



CITY OF BEACON, NEW YORK  
ONE MUNICIPAL PLAZA  
BEACON, NY 12508

Mayor Randy Casale  
Councilman Lee Kyriacou, At Large  
Councilman George Mansfield, At Large  
Councilwoman Terry Nelson, Ward 1  
Councilman John E. Rembert, Ward 2  
Councilwoman Jodi M. McCredo, Ward 3  
Councilman Amber J. Grant, Ward 4  
City Administrator Anthony Ruggiero

**City Council Workshop Agenda**  
**January 2, 2018**  
**7:00 PM**

**Workshop Agenda Items:**

1. Rules of Procedure of City Council
2. Renew Keane & Beane contract
3. Renew Lanc & Tully contract
4. Renew John Clarke Planning & Design contract
5. Renew Video Ventures contract
6. Public Hearing Medical Accessory Structures
7. Historic Overlay
8. Driveway Permits
9. Site Plan signage
10. Newspaper
11. Meeting Dates
12. Appointment of Judge Mensch
13. Tree Ordinance
14. Tanker-Avoidance Zone

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Rules of Procedure of City Council**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Rules of Procedure	Backup Material



CITY OF BEACON, NEW YORK  
ONE MUNICIPAL PLAZA  
BEACON, NEW YORK 12508

CITY OF BEACON  
CITY COUNCIL  
RULES OF PROCEDURE<sup>1</sup>  
FOR PUBLIC MEETINGS

1. REGULAR MEETINGS: The City Council shall hold its regular meetings on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Monday of each month. If a regular meeting date falls on a holiday, the meeting is scheduled for the next work day.
2. WORKSHOP MEETINGS: Workshop meetings shall be held on the Monday before each regular meeting of the City Council. In months where there are four Mondays, workshop meetings shall be held on the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Monday of the month; in months where there are five Mondays, workshop meetings shall be held on the second (2<sup>nd</sup>) and fifth (5<sup>th</sup>) Monday, except, on 30 day notice, the Council may hold the meeting on the 4<sup>th</sup> Monday. If a workshop meeting falls on a holiday, the workshop shall be rescheduled for the next work day.
3. SPECIAL MEETINGS: Special meetings of the City Council consist of all meetings other than regular or workshop meetings at which four (4) or more members of the Council are present. A special meeting may be held on the call of the Mayor or by four or more members of the Council, upon no less than twenty-four (24) hours (except if less notice is required by an emergency situation, then notice shall be as practicable) written notice via e-mail and telephone call to all Council Members and the Mayor.
4. LOCATION OF MEETING AND CHANGES: Unless otherwise announced, all meetings of the City Council shall be held at 7 p.m. in the Court Room at the Municipal Center located at One Municipal Plaza, Beacon, New York. Any changes in the date, time or location of the Council's meetings shall be determined by the Mayor and Council upon consideration of the attendant circumstances and noticed in accordance with lawful requirements.
5. QUORUM REQUIRED TO ACT: A majority of the whole number of the City Council, including vacancies, abstentions and any members disqualified, shall constitute a quorum. Therefore, a quorum of the seven-member City Council is four (4) members.

A quorum shall be necessary to take any formal action and to exercise any power, authority or duty of the City Council. No member shall withdraw from a meeting of the Council without the permission of the Mayor.

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<sup>1</sup> These Rules of Procedure are in addition to any requirements imposed upon the City Council by relevant State or Local Laws.

6. EXECUTIVE SESSIONS: In accordance with Article 7 of the Public Officers Law, all meetings of the City Council shall be open to the public; provided that the Council may enter into an executive session, as defined by Article 7 of the Public Officers Law, to discuss those topics or items for which the Public Officers Law allows for a closed session.

The decision to enter into an executive session for the purposes and in the manner as set forth in Article 7 of the Public Officers Law must be submitted by motion calling for an executive session setting forth the general subject matter to be considered. The motion to enter into an executive session, the subject matter thereof and the votes approving or denying the sessions shall be recorded in the minutes of the open session. Attendance at an executive session shall be permitted to any member of the public body and any other persons authorized by a majority of the public body.

7. VOTING: A quorum, as defined in section 5 of these Rules, shall be required to perform and exercise any power, authority or duty of the Council. Every member of the Council present at any meeting thereof, when a vote is taken, shall vote for or against, unless excused from voting by the Mayor. Roll call vote shall be called in an order at the discretion of the Mayor. The Mayor shall be the last one to cast a vote.

- a. Abstentions and Absences: Abstentions and absences shall be considered a negative vote for the purposes of determining the final vote on a matter submitted to a vote.

Any member who abstains from a vote must express the reason for such abstention on the minutes after the conclusion of the vote.

- b. Silence: In any vote other than by roll call, silence by any member shall be understood as a positive vote on a matter submitted to a vote.

- c. Questions: The answer to a question submitted to the Council shall be made by counting the “ayes” and “nays” by roll call or in response to a question seeking all members in favor and all opposed.

- d. Roll Call Voting: Roll call voting shall be taken with respect to the following actions:

- 1) All matters involving expenditure of money or raising of taxes.
- 2) All budget transfers of monies, except transfers within a City department.
- 3) Adoption of all local laws and ordinances to be filed with the New York State Department of State.



- 4) Any other actions specified by these Rules or in the City of Beacon City Charter or City of Beacon City Code, or any other applicable state or local law or when requested by a Member of the Council.
8. ORDER OF BUSINESS—MEETING AGENDA: The following is the formal order of business at all regular and special meetings of the City Council and shall be followed to the greatest extent possible where applicable:
  - a. Call to order
  - b. Pledge of Allegiance
  - c. Moment of Silence
  - d. Public Comment
  - e. Community Segment
  - f. Public Hearings
  - g. Reports
    - 1) City Administrator
    - 2) Mayor  
& Council Members
  - h. Appointments
  - i. Local Laws  
& Ordinances
  - j. Resolutions
  - k. Budget Amendments
  - l. Approval of Minutes
  - m. Announcement of  
Next Workshop Date
  - n. Announcement of  
Next Regular Meeting
  - o. Second Public Comment
  - p. Adjournment

The regular order of business at a meeting may at any time be suspended by the affirmative vote of two-thirds of the members of the Council present at such meeting.

9. GENERAL RULES OF PROCEDURE & STANDARD OF CONDUCT

- a. The Mayor shall preside at all meetings of the City Council.
- b. In the Mayor's absence, the Acting Mayor shall preside at the meeting.
- c. In the event the Mayor has failed to appoint an Acting Mayor, or where such member is absent from the meeting, the Council shall nominate and elect another Council member present at the meeting to preside over that meeting.

d. GUIDELINES FOR COUNCIL MEMBERS

- 1) All Council members shall be addressed and shall address each other by their elected title.
- 2) Taking the Floor: A Council member must be recognized by the presiding officer, before speaking and/or making a motion.

- a) To obtain the floor, a member shall raise his/her hand, shall address the Chair, and shall wait to be recognized.
- b) Once the floor is assigned to a speaker, no one may interrupt that person unless to call him/her to order. A member being called to order shall cease speaking immediately and until the question of order is determined.

If in order, the speaker shall be allowed to continue speaking.

- c) Exceptions: A member who has properly been given the floor may be interrupted:
  - i. To enter onto the minutes a motion to reconsider;
  - ii. To allow a question of order;
  - iii. To allow an objection to the consideration of a question submitted to the Council; and
  - iv. To submit a question of privilege that requires immediate action.

- 3) Conflict of Interest. A member prevented from voting by a conflict of interest shall leave the city council table during the debate, shall not vote on the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest.

- 4) Non-Disclosure of Confidential Information. No council member may disclose confidential information gained by reason of his or her official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another. No council member may disclose confidential information to any person not entitled or authorized to receive the information. "Confidential information" means 1. specific information, rather than generalized

knowledge, received by a council member as a result of his or her position that is not available to the general public on request; or 2. information furnished to a council member under circumstances as to suggest the information is confidential, including when the provider of the information identifies the information as confidential; or 3. information made confidential by law, including specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy; or 4. Discussions held in Executive Session.

e. GUIDELINES FOR COMMUNITY SEGMENTS

Speakers are invited to speak by prior arrangement with the Mayor's office and are placed on the agenda at the Mayor's discretion.

f. GUIDELINES FOR PUBLIC COMMENT SEGMENTS

- 1) There shall be two (2) segments during each regular meeting of the City Council dedicated to public comment, one at the beginning of the meeting and another at the end.
- 2) A speaker shall be allowed to speak at either the first public comment segment or the second, not both.
- 3) Those who would like to speak during either of the public comment segments must sign up on the sheet provided at the meeting and shall be allowed to speak on a first-come, first-serve basis.
- 4) The total time for all speakers at any one public comment segment shall not exceed thirty (30) minutes unless approved by a majority vote of the Council.
- 5) The Mayor shall appoint a timekeeper for purposes of the public comments segments.
- 6) Conduct of Speakers: All persons speaking before the Council shall conform to the following standards of conduct:
  - a) Speakers must step to the podium to address the Council.
  - b) Before addressing the Council, a speaker must give their name, address and organization (if any) for the

record.

- c) A speaker's individual time may not exceed three (3) minutes unless, in the Mayor's sole discretion, additional time is granted.
  - d) Speakers shall address all members of the Council, and shall avoid speaking at any one member directly or to the general public present at the meeting.
  - e) A speaker's individual time to speak may not exceed five (5) minutes. The Mayor may reduce such time to no less than three (3) minutes, if the Mayor or Council determine that an additional time limitation is appropriate due to the number of items on the agenda or the number of people present who wish to speak.
  - f) Speakers shall observe commonly accepted rules of courtesy, decorum, dignity and good taste.
  - g) A speaker may speak on any issue which is properly up for discussion on the agenda or which the City has the ability to act upon, provided that a speaker may not speak on any issue which has already been discussed at an earlier public hearing during the meeting or one that is to be discussed at a later public hearing during the meeting.
  - h) Any statements, comments or remarks made by a Speaker (1) shall not concern the motives of a member of the Council and (2) shall not constitute a personal and/or political attack or criticism of any member of the Council, any officer of the City or any employee of the City or the public.
  - i) The audience shall be respectful of all speakers and shall refrain from comments and gestures, private discussions, cell phone use or otherwise interfere with the meeting.
  - j) Any speaker who fails to conform their conduct to a) through h) above shall be directed by the Chair to cease speaking and yield the floor.
- 7) The Mayor shall make all speakers aware of the guidelines for public comment.

- 8) Copies of the guidelines for public comment shall be made available to the audience along with a copy of the agenda.
- 9) Interested parties, or their representatives, not in attendance may address the Council by written submission.
- 10) Debate or discussion between audience members and the speaker having the floor shall not be permitted.
- 11) Debate or discussion with the speaker on the part of a member of the Council, the Mayor, the City Administrator, City Attorney, a guest at the Council table, or any other City employee in the audience, who has information pertinent to the discussion shall not be permitted, except in the Mayor's discretion.
- 12) The Mayor, or the Council by a majority vote, may recess a segment of a meeting or the full meeting in order to preserve decorum and the Council's control over the proceedings.

10. ROBERT'S RULES OF ORDER REVISED FOR DELIBERATIVE ASSEMBLIES TO BE USED. All questions of order or procedure of the Council not herein provided for shall be decided in accordance with Robert's Rules of Order Revised for Deliberative Assemblies.

11. COMMUNICATIONS. Members of the Council shall communicate with the officers, the employees, the vendors, and the contractors of the City Council (the "City") solely through the Administrator. No member of the Council shall give orders, directions or instructions, either publicly or privately, to any officer, employee, vendor or contractor of the City.

All communications, whether written, electronic or verbal, with officers and employees of the City and members of the Council are to be expressed in a respectful and courteous manner.

During a meeting of the City Council, any statements, comments or remarks made by a member of the Council: (1) must be confined to the question before the Council; (2) shall not concern the motives of a member of the Council; (3) shall concern the nature or consequences of a proposed action; and (4) shall not constitute a personal attack or criticism of any member of the Council, any officer of the City or any employee of the City or the public.

12. The members of the Council may use official City of Beacon stationery only to (a) express a policy or position of the Council as provided in its duly adopted resolutions, regulations, ordinances and local laws; (b) carry-out or communicate actions specifically authorized in duly adopted resolutions, regulations, ordinances, local

laws, directives or other actions of the Council, and (c) offer congratulations, appreciation and other non-substantive communications.

13. RECORDING OF PROCEEDINGS OF MEETINGS. No person shall record the proceedings of the meetings of the City Council, or any part thereof, by electronic or any other type of recorder, nor with a “steno-type” or similar machine, nor by motion picture, television or any other type of camera or visual record, without having previously made application, in writing, to the City Council at least two (2) business days in advance of the meeting for which permission is requested and without having received written permission therefore. Permission shall be granted upon a finding that the recording and/or broadcasting will not be disruptive or obtrusive of the public meeting and reasonable conditions may be imposed upon the granting of the application. This rule shall not be construed to prohibit the use of a hand held audio recording device or video device which does not interfere with the meeting, or the making of notes by any person or persons at such meetings, whether or not such notes shall constitute a complete transcript of the proceedings, nor shall this rule apply to the City Clerk or to members of the City Council.
14. AMENDMENTS: The foregoing Rules of Procedure may be amended from time to time by a majority vote of the Council.

