etc. I assume that the fuller unstated argument might be: applying CMS zoning to the intersection of Main and our major cross street in theory makes sense. If that’s the theory, let’s look at the actual situation on that block.

I walked that block and found: on the west side, the gas station on Main, a beautiful small Victorian (once dubbed the cutest house in the county by the *Poughkeepsie Journal*), a nice wood frame home with a garage addition, the back of Hamilton Fish Plaza senior housing, another nice wood frame home, the historic James V. Forrestal homestead (he was Secretary of the Navy in WWII and then our first Secretary of Defense), a renovated apartment building (5-6 units I think) on the corner. On the east side is the corner Main Street building, then a pretty blue Victorian with mansard roof that has become apartments, an auto repair shop, a fraternal organization, a house of worship, and another attractive wood frame home on the corner. A majority of the structures are wood frame homes.

I checked on the New York State website for historic property information (<https://cris.parks.ny.gov>), and found a half-dozen sites marked on their cultural resource map, but with “undetermined” as to their historic status. For comparison, my home and the adjacent ones on Route 9D, which I know to be part of an eligible historic register district, are also marked “undetermined.” I believe all these properties were inventoried by the state in the 1980s, and we as a community have not done the work to advance the survey and finalize all the potential historical assets of our community. I will assume that at least some of the homes and other properties on this block of Fishkill Avenue are eligible historic structures. At a minimum, I am confident that at least one home on each side of this block will be.

So here is what we should do. First we should rezone all or portions of this block into our city’s Historic Overlay Zone. The Comprehensive Plan recommends that we update our historic inventory and expand the zone, but left it for another day to get started. Okay, let’s start now – and let’s start here. We should empower a committee with the Beacon Historical Society and other interested citizens to begin updating our 1980s inventory, and identifying historic assets for inclusion in our historic overlay zoning.

I spoke to the State agency today, and they are certainly encouraging of a cultural resource update; no doubt if we look, we can find funding.

Second, we should understand how applying CMS zoning would effectively destroy these homes and other historic structures. I stood in front of the matchbox Victorian and imagined a 4-story structure across the street – it would be jarring to say the least. But more fundamental, extending the CMS zone to this block will almost certainly mark the inevitable demise of these structures – the much higher development value of tearing them down and building 4-story structures is too powerful an incentive. Developers will keep asking, and it only takes one day when the community's guard is down to see our historic assets disappear. We lost enough in urban renewal – let's preserve what we still have.

Third, the current zoning is residential – RD-5 – which is residential, permitting one-family, townhouses or apartments, 8 to 9 per acre. That seems plenty dense enough. On the west side of the block – where I believe all four homes are single family – I propose we change the zoning from RD-5 to R1-5, which is single family, 1/8<sup>th</sup> of an acre minimum lot size. That is the zoning directly behind these homes on Eliza Street, and would better protect these homes. The historic overlay zone also allows apartments with a special use permit, but would impose a more rigorous special use permit approval process.

On the east side of the block, I could see extending the same R1-5 and historic overlay zoning to this side of the street as well. That doesn't reduce current density (8-9 per acre), so long as you get a historic overlay special use permit. Alternatively, we could extend the residential zoning on the back side of that block, which is RD-4 (~11 per acre) – those are the attached townhouses facing Verplanck and Schenck are RD-4. Either way, the historic overlay is important to protect structures.

A couple of final notes. Some people have pointed out that the auto repair shop is an eyesore. But one parcel should not lead to wholesale rezoning of an entire block, especially one with historic structures. Rather, if that is an issue, we should work on that one property.

I have also received input that we should make room for office space on side streets. I fully agree. The light blue Victorian on the east side of the block, directly behind the Main Street corner building, would be perfect for it. It doesn't have to become a 4-story structure to support office space, and many businesses would love to renovate a Victorian that is only a few feet off Main Street. Further the historic overlay zone expressly permits office space, restaurant, and other uses – with a special use permit. So applying historic overlay here would enable office space.

We might consider adjusting another zone to encourage office space just off Main Street, without the 3- or 4-story CMS height that would effectively destroy side-street residential neighborhoods. Main Street should end on Main Street, not on residential blocks.