Dated: Beacon, New York  
January 2, 2018

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Renew Keane & Beane contract**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Keane and Beane retainer	Backup Material

**KEANE & BEANE P.C.**  
ATTORNEYS AT LAW

■ **Main Office**  
445 Hamilton Avenue  
White Plains, NY 10601  
Phone 914.946.4777  
Fax 914.946.6868

■ **Mid-Hudson Office**  
200 Westage Business Center  
Fishkill, NY 12524  
Phone 845.896.0120

December 4, 2017

***VIA E-MAIL***

Mayor Randy Casale  
City of Beacon  
One Municipal Plaza  
Beacon, NY 12508

Re: Legal Services; Keane & Beane, P.C.; 2018 Retainer

Dear Randy:

I write to confirm the terms of our firm's provision of legal services to the City of Beacon for 2018. As discussed, our firm will carry-over the basic terms of the City's 2017 retainer for general municipal legal services at a fixed monthly retainer of \$15,250.00 for such general municipal services, including meeting attendance. We will charge on an hourly basis using a discounted blended rate of \$225.00 for special projects and litigation. We will charge on an hourly basis using a discounted blended rate of \$225.00 for review of land use matters that are subject to reimbursement by the applicant. We will also provide general municipal labor services (analysis of current contracts, drafting of policies, general advice on personnel matters, as some examples) as detailed below. We are also prepared to represent the City in traffic court matters within a separate monthly retainer of \$2,000.00.

General Retainer

For general municipal services, we will provide advice and counseling on the full range of municipal issues that will arise from time to time for a fixed annual charge to be paid in equal monthly installments billed the first of each month after the services are rendered. Among other things, the retainer will cover attendance at all City Council meetings, meeting with City staff at City Hall, consultation, advice, opinions on questions presented by City officials, review and preparation as necessary of routine City contracts, resolutions and other actions, and the like.

Special Projects, Labor & Litigation

For special projects, Labor (arbitration, mediation, fact finding, labor litigation, disciplinary proceedings and the like) and litigation, we will charge \$225.00 per hour for our services on a straight hourly basis at a blended rate, regardless of the attorney performing the work, as we have in prior years. We will obtain written approval from



Mayor Randy Casale  
December 4, 2017  
Page 2

the City Administrator before working on matters outside the retainer so that Keane & Beane, P.C. and the City agree on what work is outside of the monthly retainer. We will render bills on the first day of each month for work done the prior month.

Litigation consists of any matter that is commenced by a formal court or arbitration notice, such as a Summons, Complaint, Petition, Notice of Petition, or Notice of Claim. In contrast, general advice on possible litigation prior to commencement of a proceeding or receipt of such notice will fall under the general municipal retainer.

Special projects consist of major City endeavors that are not typically done. This category includes matters such as special district formation and extension, land acquisition and disposition, complex contract work, preparation of complex legislation, major rezoning or comprehensive plan revisions, and the like. In contrast, advice to officials, standard vendor contract preparation and review, and drafting of routine legislation would be general retainer work.

We do not charge for travel time to attend meetings at City Hall. Travel time to other locations during business hours will be billed as though travelled from our Fishkill office, unless the actual starting point is closer to the destination. For example, if a meeting is scheduled with NYSDEC in New Paltz and we first meet at City Hall or I am in court in Poughkeepsie, travel time would be billed from City Hall.

#### Land Use Applications

For review of land use applications in which the City is entitled to be reimbursed by the applicant, our firm will charge the City (who will seek reimbursement from the applicant) at a rate of \$225.00 per hour. We will bill in each instance on the first day of each month for work done in the prior month.

The City has authority to require land use applicants to reimburse the City's legal fees for State Environmental Quality Review Act reviews under New York State Environmental Conservation Law § 8-109(7)(a) and for special permit and other land use reviews under New York State Municipal Home Rule Law § 10 and § 22, the New York State General City Law and the City Code, so long as the fees are reasonable and necessary and incurred in connection with the City's examination and action on the applicant's project. Thus, review of an applicant's documents and submissions for compliance with law or approval requirements will be reimbursable and billed at full rates. Conversely, enforcement or Article 78 review proceedings will

Mayor Randy Casale

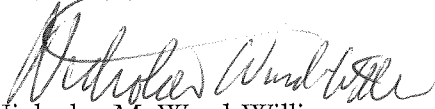
December 4, 2017

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not be reimbursable, and they will, upon approval from the City Administrator, be charged to the City at the discounted, blended rate depending on their nature.

We look forward to working with the City.

Very truly yours,



Nicholas M. Ward-Willis

NMW/sj

ecc: Anthony Ruggiero, City Administrator

**ACKNOWLEDGED AND AGREED TO BY:**

By: \_\_\_\_\_  
Mayor Randy Casale

Dated: \_\_\_\_\_

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Renew Lanc & Tully contract**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Engineer Rates 2018	Cover Memo/Letter

**LANC & TULLY**  
ENGINEERING AND SURVEYING, P.C.

John J. O'Rourke, P.E., Principal  
David E. Higgins, P.E., Principal

John D. Russo, P.E., Principal  
John Queenan, P.E., Principal  
Rodney C. Knowlton, L.S., Principal

John Lanc, P.E., L.S.  
Arthur R. Tully, P.E.

December 11, 2017

Mayor Randy Casale  
City of Beacon  
1 Municipal Plaza Suite 1  
Beacon, NY 12508

RE: 2018 Engineering Fees

Dear Mayor Casale:

Please find enclosed our proposed rates for professional services for the year 2018. We understand the financial hardships placed upon the City of Beacon on a yearly basis in trying to complete infrastructure improvement projects, while trying to progress the City forwards with other projects. Based upon this, we have made the decision to hold our rates as they currently exist, as we have for the past several years.

As we have stated often in the past, we truly enjoy working for the City of Beacon and look forward to a continued relationship in the future. Please contact us if you have any questions or comments in regard to this matter. If the attached rates have been found to be acceptable by the City, I would ask that you please sign below, and return the executed letter of approval to our office.

Very truly yours,

LANC & TULLY, P.C.

  
John Russo, P.E.

\_\_\_\_\_  
Signature & Title

\_\_\_\_\_  
Date Approved

**CITY OF BEACON**  
**MUNICIPAL HOURLY RATES 2018**  
**Full Consulting Services**

	Planning Board & State/Federal Funded Projects	Municipal (Non-Funded) Projects
Principal	\$ 102.00/hr.	92.00
Project Planner	\$ 100.00/hr.	90.00
Professional Engineer	\$ 102.00/hr.	92.00
Project Manager	\$ 97.00/hr.	87.00
Professional Land Surveyor	\$ 91.00/hr.	82.00
Land Surveyor	\$ 81.00/hr.	72.00
Engineer, Sr.	\$ 88.00/hr.	79.00
Engineer	\$ 76.00/hr.	68.00
Engineering Technician, Sr.	\$ 86.00/hr.	77.00
Engineering Technician	\$ 66.00/hr.	59.00
Surveying Technician, Sr.	\$ 76.00/hr.	68.00
Surveying Technician	\$ 66.00/hr.	59.00
Construction Technician	\$ 65.00/hr.	59.00
Survey Field Crew, 1-Man *	\$ 74.00/hr.	64.00
Survey Field Crew, 2-Men *	\$120.00/hr.	108.00
Survey Field Crew, 3-Men *	\$166.00/hr.	150.00
Clerical/Secretarial	\$ 40.00/hr.	36.00
Principal (Court – Min. 4 Hours)	\$200.00/hr.	200.00

\* Rates shown for City projects not requiring payment at Prevailing Wage Rate. City projects requiring Prevailing Wage Rates will be adjusted based on the Prevailing Wage Rate established at the time of the project.

Printing will be charged extra. All charges are portal to portal. The above rates include the cost of long distance telephone calls, mileage driven within 50 miles of our office, and regular postage costs.

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

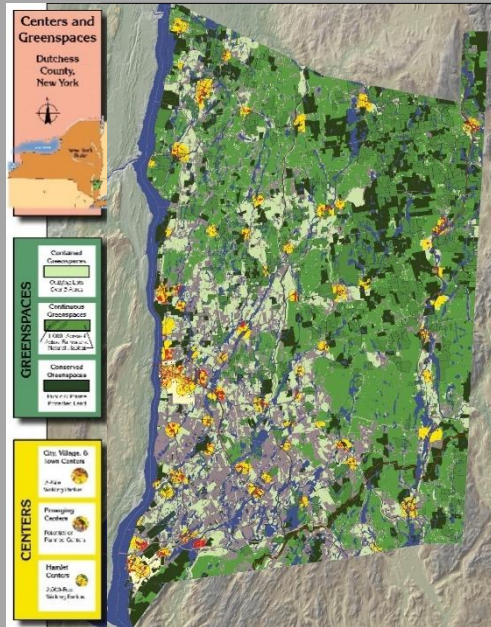
**Renew John Clarke Planning & Design contract**

**Subject:**

**Background:**

**ATTACHMENTS:**

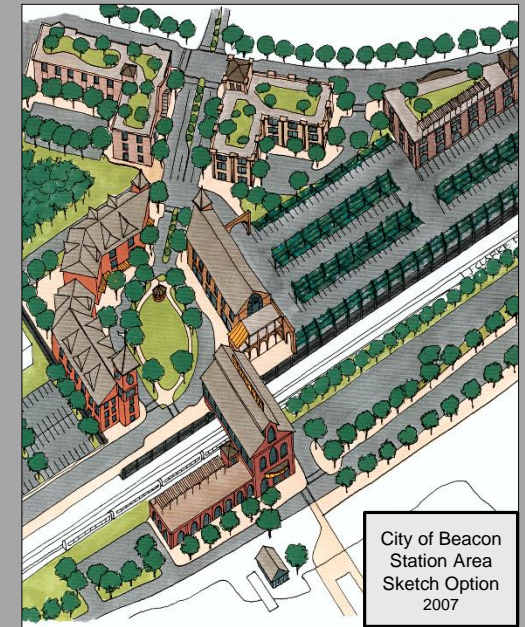
Description	Type
Planner Qualifications	Backup Material
Planner Proposal 2018	Backup Material



Regional Perspective



Urban Design Vision



Site Plan Alternatives

# City of Beacon Planner Proposal May 4, 2016

**John Clarke**  
Planning and Design

845.797.4152  
25 Beech St. Rhinebeck NY – jclarkeplandesign@gmail.com



Etha Grogan  
City of Beacon City Hall  
One Municipal Plaza, Suite One  
Beacon, New York, 12508

**Re: Request for Proposals  
Beacon City Planner**

Dear Ms. Grogan and members of the selection committee:

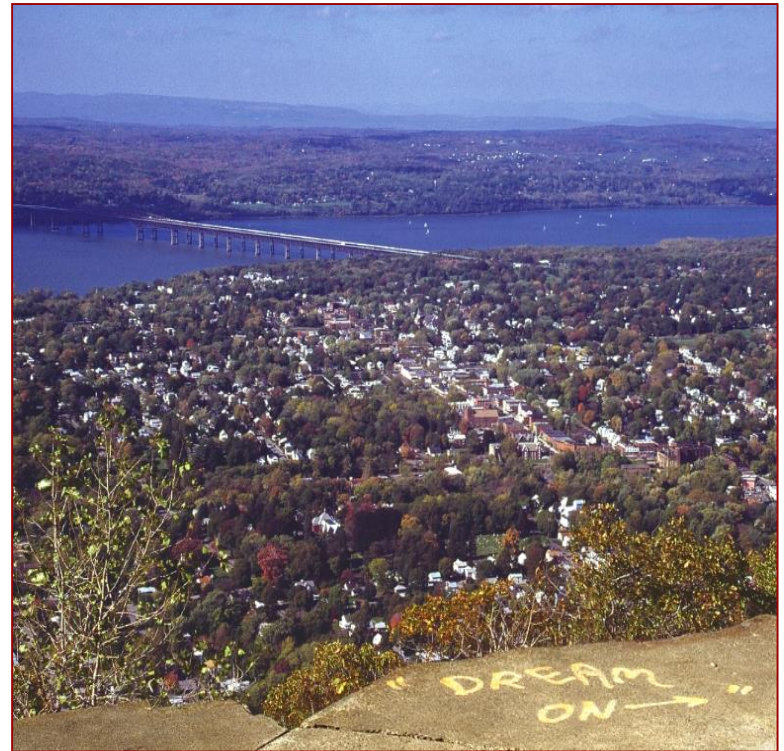
Beacon is one of my favorite places in the Hudson Valley. To me, it is an exemplary small town city set in a nest of natural beauty, wedged between the Highlands ridgeline and its Hudson River harbor and parkland frontage. Working for more than 20 years as Dutchess County's lead planner for the City, I have witnessed a remarkable transformation, as once empty buildings have been reclaimed for active uses and Main Street sidewalks have come alive with more storefront businesses, new residents, and outside visitors.

My work with the county gave me an extensive range of experience, allowing me to interact with many municipalities. However, I have also served as a Planning Board member for my home village for 15 years. I have found that working directly with applicants and other board members, from beginning concepts to the completion of projects, has been in many ways more important and satisfying. The local level is where final decisions are made and the responsibilities for community improvements are most evident.

So now having left county service, but not nearly ready to retire, to become Beacon's consulting planner would be an ideal position. The City can take advantage of my regional experience and contacts and I can concentrate on helping local board members make meaningful site design decisions. I am not looking to take on multiple community contracts, so I will be available for your City in any capacity that is needed. My goal is to help Beacon build on its recent success stories and make the City a better place to live.

Thanks for your consideration and I look forward to speaking with you soon.

John Clarke  
Planning and Design



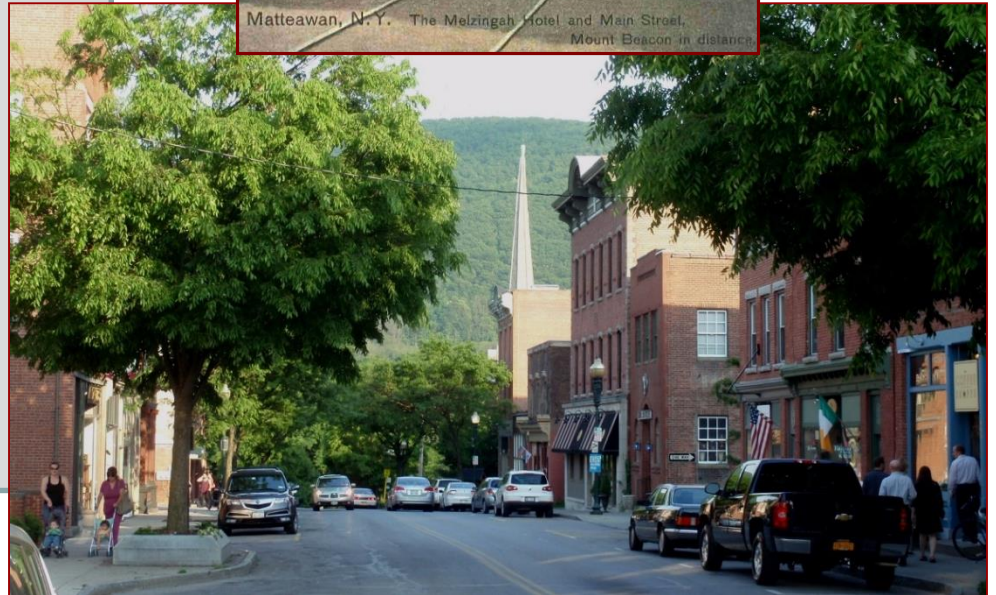
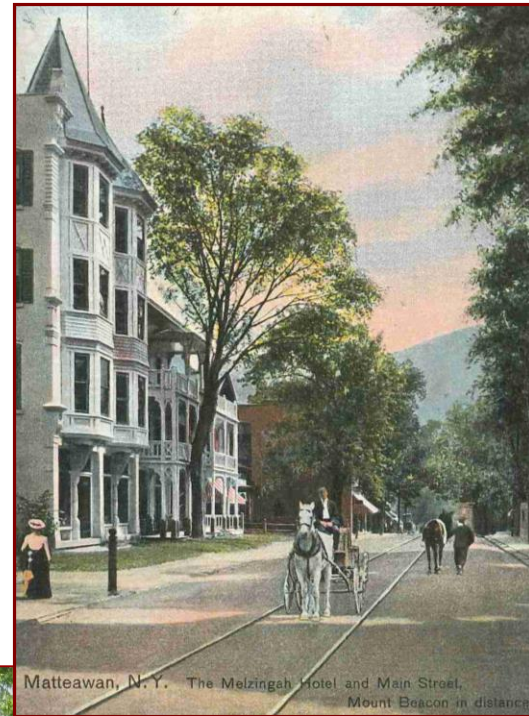


# Beacon City Planner Proposal

## John Clarke Planning and Design

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## Regional and Countywide Experience

To be fully competent and creative, a City Planner needs a broad regional perspective. That means understanding the geography, history, and ecological systems of the Hudson Valley, how to work with the county and neighboring communities, how to interact with state agencies, and how take advantage of available outside funding sources.

### County Background

I have 30 years of experience with the Dutchess County Department of Planning and Development, working at all levels from regional planning initiatives and neighborhood-scale plans to site design alternatives. I was originally hired to coordinate a three-year study of Dutchess County's historic resources and to work on environmental reviews for municipalities all over the county as part of the federally-funded Community Development program.

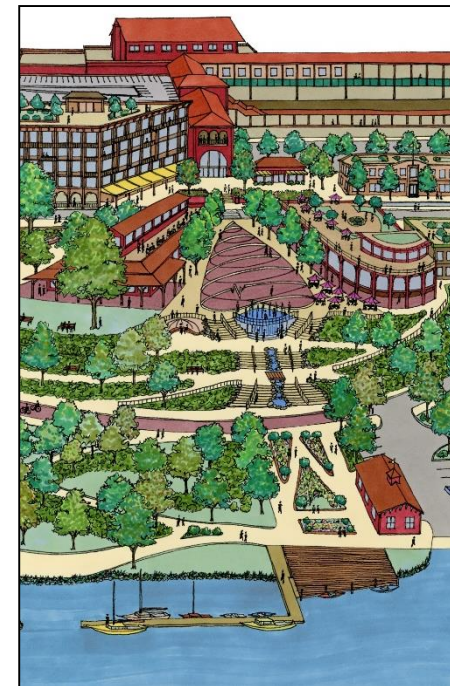
While still working full-time in the early 1990s, I attended night classes at Pratt Institute in Brooklyn, receiving a Master of Science in Urban Design degree with the 1994 Department of Graduate Architecture Certificate of Excellence in Urban Design. With this distinctive training in urban design, I was assigned as the department's lead planner for the cities of Beacon and Poughkeepsie. In 1999 I was promoted from Senior Planner to Development and Design Coordinator, a unique civil service title in the region created to reflect my specialty design skills.

Over the years I have literally worked with and prepared plans for every city, town, village, and major hamlet in the county, including:

- Wrote Comprehensive Plans for the Village of Rhinebeck and the towns of Clinton, Dover, Pleasant Valley, and Poughkeepsie;
- Facilitated adoption of a new zoning law for the Town of Clinton and form-based code amendments for the City of Poughkeepsie Waterfront-Transit Oriented District and the Beacon Central Main Street and Linkage districts;
- Worked on or led multiple transportation planning projects for the Poughkeepsie-Dutchess County Transportation Council, such as pedestrian-oriented design plans for Rhinebeck, Hyde Park, Millerton, and Pine Plains;
- Directed major place-based plans, such as the City of Poughkeepsie Transportation Strategy, the LaGrange Town Center, and the Poughkeepsie Waterfront Redevelopment Strategy.

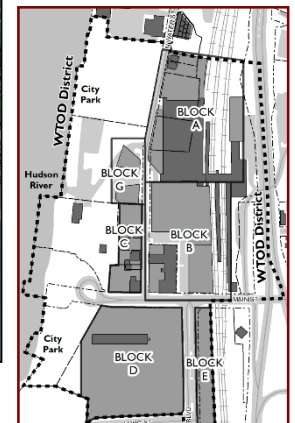


*Worth Walking Plan for Rhinebeck Village reimagined the Post Office and Beekman Arms front yards as a unified village green, proposed a new infill building on the corner, and extended curbs to shorten crosswalks at the main intersections.*



**Poughkeepsie Waterfront Redevelopment Strategy**

*Sketch shows a new hotel, park plaza flanked by a public market and cafés, and a grand stairway on the path from the Railroad Station to the riverfront. The City also adopted a form-based code with specific standards for the Waterfront-TOD District.*





Along with a wide variety of other assignments, my key role at the department was to interact with municipalities, local boards, and developers on specific design-related issues, from community streetscape plans to detailed site design alternatives. In more recent years with the department I supervised the Planning Section, including work programs, training, budgeting, and, most importantly, coordinating the county referral program. I reviewed all the major site plans, special permits, variance requests, and proposed zoning changes with the planning staff and helped to formulate the county recommendation letters. When appropriate, I would attach site plan sketches to illustrate design suggestions for the board and applicant on building configuration, parking lot layout, or supplemental landscaping.

### Regional Activities

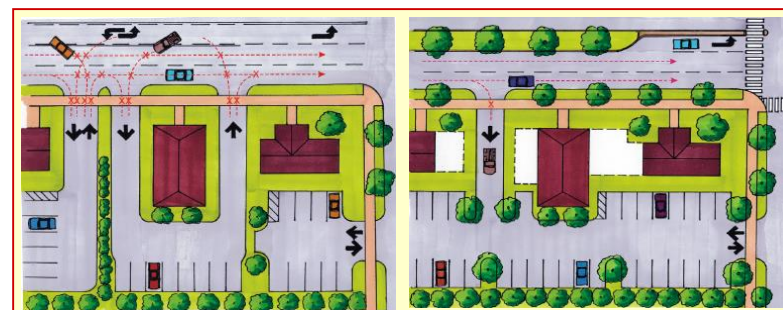
In the late 1990s, we were asked by the New York State Greenway Communities Council to prepare the first countywide Greenway plan, becoming a model for the Hudson River Valley region. I managed the project and was the principal author of *Greenway Connections*, *Greenway Compact Program and Guides for Dutchess County Communities*, which subsequently received a New York State Planning Federation award. I was in charge of Greenway coordination with the State, adjacent counties, and the 29 of 30 municipalities in Dutchess County that have voluntarily joined the Greenway Compact by cross-referencing *Greenway Connections* in their zoning and subdivision regulations.

Dutchess County's Greenway successes over the last 15 years include:

- Contributed to the protection of over 3,400 acres of priority greenspaces through the county's open space and farmland protection program;
- Built new regional trail systems, including the Harlem Valley Rail Trail, segments of the Hudson River Greenway Trail, Dutchess Rail Trail, and connections to the Walkway Over the Hudson;
- Created Quiet Cove Riverfront Park, a new park along the Hudson River;
- Encouraged a majority of Compact communities to undertake revisions to their comprehensive plans and zoning laws, consistent with the Greenway principles and guidelines; and
- Dutchess County communities have received almost \$2 million in Greenway-related grants.



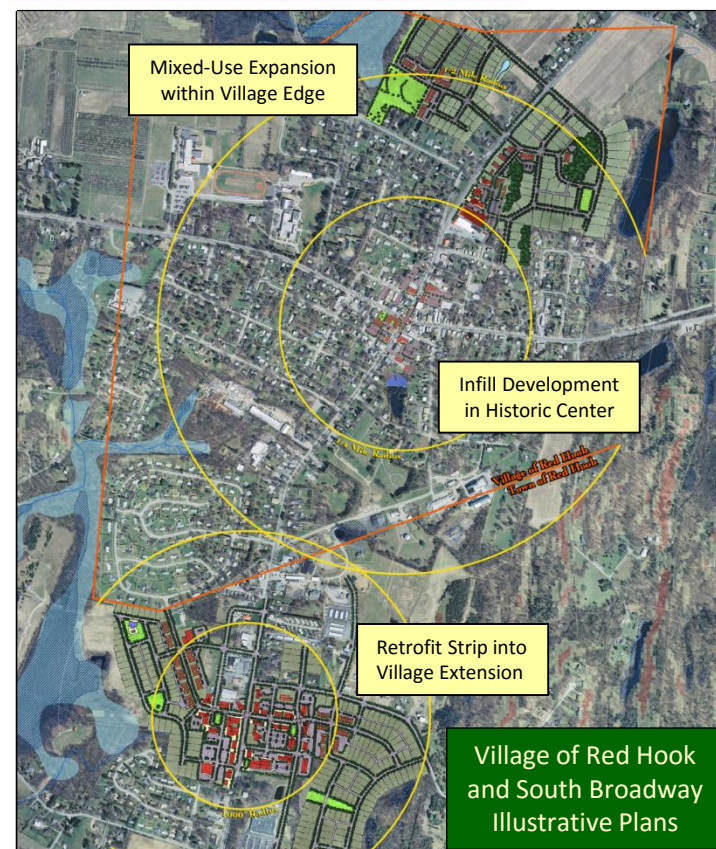
*Centers and Greenspaces vision map for Dutchess County*



*Greenway Guide image shows that sharing driveways and parking and channeling left turns can ease congestion, drastically reduce potential accident points (x), add parking, and make space for business expansion.*

I am an original Charter-signing member of the Congress for the New Urbanism, a national organization of architects, planners, design professionals, developers, businesspeople, government officials, and interested citizens who promote well-designed, walkable cities and neighborhoods. I was on the Board of Directors of the New York CNU Chapter for eight years and also taught for more than ten years in the Vassar College Urban Studies program.

*Since the Red Hook Intermunicipal Plan was adopted in 2011, almost 1,000 acres of priority agricultural land have been protected. Also, through incentive zoning, the first major development proposal in the Traditional Neighborhood District next to the Village will contribute \$660,000 to the Town's purchase of development rights fund for additional farmland.*





## Sample Two-Page Greenway Guide

## Site Specifics

## GREEN INFRASTRUCTURE

*Manage rainwater runoff near its source to emulate the area's pre-development hydrology, using green infrastructure practices that allow rainwater to percolate into the soil.*

Green Infrastructure, also known as low impact development, light imprint, or environmentally sensitive design, is used to avoid or minimize the impact of rainwater runoff on the environment, especially upon wetlands and water bodies located downstream from development. New buildings, streets, and parking lots introduce impervious surfaces and modify the existing ground cover and vegetation, thereby accelerating runoff, increasing flooding, and intensifying the amount of pollutants and sediment that drain to water sources.

The conventional approach to handling increases in runoff is to use storm drains and pipes to convey the runoff to a detention pond or nearby waterbody. This not only modifies the natural water cycle of the land, it involves highly engineered solutions that are expensive to construct and maintain. A much better approach is to replenish the groundwater by retaining the hydrologic cycle as close to the natural pre-development state as possible.

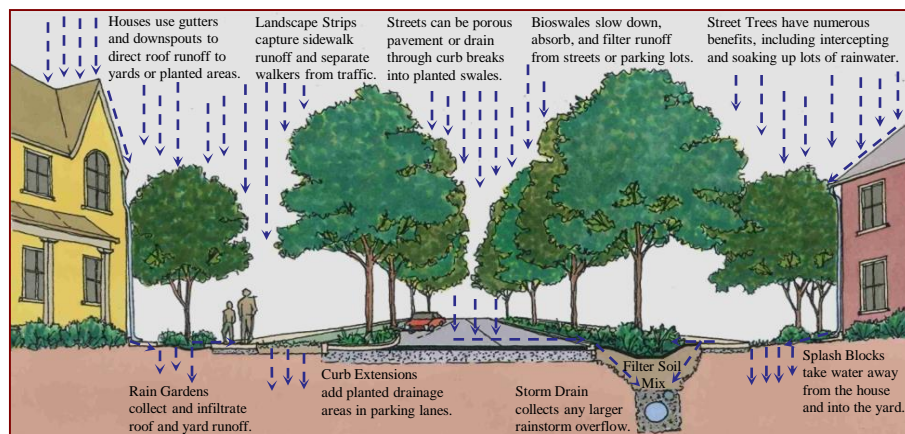
The New York State Stormwater Management Design Manual provides guidance on implementing and designing Green Infrastructure techniques. Under the New York State Stormwater Pollution Discharge Elimination System (SPDES), Green Infrastructure methods are required for new development that will disturb one acre or more of soil, but these best practices should be implemented for projects of any size and redevelopment projects.



*Bioretention swale at Marist College collects runoff from the parking lot, absorbs and filters rainwater, and includes an overflow grate for any flooding.*



*Green roof with greenhouse and vegetable gardens at New York City school reduces runoff and provides students all-season, hands-on ecological education.*



*Model green drainage strategies for a residential street.*

## Green Infrastructure Principles:

**Conserve existing natural land.** Reuse of sites and buildings in developed places saves farmland, woods, wetlands, and natural drainage systems.

**Promote compact development.** For example, building at an average of eight dwelling units per acre rather than one unit per acre consumes far less land, creates fewer roads and parking lots, and can reduce impervious surfaces in the watershed by 60% and overall runoff per dwelling by 74%.

**Take advantage of existing site features.** Existing trees, well-drained soils, and natural drainageways may be used to emulate the pre-development hydrology, fit development into the site, and reduce infrastructure costs.

**Minimize new impervious surfaces.** Less impervious area means less runoff treatment, so avoid excessive paving, road widths, and parking lots.

**Absorb stormwater near the source.** Provide the maximum level of on-site infiltration that is feasible, given the constraints in the area.

## Green Infrastructure Techniques:

**Green roofs** absorb rainwater with lightweight soils and plantings or they can be used to grow food in urban areas.

**Roof downspouts** should be directed to rain barrels, cisterns, yards, or planted areas, not stormwater pipes or impervious driveways and roads.

**Rain gardens** are small landscaped depressions that gather and infiltrate rainwater, usually planted with native, ornamental vegetation.

**Bioswales** are linear vegetated ditches along roads and parking lots, used for infiltration instead of conventional curbs and storm drain systems.

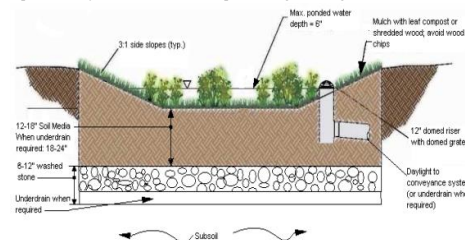
**Stream daylighting** replaces sub-surface pipes with an open stream to improve water quality, increase flood storage, and provide wildlife habitat.

**Dry wells and infiltration chambers** are underground storage structures, often used under parking lots on smaller parcels or in urban locations.

**Planting trees** is an effective way to soak up rainfall. In urban areas they can be used in planter boxes along sidewalks, roads, and parking lots.

**Planted curb extensions** are landscaped areas extending into parking lanes to absorb road runoff, provide space for street trees, and slow traffic.

**Permeable pavement**, including porous concrete and asphalt, pavers, and open block systems, allow water to pass through into a gravel base below.



*Profile of a typical rain garden from the New York State Stormwater Management Design Manual, August 2010*

## Sources:

Rutgers Cooperative Extension, *An Introduction to Green Infrastructure Practices*, Fact Sheet FS1197, December 2012  
USEPA, *Using Smart Growth Techniques as Stormwater Best Management Practices*, December 2005

## Local Case Study: New York State Parks Taconic Region Headquarters in Staatsburg, Hyde Park

The park offices received the highest level of green building certification by incorporating a full range of energy and cost efficient features, such as low-flow water fixtures, geothermal heat pump system, solar panels, and model green infrastructure techniques.



*Adaptive reuse of a vacant 1930s school building in the National Landmark Hudson River Historic District.*



*Underground pipe converted back into a stream, pond, and native vegetation for natural drainage and riparian habitat.*



*Rain garden built into a planter box at the building entrance.*



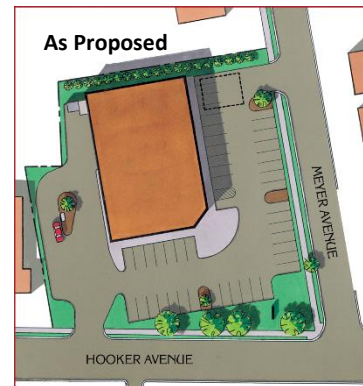
*Permeable pavement and brick pavers in the parking lot with reinforced grass overflow parking to the rear.*

## Site Review and Design Experience

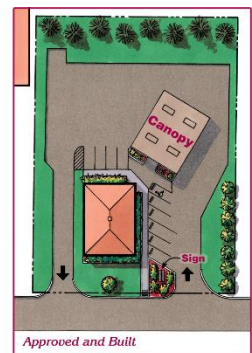
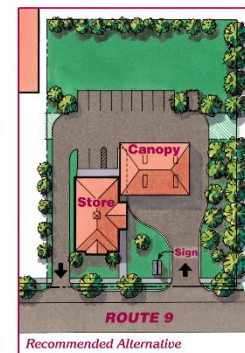
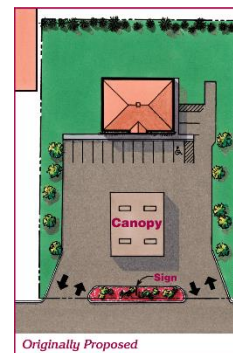
The Dutchess County Department of Planning and Development receives around 500 to 600 local referrals every year. As lead planner for multiple communities over 30 years, and in more recent years a supervisor of the entire referral process, I have reviewed thousands of site plans, special permits, variance requests, proposed plans, and zoning amendments and have submitted recommendations to local boards on all possible planning issues. I prepared comments on numerous environmental impact statements and other SEQRA documents. I am very familiar with New York State planning procedures and best practices in the field.

Beyond this wide range of planning review experience, my specialties are design guidelines and site plan alternatives. Too many local boards in Dutchess County are purely reactive to submitted proposals, limiting comments to compromises on minor improvements or just giving in to poorly conceived plans because of the minimal standards in their law and the arguments from attorneys and engineers on the applicant's side. My preference is to provide stronger, more specific guidance in the adopted Plan and Zoning Law. By offering highly visual standards up-front, applicants will better understand what a community wants and be able to propose more compatible projects in the first application. This strategy helps to streamline the development review process for proposals that fit in with locally approved guidelines. Developers are also more likely to make investments that truly improve the community with a less confrontational, more predictable process.

I recommend that potential applicants meet with the board very early in the process. Pre-application sessions are the best opportunity to sketch site design alternatives and make architectural suggestions, before developers get locked into expensive, already-engineered plans. I have prepared hundreds of such sketches, showing possible site plan improvements that are consistent with the community's Comprehensive Plan principles and zoning standards. Many have been successfully adopted and made a dramatic difference. However, most came to the county too late in the process, after the local board had already committed to decisions that were too difficult to reverse. Working directly with the City's boards and applicants at the very beginning of the process would make the ability to sketch design options an invaluable addition to the process.



*Proposed drug store in the City of Poughkeepsie would have taken down a house and featured front yard parking. My alternative saved the house, placed the store along the sidewalk, and put the parking in a secondary position to the side.*



*Alternative drawing convinced Rhinebeck to put the convenience store in front and the pumps and parking toward the rear, flipping the typical gas station layout for the first time in the region.*







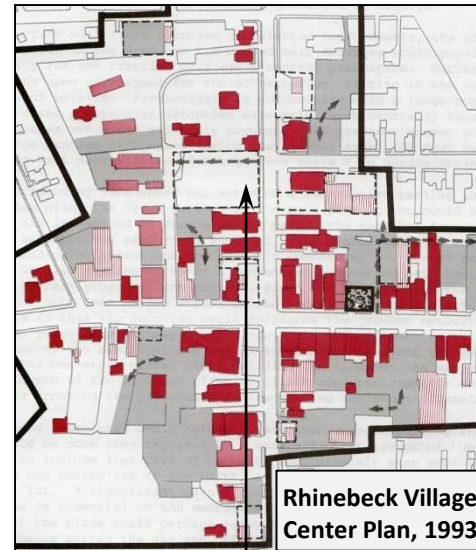


## Planning Board Experience

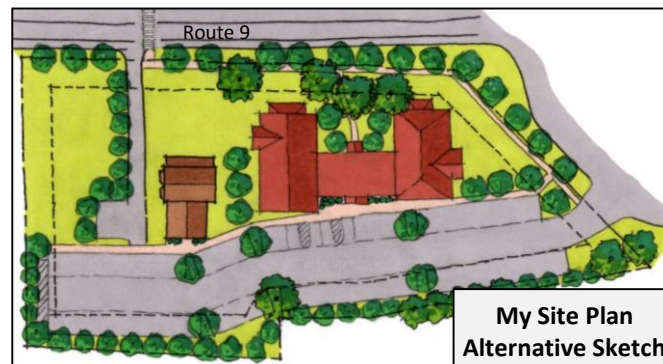
I have worked directly with many Planning and Zoning Boards, providing advice from the County and Greenway perspectives. In the 1990s I trained and supervised several county-employed planners who were hired to be consultants to local boards under contracts with eastern Dutchess communities. However, as a member of the Village of Rhinebeck Planning Board for the last 15 years, I fully appreciate the local viewpoint as well. Rhinebeck has a rotating Chair system, so I have also served as Board Chairman for several years.

Before joining the Planning Board, I wrote the Village of Rhinebeck Master Plan, so now as an active board member, I have had the opportunity to help implement many of the plan's proposals. I prepared the original version of the Historic District Overlay Zone, which was adopted in 2011 to finally provide design standards for the extensive Village Historic District, including site plan reviews in the residential sections. The entire Village Center is in the National Register Historic District, so our board has extensive experience working with applicants on architectural compatibility and community character issues. I am currently serving on the Village's Zoning Committee, helping to update the 2001 Village Zoning Code.

As in my county work, I am not hesitant to offer site design suggestions or sketch out possible alternative designs. I believe it is the job of board members to fully represent the best long-term interests of the Village and insist on wholesale changes if the proposals are not consistent with the community context and the stated purposes and standards in the adopted Plan and Zoning Code.



*The Village Center Plan showed historic buildings in red, compatible modern buildings in pink, and incompatible ones striped. The Plan identified nine sites for infill buildings. Over half of them have since been filled-in or transformed into a more compatible form. A large car lot was replaced by the mixed-use building shown below, its scale and architecture consistent with the adjacent historic building to the south.*



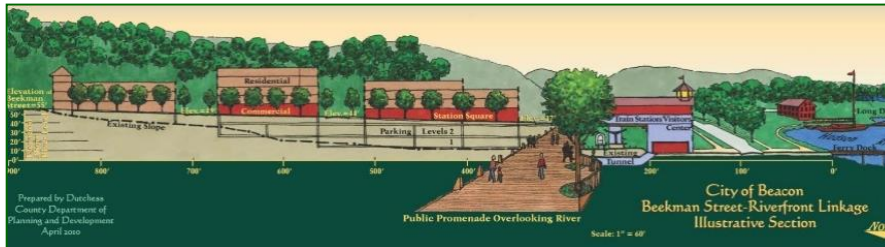
*Proposed office building would replace three existing buildings with a large parking lot on the corner. Sketch alternative saves the best of the three buildings, places the new offices on the corner with two residential-scale wings up front, adds a sidewalk and street trees along the frontages, and screens all the parking spaces to the rear.*



## Beacon Experience

I have been the County's lead planner for Beacon for more than 20 years, answering questions about the City from the public, working with business owners and potential developers, and responding to requests from city officials. I helped to prepare the winning nomination for the intense state competition to find a site for the Rivers and Estuaries Center, now the Beacon Institute. I was a member of the Beacon Transportation Linkages Committee and the group working with the City and Metro-North, trying to create positive changes for the area currently dominated by dead-all-day parking lots around the Train Station. I prepared streetscape designs for the Chamber of Commerce's successful application for a sizable state Main Street improvement grant.

I was an active participant in the 2007 Comprehensive Plan process, providing assistance to the project committee and consultants and contributing maps and design drawings that were included in the Plan's appendix. The Beacon Centers and Greenspaces map highlighted major greenspaces, trails, and centers defined by walking distances. It also identified prime redevelopment opportunities and a series of locations for redesigned public places and transit stops, connecting the riverfront and Train Station with Main Street east to Fountain Square. More detailed drawings illustrated what a new Station Square might look like and how to replace the large parking lot frontage at the County Center on Main Street with a compatible new building and a pocket park.

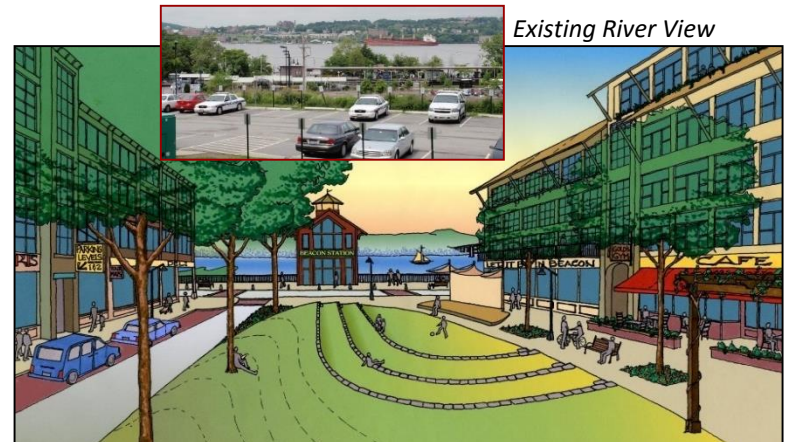


*Design from Chamber of Commerce Main Street grant request showing:*

- reorganized parking lot;
- wider store sidewalk;
- 6' planter/rain garden;
- row of shade trees.

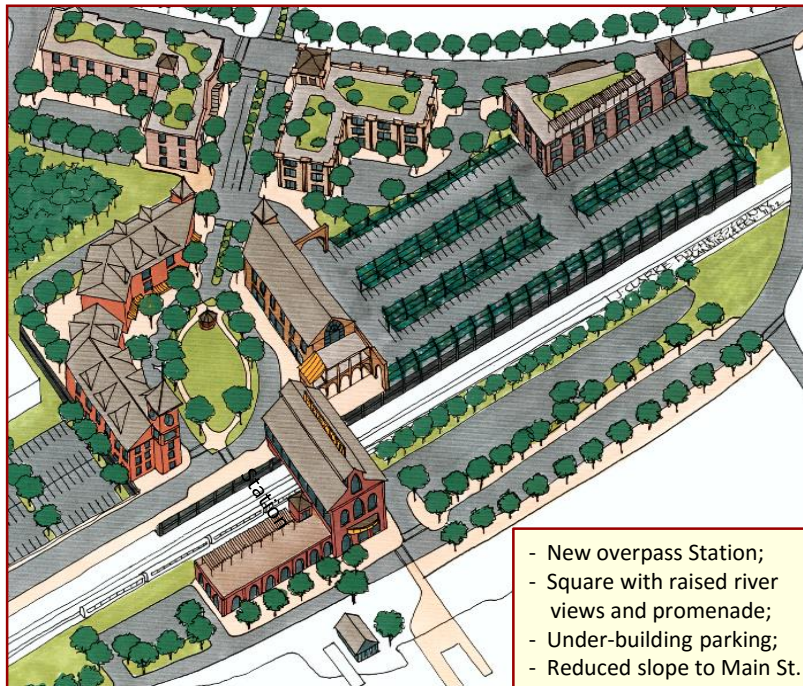
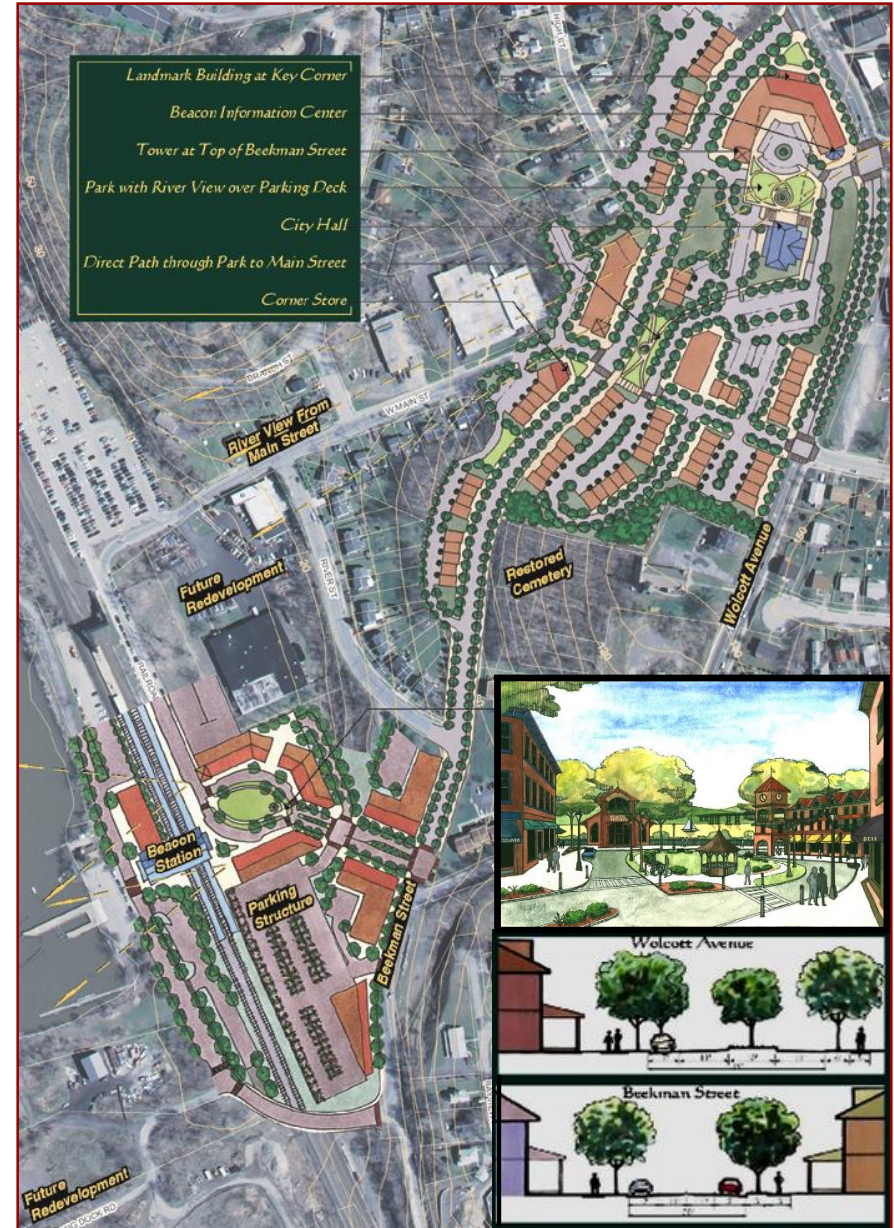
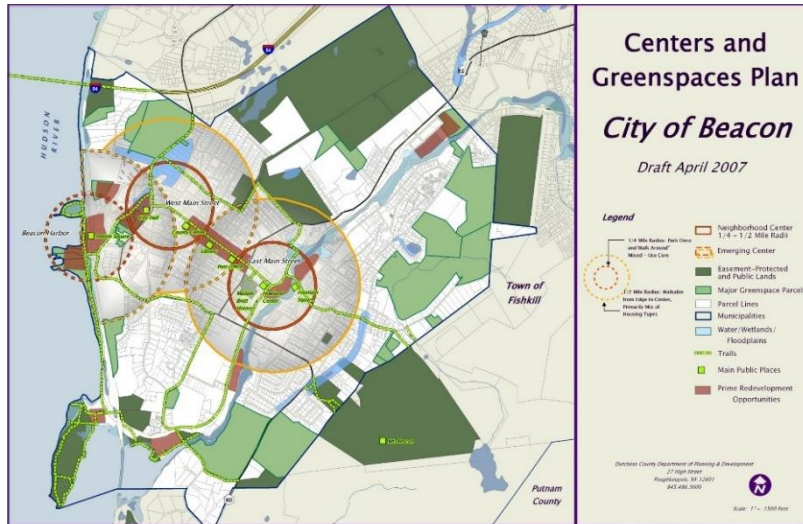


*Existing River View*



*2009 drawings show a new Station and overpass, parking hidden below buildings, elevated Station Square, and promenade with extensive river views, thereby eliminating the existing steep slopes to Beekman Street.*





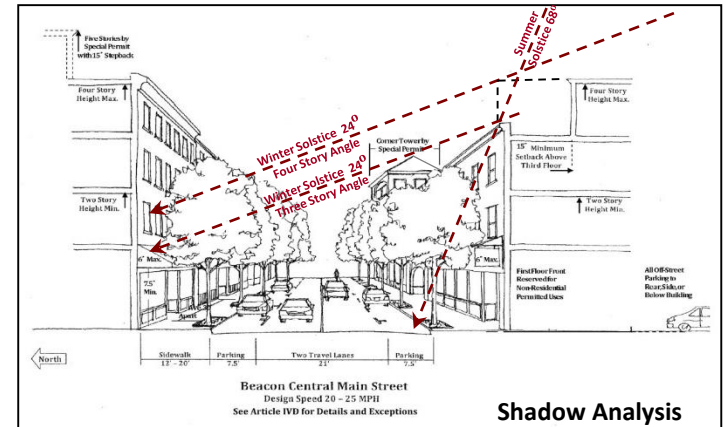
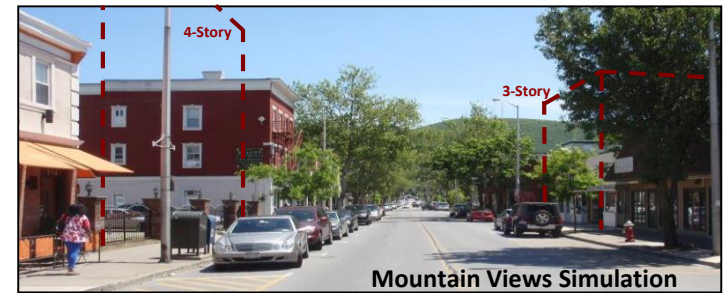
Centers and Greenspaces map and site plan sketches from 2007 Comprehensive Plan process, showing infill buildings linking the Train Station up to Main Street.



The City appointed the Central Main Street Linkage Committee in 2012 to rezone high priority redevelopment areas, as recommended in the Comprehensive Plan. Joel Russell, a land use attorney from Massachusetts, was hired to draft the amendments. I wrote the original mission statement for the Committee and, because of the limited nature of Joel's contract, I worked with the Committee Chair to help facilitate the public presentations, documentation of existing and historic conditions, work meetings, and revision process.

When questions were raised at the initial public meetings about the disruption of mountain views from taller buildings, I assembled a block-by-block photo-simulation analysis of the impacts from three- to four-story building heights. When other questions emerged about the shadows from four-story structures along the south side of Main Street, I produced a sketch showing shadow limits from the summer and winter solstices and a method to minimize shadows and apparent building heights by stepping back the top story 15 feet. This solution for a top story step-back was included in the final Central Main Street and Linkage districts, as were my streetscape sketches to illustrate the standards.

Joel drafted the overall zoning amendments, but asked me to write the Design Standards for the two districts. I also prepared two pages of annotated photos of Beacon buildings and other compatible structures to graphically demonstrate the individual standards. My original drawings from the Comprehensive Plan of potential Main Street and Linkage area infill buildings were also included in the final zoning amendments as Illustrated Sketch Plans.



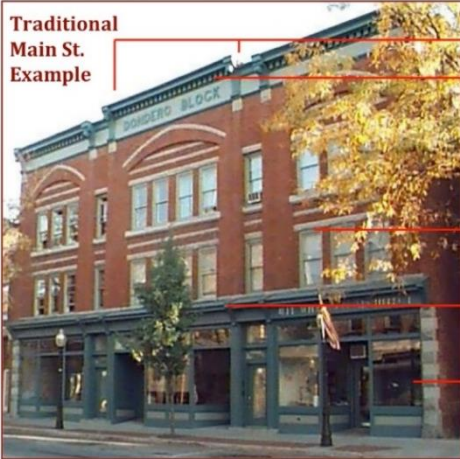
*Original Main Street sketch from Comprehensive Plan to left illustrated potential infill ideas. The drawing to right, after adoption of the Central Main Street district, provided more detailed height, square footage, and parking counts for the County Center parcel and adjacent properties.*





## Photo-Illustrated Design Standards for the Central Main Street and Linkage Zoning Districts

**Traditional  
Main St.  
Example**



Façade and roof line breaks at intervals of no more than 35'

Top floor cornice feature

Bay windows, balconies and open porches may encroach up to 4' over the sidewalk

Primary window proportions greater in height than in width

Secondary storefront cornice or first floor articulation

Commercial first floor facing Main Street

**More Modern  
Example**



### Design Standards Consistent Examples



Wood, brick, stucco, stone, or fiber-cement siding and trim recommended

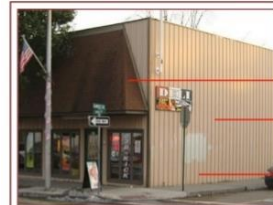
Metal, glass, or canvas-type awnings and canopies or projecting signs may encroach up to 6 feet over the sidewalk above 7 feet

Street trees planted on average 30' - 40' apart

Commercial buildings shall have at least 70% glass on first floor facades between 2' and 10' above the sidewalk



### Design Standards Inconsistent Examples



Two-story minimum required, allowing second floor occupancy

Architectural features and windows should be continued on all sides, avoiding any blank walls

Vinyl, aluminum, or sheet metal siding or sheet trim shall not be permitted



Buildings should have a top floor cornice feature

Primary window proportions shall be greater in height than in width

Commercial buildings shall have at least 70% glass on the first floor facade



Vinyl and aluminum awnings shall not be permitted

### Design Standards Consistent Examples



Wood, brick, stucco, stone, or fiber-cement siding and trim recommended

Bay windows, balconies and open porches may encroach up to 4' into the setback

Required landscaping between the sidewalk and building to enhance the streetscape



In the Linkage District, a setback of at least 15' behind the façade above the third story

Primary window proportions greater in height than in width

Secondary cornice or first floor articulation

Residential buildings shall have at least 30% glass on first floor facades



Top floor cornice feature

Façade and roof line breaks at intervals of no more than 35'

Street trees planted on average 30' - 40' apart

Metal, glass, or canvas-type awnings and canopies may encroach up to 6 feet over the sidewalk above 7 feet

## John Clarke

jclarkeplandesign@gmail.com

845.797.4152 cell

### PLANNING AND DESIGN EXPERIENCE

#### Dutchess County Department of Planning and Development

Development and Design Coordinator, January 1999–November 2015

Senior Planner-Planner positions, January 1986–December 1998

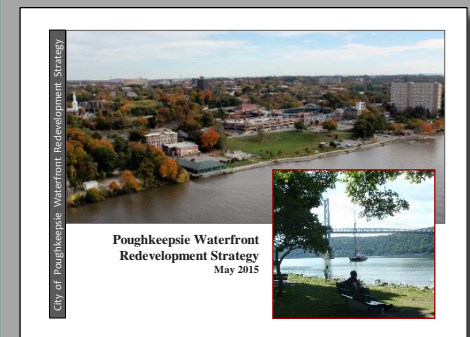
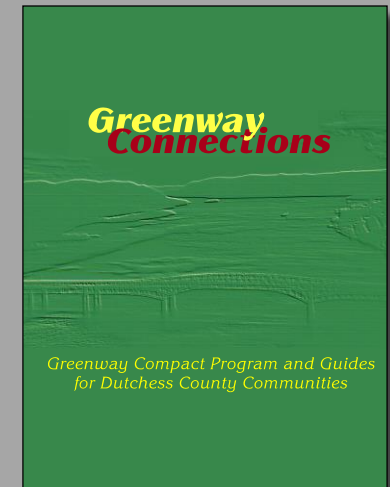
Community Development Consultant, April 1985–December 1985

#### Community Planning

- Authored and organized the award-winning *Greenway Connections*, the model Greenway Compact program with illustrated design guidelines for Dutchess County communities and the Hudson Valley.
- Created Department's innovative Centers and Greenspaces initiative, most fully implemented in the Town of Red Hook, which won awards from the NYS Planning Federation and Pace Land Use Center.
- Completed long-term community planning projects, including comprehensive plans for the Village of Rhinebeck and the towns of Clinton, Dover, Pleasant Valley, and Poughkeepsie.
- Wrote and illustrated more than a dozen Department publications, including issue-oriented newsletters and an affordable housing booklet entitled *Housing Designed to Build Neighborhoods*.
- Coordinated three-year historic survey project, documenting all significant resources in the County.
- Prepared numerous public presentations on planning issues, including statewide and regional conferences, Planning Federation training courses, college classes, and hands-on design workshops.

#### Urban Design

- Directed and designed major place-based plans, including Poughkeepsie Waterfront Redevelopment Strategy, LaGrange Town Center, and City of Poughkeepsie Transportation Strategy.
- Facilitated adoption of form-based zoning codes, including City of Beacon Central Main Street and Linkage districts and City of Poughkeepsie Waterfront-Transit Oriented Development district.
- Designed a wide variety of alternative site plans for proposed developments and illustrative plans for centers, including pedestrian-oriented designs for Rhinebeck, Hyde Park, Millerton, and Pine Plains.





## PLANNING AND DESIGN EXPERIENCE (con't)

### Supervision

- Supervised Planning Section, including budgeting, training, work programs, and daily problem-solving.
- Directed referral program for county recommendations on zoning changes and development proposals.
- Trained and supervised consulting planners under contract with eastern Dutchess communities.

**Scenic Hudson, Inc.**, Historic Preservation Consultant, June 1984–April 1985

- Completed field surveys and archival research leading to three National Register Historic District nominations in the towns of Hyde Park and Wappinger.

### ASSOCIATED EXPERIENCE

- **Congress for the New Urbanism** Charter member and NY-CNU Board of Directors for eight years.
- **Vassar College Adjunct Lecturer**, teaching for more than 10 years in the Urban Studies program.
- **Village of Rhinebeck Planning Board** member for 15 years, including several years as Chairman.

### EDUCATION

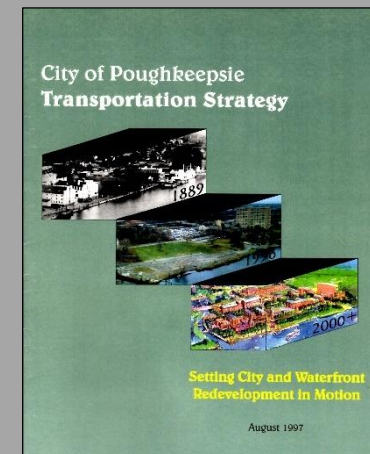
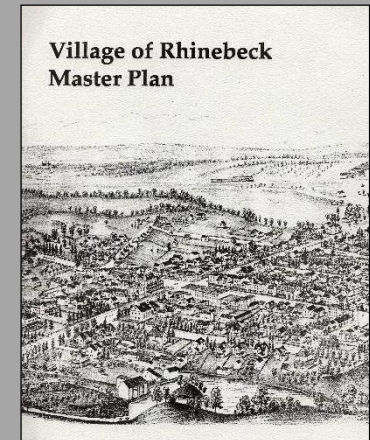
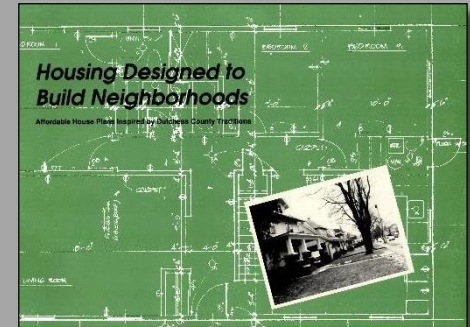
**Pratt Institute, Brooklyn, NY** Master of Science in Urban Design, May 1994

Department of Graduate Architecture Certificate of Excellence for Outstanding Merit in Urban Design

**Vassar College, Poughkeepsie, NY** Bachelor of Arts in Urban Studies, cum laude, May 1984

Phi Beta Kappa, General Honors and Department Honors

**University of Oregon, Eugene, OR** School of Architecture, September 1968 – June 1971



## Work Program and Fees

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As a long-time County Planner, a supervisor of community planners, and the department's lead planner for Beacon, as well as a local Planning Board member for 15 years, my many years of experience in the field clearly qualify me for the Beacon City Planner position. I am fully competent to provide a high level of service for all the work items listed in the RFP's Scope of Services, including:

- Provide advise to the Planning and Zoning Boards on site plans, subdivisions, special permits, variances, SEQRA reviews, and other regulated activities and procedural requirements;
- Prepare written reports with recommendations on development activities;
- Offer planning and design options and guidance on best practices;
- Provide technical services, as requested, to the City Council and other city officials;
- Produce studies and planning alternatives on special planning and zoning projects;
- Draft proposed amendments to the Zoning Code and update the City Zoning Map.

Over my career I have prepared countless comment letters and written reports and have given hundreds of presentations to local boards and large public audiences.

I am not looking to take on other regular community contracts or to work full time, so my schedule is very flexible and I can concentrate on Beacon's needs. I am available for night or day meetings with the City Council, Planning Board, other officials, consultants, and project applicants.

I have color printing, copying, and scanning capabilities up to 11" X 17" and can arrange any larger format printing needs through the graphics and GIS services at the Dutchess County Department of Planning and Development. My reputation for high-quality work, a strong record of creativity, and on-time, over-and-above performance is well earned and can be confirmed by contacting the references provided.

As a top-level professional in the field with specialty skills in urban design, I have set an hourly fee of \$125 per hour. I work as an individual consultant, keeping my overhead costs low and ensuring that the City of Beacon will get my personal attention. I understand that any administrative costs and customary overhead expenses will be covered by the basic hourly rate and that travel time is not to be reimbursed. I have talked to my insurance carrier and will certainly secure the levels of insurance required in the RFP before commencement of work.

## References

Eoin Wrafter, Commissioner  
Dutchess County Planning and Development  
27 High Street, Poughkeepsie, NY 12601  
845.486.3600 Work  
ewrafter@dutchessny.gov

Roger Akeley, Former Commissioner  
Dutchess County Planning Development  
8 Cross Street, Camden, ME 04843  
207.236.9414 Home; 207.390.1568 Cell  
rakaley@gmail.com

Mark Castiglione, Acting Executive Director  
Hudson River Valley Greenway  
625 Broadway, 4<sup>th</sup> Floor, Albany, NY 12207  
518.473.3835 Work  
Mark.Castiglione@hudsongreenway.ny.gov

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Rhinebeck Village Board of Trustees  
Liaison to the Planning Board  
21 N. Parsonage Street, Rhinebeck, NY 12572  
845.635.1800 Work; 845.876.7015 Village Hall  
sctcruikshank@aol.com

Meredith Robson  
Former Beacon City Administrator  
Ardsley Village Manager  
507 Ashford Avenue, Ardsley, NY 10502  
914.693.1550 Work  
mrobson@ardsleyvillage.com

Joel Russell  
Land Use Attorney and Planning Consultant  
25 Kensington Avenue, Northampton, MA 01061  
413.584.7228 Work; 413.537.5942 Cell  
joel@joelrussell.com

December 27, 2017

City of Beacon  
One Municipal Plaza  
Beacon, NY 12508

Re: City Planner Position

Mayor Casale and the Beacon City Council:

It has been a personal pleasure to work for Beacon over the last year. During my more than 20 years experience as Dutchess County's lead planner for the City and now as the City Planner, I have witnessed a remarkable transformation, as once empty buildings have been renovated with a mix of uses and Main Street sidewalks have come alive with more storefront businesses, new residents, and outside visitors. Land that was cleared 40 years during the Urban Renewal demolition period is finally being rebuilt and the link between Main Street and the Train Station is beginning to be restored.

This past year has been very active from a planning perspective, starting with the adoption of the Comprehensive Plan Update and rezoning of the waterfront area, then approving Complete Streets policy guidelines, reconfiguring the Affordable-Workforce Housing Law, and amending the Off-Street Parking section of the Code. To further implement recommendations in the Comprehensive Plan, I helped the Council revise the Fishkill Creek Development district, adding architecture and design standards, and worked on draft changes to the Main Street area zoning. Finally, I have been involved with the Water Supply Study as part of the moratorium, primarily providing the consultants city-wide short-term and longer-term build-out projections.

For planning work in 2018, the City Council has discussed a fairly long list of possible projects, including:

- Finish work on the Main Street area zoning map and text changes;
- Revise the Business Off-Street Parking (PB) district, considering more commercial uses;
- Expand the Historic District and Landmark Overlay Zone, especially in the Main Street area;
- Redo the use and bulk zoning tables with a simple and clear table format;
- Change certain districts to deduct natural constraints from development calculations;
- Complete the Natural Resources Inventory and incorporate results into regulations;
- Update the City's parking requirements and policies; and
- Create an urban design plan for the Beekman-Main Street corridor, targeting a series of public parks and squares to be coordinated with trolley stops and visitor information signs.

Of course, this list is open to change or additional initiatives. In terms of new public spaces and trolley stops, I have attached the map that inspired the idea and some of my sketches of various greenspaces tied to key civic buildings and potential infill development. I have also included a short version résumé and a copy of my original 2016 proposal for Council members who may want a broader understanding of my background.



As a professional planner with over 30 years experience and unique specialty skills in historic preservation and urban design, I previously set an hourly fee of \$125 per hour, which will continue through 2018. I understand that any administrative costs and customary overhead expenses will be covered by the basic hourly rate and that travel time is not to be reimbursed. I work as an individual consultant, keeping my overhead costs low and ensuring that Beacon gets my personal attention. I have turned down other job offers to focus all my planning time on this position. My goal is to help Beacon build on its success stories and make the City a better place to live.

Thanks for your consideration and I look forward to working with the City Council and Planning Board in the new year.

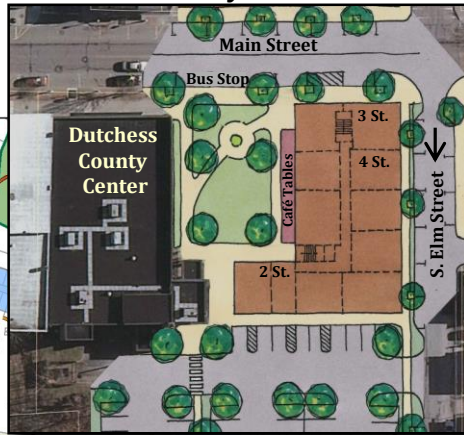
A handwritten signature in dark ink, appearing to read 'J. Clarke', with a stylized, flowing script.

John Clarke  
Planning and Design

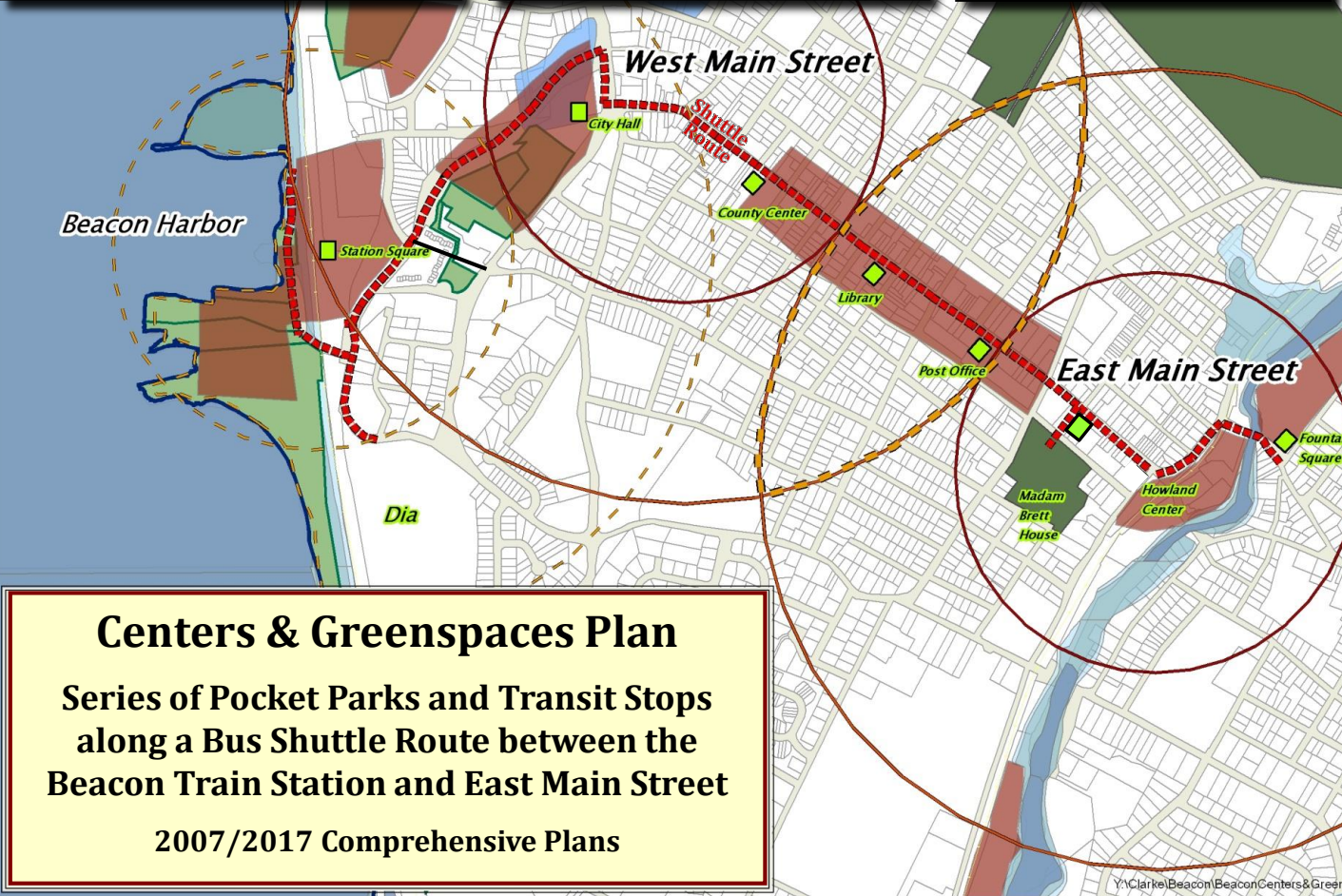
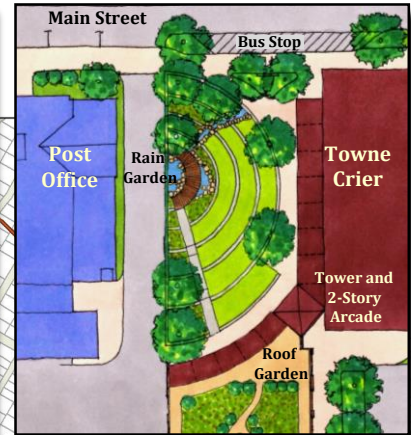
**City Hall**



**County Center**



**Post Office**



## Centers & Greenspaces Plan

Series of Pocket Parks and Transit Stops  
along a Bus Shuttle Route between the  
Beacon Train Station and East Main Street

2007/2017 Comprehensive Plans



**Station Square**



**Madam Brett Homestead**

## **PLANNING AND DESIGN EXPERIENCE**

### **Beacon City Planner, September 2016 - Present**

- Provided professional recommendations to the City Council and administration on planning policies, zoning regulations, grant applications, and development strategies.
- Advised the City Council, Comprehensive Plan Committee, and consultants to complete the Plan Update, adopt new zoning for the waterfront area and Fishkill Creek corridor, and propose changes for Main Street zoning.
- Assisted the City Council to update the Affordable-Workforce Housing Law, adopt Complete Streets policy guidelines and checklist, and amend the Off-Street Parking section of the zoning code.
- Worked closely with the Planning Board, Architectural Review Subcommittee, and City Engineer reviewing proposed development projects and offering technical recommendations and design alternatives.
- Contributed to the ongoing Water Supply Study, evaluating past census trends and preparing short-term and longer-term build-out projections.

### **Dutchess County Planning and Development, Development and Design Coordinator, April 1985-November 2015**

- Organized the Hudson Valley's model Greenway Compact Program and principal author for the award-winning *Greenway Connections* with illustrated design guidelines for Dutchess County communities.
- Created Department's groundbreaking Centers and Greenspaces initiative, most fully implemented in the Town of Red Hook, which won awards from the NYS Planning Federation and Pace Land Use Center.
- Completed major community planning projects, including Poughkeepsie Waterfront Redevelopment Strategy, LaGrange Town Center, City of Poughkeepsie Transportation Strategy and comprehensive plans for the Village of Rhinebeck and the towns of Clinton, Dover, Pleasant Valley, and Poughkeepsie.
- Facilitated adoption of innovative form-based zoning codes, including the City of Beacon Central Main Street and Linkage districts and City of Poughkeepsie Waterfront-Transit Oriented Development district.
- Designed a wide variety of alternative site plans for proposed developments and illustrative plans for centers, including pedestrian-oriented designs for Rhinebeck, Hyde Park, Millerton, and Pine Plains.
- Wrote and illustrated more than a dozen Department publications, including issue-oriented newsletters and an affordable housing booklet entitled *Housing Designed to Build Neighborhoods*.
- Directed referral program for county recommendations on zoning changes and development proposals.
- Coordinated three-year historic survey project, documenting all significant resources in the County.
- Prepared numerous presentations, including statewide and regional conferences, Planning Federation training courses, and more than 10 years as an Adjunct Lecturer for the Vassar College Urban Studies program.

### **Scenic Hudson, Inc., Historic Preservation Consultant, June 1984–April 1985**

- Completed three National Register Historic District nominations in the towns of Hyde Park and Wappinger.

## **EDUCATION**

### **Pratt Institute, Brooklyn, NY Master of Science in Urban Design, May 1994**

Department of Graduate Architecture Certificate of Excellence for Outstanding Merit in Urban Design

### **Vassar College, Poughkeepsie, NY Bachelor of Arts in Urban Studies, cum laude, May 1984**

Phi Beta Kappa, General Honors and Department Honors

### **University of Oregon, Eugene, OR School of Architecture, September 1968 – June 1971**

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Renew Video Ventures contract**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Video contract renewal	Backup Material

**Video Ventures Ltd.  
23 Roundtree Court  
Beacon, NY 12508  
Peter Skorewicz 845-440-3174 914-629-9864 (cell)**

### **Proposal For 2018**

To have the City of Beacon televise and web cast the City Council Work sessions, the City Council Meetings and monthly Planning and Zoning Board meetings.

Currently Video Ventures is contracted to videotape & edit the meetings and also contracted to program Channel 22 with meetings and announcements and local events. Video Ventures also uploads and maintains the video page on the City web site.

The monthly cost for (6) meetings per month would be \$1900.00

This flat monthly fee would include all videotaping, editing, copies, web site uploading and hosting, conversion & programming for Channel 22 as well as monthly announcements.

### **Contract Renewal 2018**

The City of Beacon would contract Video Ventures Ltd for (2) two years with (2) two, two-year options to renew based upon performance. Video Ventures would supply the camera crew and all necessary equipment for taping, editing, and uploading all meetings each month. As stated above the monthly charge for all services mentioned would be a flat total of \$1900.00. Video Ventures would supply the City of Beacon with one copy each month for City Hall records. Please note I also keep a back up copy as well. The back up DVD would be delivered to City Hall monthly and also be available on the Internet within 2 days. Any additional copies may be purchased for \$25.00 per copy on an “as needed basis.” (previously done).

Any additional meetings or events would be covered and billed upon approval of the Mayor, City Administrator and the City Council on an “as needed” basis.



**Video Ventures Ltd.  
23 Roundtree Court  
Beacon, NY 12508**

**Peter Skorewicz 845-440-3174 914-629-9864 (cell)**

**Thank You**

**Peter Skorewicz  
Video Ventures Ltd  
Beacon, NY**

**\*\*\* Any cancelation of video contract prior to expiration, by either party, must be made with a 60 day notice to the parties.\*\*\***

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Peter Skorewicz, Jr Owner & CEO Video Ventures      Date

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City of Beacon representative      Date

**City of Beacon Workshop Agenda  
1/2/2018**

**Title:**

**Public Hearing Medical Accessory Structures**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Medical Accessory Structures

Type

Local Law

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2017**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND  
CHAPTER 223 OF THE CODE OF THE  
CITY OF BEACON**

A LOCAL LAW to  
amend Chapter 223,  
concerning  
temporary medical  
service accessory  
structures.

BE IT ENACTED by the City Council of the City of Beacon as follows:

**Section 1.** Chapter 223, Attachment 1 of the Code of the City of Beacon entitled “§ 223-17C, Schedule of Regulations For Residential Districts” is hereby amended to add the following permitted as an accessory use:

12. A single temporary structure not exceeding 250 square feet in compliance with section 223-17E and located in the rear or side yard and connected to the principal dwelling unit in a manner that is satisfactory to the Building Inspector for a period not exceeding one (1) year, solely to be used, without charge, by the owner or occupant of the dwelling unit or an individual related to the owner or occupant, for medical services to be provided until permanent accessible housing can be arranged, as demonstrated by a medical note and other proof to the satisfaction of the Building Inspector. The Building Inspector, upon good cause shown, may extend the one (1) year limitation for a period not to exceed one (1) year.

**Section 2.** Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223, Attachment 1 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

**Section 3.** Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or



impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

**Section 4. Effective Date**

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Historic Overlay**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Historic perservation

Type

Backup Material

## **Chapter 134**

### **HISTORIC PRESERVATION**

#### **GENERAL REFERENCES**

**Zoning — See Ch. 223.**

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#### **§ 134-1. Purpose.**

There exist within the City of Beacon landmarks, structures, buildings and districts of special historic significance which, by reason of their antiquity or uniqueness of architectural construction or design, are of particular significance to the heritage of the City, county, state or nation.

#### **§ 134-2. Historic District.**

- A. An Historic District and Landmark Overlay Zone (HDLO) is hereby established for the purposes of encouraging the protection, enhancement, perpetuation and use of buildings and structures and appurtenant vistas having special historical or aesthetic value which represent or reflect elements of the City's cultural, social, economic, political and architectural history.
- B. For the purposes of this chapter, the landmarks and the boundaries of such zone are established as shown on a map entitled "Historic District and Landmark Overlay Map," which is hereby incorporated as a part of this chapter and is attached hereto as Exhibit A.<sup>1</sup>

#### **§ 134-3. Definitions.**

Unless specifically defined below, words or phrases in this chapter shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this chapter its most reasonable application.

**ALTERATION** — Any act or process that changes one or more of the exterior architectural features of a structure, including but not limited to the erection, construction, restoration, renovation, reconstruction, demolition, moving or removal of any structure.

**CERTIFICATE OF APPROPRIATENESS** — A certificate issued by the Planning Board indicating its approval of plans for alteration, construction, removal or demolition of a landmark or of a structure within an historic district.

**CERTIFICATE OF ECONOMIC HARDSHIP** — A certificate issued by the Zoning Board of Appeals authorizing an alteration, construction, removal or

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**1. Editor's Note: Exhibit A is on file in the City offices. A list of landmarks and historic districts added to the overlay zone since the adoption of the map is included in § 134-14 of this chapter.**

demolition even though a certificate of appropriateness has previously been denied.

**CONSTRUCTION** — The act of making an addition to an existing structure or the erection of a new principal or accessory structure on a lot or parcel.

**DEMOLITION** — Any act or process that destroys in part or in whole a landmark on a structure within an historic district.

**EXTERIOR ARCHITECTURAL FEATURES** — The design and general arrangement of the exterior of a structure open to view from a public way, public property or any part of any public building, including the kind and texture of building materials and number, proportion, type and spacing of windows, doors, walls, roofs, murals, projections and signs. This term shall also include all earthworks, sidewalks, driveways, fences, trees, landscaping and other features visible from a public way, public property or any part of any public building.

**HISTORIC DISTRICT** — An area designated as an "historic district" by action of the City Council in enacting this chapter and which contains within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.

**LANDMARK** — A property or structure designated as a "landmark" by action of the City Council in enacting this chapter that is worthy of rehabilitation, restoration and preservation because of its historic and/or architectural significance to the City of Beacon.

**OWNER OF RECORD** — The person, corporation or other legal entity issued as owner of a parcel according to the records of the Dutchess County Clerk.

**REPAIR** — Any change that is not construction, removal or alteration.

**STRUCTURE** — Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, walls, sidewalks, signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.

**§ 134-4. Certificate of appropriateness. [Amended 6-2-2014 by L.L. No. 9-2014]**

No person shall carry out any exterior alteration of a landmark or property within an historic district without first obtaining a certificate of appropriateness from the Planning Board or a certificate of economic hardship from the Zoning Board. No certificate of appropriateness is needed for changes to interior spaces, unless they are open to the public, to architectural features that are not visible from a public street or way, or for the installation of a temporary sign as described in § 223-15F of the Zoning Ordinance of the City of Beacon if located in a nonresidential district. Nothing in this chapter shall be construed to prevent the ordinary

maintenance and repair of any exterior architectural feature of a landmark or property within an historic district which does not involve a change in design, material or outward appearance.

**§ 134-5. Criteria for approval of a certificate of appropriateness.**

- A. In reviewing an application and plans, the Planning Board shall give consideration to:
  - (1) The historic or architectural value or significance of the structure and its relation to the historic character of the surrounding area.
  - (2) The relationship of the exterior architectural features of such structure to the rest of the structure and to the surrounding area.
  - (3) The general compatibility of exterior design, arrangement, texture and material proposed.
- B. In applying the principle of compatibility, the Planning Board shall consider the following factors:
  - (1) The general design, character and appropriateness to the property of the proposed alteration or new construction;
  - (2) The scale of the proposed alteration or new construction in relation to the property itself, surrounding properties and the neighborhood;
  - (3) Texture and materials and their relation to similar features of other properties in the neighborhood.

**§ 134-6. Designation of landmarks or historic districts.**

- A. The City Council hereby designates the individual properties as landmarks as shown on the accompanying Historic District and Landmark Overlay Map because they:
  - (1) Possess special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the City, county, state or nation;
  - (2) Are identified with historic personages;
  - (3) Embody the distinguishing characteristics of an architectural style;
  - (4) Are the work of a designer whose work has significantly influenced an age; or
  - (5) Because of unique location or singular physical characteristic, represent an established and familiar visual feature of the neighborhood.
- B. The City Council hereby designates the group of properties shown on the attached map as a historic district because they:

- (1) Contain properties which meet one or more of the criteria for designation of a landmark; and
  - (2) By reason of possessing such qualities, constitute a distinct section of the City.
- C. Notice of a proposed designation shall be sent by regular mail to the owner of the property proposed for designation, describing the property proposed and announcing a public hearing by the City Council to consider the designation. Once the City Council has issued notice of a proposed designation, no building permits shall be issued by the Building Inspector until the Council has made its decision.
- D. The City Council shall hold a public hearing prior to designation of any landmark or historic district. The City Council, owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain reports, public comments or other evidence offered outside of the hearing.
- E. The City Council shall forward notice of each property designated as a landmark and the boundaries of each designated historic district to the offices of the Dutchess County Clerk for recordation.

**§ 134-7. Certificate of appropriateness application procedure.**

- A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Planning Board. The application shall include:
- (1) The name, address and telephone number of the applicant.
  - (2) Sketches or other drawings showing the proposed changes.
  - (3) Descriptions or samples of materials to be used.
  - (4) (Where the proposal includes signs or lettering,) a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, if any, and a plan showing the sign's location on the property.
  - (5) Any other information which the Planning Board may deem necessary in order to visualize the proposed work.
- B. No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Planning Board. The certificate of appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the City of Beacon.
- C. The applicant may consult with the Planning Board or its designated agent prior to submitting an application.

- D. Where site plan review or subdivision approval is also required for the application, the certificate of appropriateness procedure shall be conducted simultaneously with such review by the Planning Board.
- E. The Planning Board shall approve, deny or approve the permit with modifications within 45 days from receipt of the completed application. The Planning Board may hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views. Failure by the Planning Board to take action within the prescribed period of time shall constitute approval.
- F. All decisions of the Planning Board shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Planning Board's decision shall state the reasons for denying or modifying any application.

**§ 134-8. Hardship criteria and application procedure.**

- A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief to the Zoning Board of Appeals on the grounds of hardship. In order to prove the existence of hardship, the applicant must establish that:
  - (1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and
  - (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
  - (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- B. The applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief to the Zoning Board of Appeals on the ground of hardship.
- C. The Zoning Board shall make a decision within 30 days of the conclusion of the hearing on the application. The Board's decision shall be in writing and shall state the reasons for granting or denying the hardship application. The Zoning Board's review of said hardship application shall be in accordance with the procedures set forth in § 223-55C of Chapter 223, Zoning. Failure by the Zoning Board of Appeals to take action within the prescribed period of time shall constitute approval of the application.

**§ 134-9. Enforcement.**

All work performed pursuant to a certificate of appropriateness issued under this chapter shall conform to any requirements included therein. It

shall be the duty of the Building Inspector to inspect periodically any such work to assure compliance. In the event that work is found that is not performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Planning Board, the Building Inspector shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

**§ 134-10. Penalties for offenses.**

- A. Failure to comply with any of the provisions of this local law shall be deemed a violation, and the violation is subject to the penalties provided in § 223-53 of Chapter 223, Zoning.
- B. The City Council is also authorized to institute any and all actions required to enforce this chapter. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

**§ 134-11. Fees.**

- A. Each application for a certificate of appropriateness shall be accompanied by a fee, in an amount set by the City Council, payable to the City Clerk.
- B. The applicant may be charged a fee by the Planning Board for the actual cost of preparation and publication of each public notice of hearing on the application. Said fees shall also be fixed from time to time by resolution of the City Council.

**§ 134-12. Uses permitted by special permit. [Amended 8-6-2001 by L.L. No. 12-2001; 3-18-2002 by L.L. No. 9-2002; 5-17-2010 by L.L. No. 4-2010]**

Section 223-24.7 of Chapter 223, Zoning, of the City Code, enumerates the uses which may be permitted by special permit, issued by the City Council, in the Historic District and Landmark Overlay Zone, and the process by which such uses may be permitted.

**§ 134-13. Assessment abatement.**

Any person who is granted a certificate of appropriateness and performs the work detailed in the application submitted to the Planning Board will not be subject to an increase in assessment for the subject property as a result of the improvements made to the buildings and structures on said property. This clause does not apply to applicants who also receive a special permit as set forth in § 223-18 of Chapter 223, Zoning.

**§ 134-14. Additional areas.**

In accordance with § 134-6, the following landmarks, properties and/or historic districts are added:



## A. Properties added 5-17-1999 by L.L. No. 12-1999:

<b>Parcel I.D.</b>	<b>Location</b>	<b>Owner Name</b>
6054-13-126252	250 Howland Avenue	University Settlement Camp Society of New York
6054-17-047180	300 Howland Avenue	Craig House
6054-17-025161	310 Howland Avenue	Stephen Fleming and Donna Landstreet
6054-17-075135	330 Howland Avenue	Scenic Hudson
A portion of 6054-14-259407 as shown on map <sup>2</sup>	150 Howland Avenue	Beacon Hills Development Corporation

B. The following landmarks and districts are hereby added to the Historic District and Landmark Overlay Zone. The attached map, entitled Proposed Additions to Historic District and Landmark Overlay Zone, and dated May 12, 2006, shows the respective location of each of the following:<sup>3</sup> **[Added 4-3-2006 by L.L. No. 4-2006]**

- (1) Gateway to Mt. Beacon Park (Mount Beacon Incline Property; on National Register).
- (2) Peter Dubois House, 36 Slocum Road; on National Register.
- (3) Old Matteawan State Hospital buildings and grounds.
- (4) Fountain Square (East Main Street), including Leonard Street (Alice Judson House, Dr. Jennings/Leonard House, Catholic Church).
- (5) Byrnesville Cemetery, South Avenue (purported burial ground of Roger Brett).
- (6) H. W. Sargent's "Wodenethe": two gatehouses, South Avenue and Wodenethe Drive.
- (7) Methodist Cemetery, North Walnut Street.
- (8) Old stone houses (2), Overlook Avenue near Stone Street (houses date back to late 18th Century).
- (9) Old Tioronda Hat Shop and Madam Brett Park (site of original Brett mill), South Avenue, dates to 1879.
- (10) Peter Schenck House, adjoining Tallix property, Blackburn Avenue - Schenck Estate.

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2. **Editor's Note: Refers to the proposed Zoning and Historic District and Landmark Overlay Zone Map prepared by Frederick P. Clark Associates, dated 3-25-1999.**

3. **Editor's Note: The map is on file in the City offices.**

- (11) Russell Avenue, from First Street to Union Street, cluster of historic homes; 1st Highland Hospital; Mayor Russell's House; Ticehurst Home dates to 1840s (excluding 40 Russell Avenue).
  - (12) Calvert Vaux House, South Avenue.
  - (13) Chrystie House, South Avenue.
  - (14) 1 East Main.
  - (15) 10 East Main
  - (16) South Street (excluding 32 South Street).
  - (17) North Street (excluding 19 North Street).
  - (18) St. Joachim's Church and Old Cemetery.
  - (19) St. John's Church.
  - (20) AME Zion Church, Academy Street.
  - (21) Springfield Baptist Church, Mattie Cooper Street Square.
  - (22) Fairview Cemetery. Washington Avenue.
  - (23) Northwest corner of Teller and Rombout Avenues, 2nd Empire brick home.
- C. Property added May 17, 2010, by L.L. No. 5 of 2010: **[Added 5-17-2010 by L.L. No. 5-2010]**

<b>Parcel I.D.</b>	<b>Location</b>	<b>Owner Name</b>
130200-6054-21-065892	11 Fishkill Avenue	Beacon School District

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Driveway Permits**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Lots and Driveways	Backup Material
Lots and Driveways 2	Backup Material
Driveways	Cover Memo/Letter

## **§ 195-24. Lots and driveways.**

- A. Lot and driveway arrangement. The lot arrangement shall be such that there will be no foreseeable difficulty, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning chapter,<sup>1</sup> and the County Health Department regulations, and in providing driveway access to buildings on such lots from an approved street or private road in compliance with the driveway requirements of the Zoning chapter. Subject to the provision of access easements and a maintenance declaration or agreement suitable to the City Attorney, which documents shall be filed with the deeds to the subject lots, the Planning Board may approve the use of a common driveway for a maximum of two lots, if the Board determines that the use of said common driveway is more beneficial to the safety, welfare or convenience of the proposed users of the driveway and/or the people of the City in general than would be the case with separate driveways.
- B. Lot dimensions.
- (1) Except as provided elsewhere in this chapter or otherwise permitted by the City Council, lot area and dimensions shall comply with at least the minimum standards of the Zoning chapter for the district in which they are located. Where lots are more than double the minimum required area, the Planning Board may require that they be arranged so as to allow for further subdivision and the opening of future streets where necessary to serve such potential lots, all in compliance with the Zoning chapter and this chapter. Where, in the opinion of the Planning Board, lots of larger than minimum size are required for purposes of proper drainage, water supply, waste disposal, or the preservation of important ecological features, the Board may require such oversized lots as a condition of plat approval.
  - (2) Side lot lines shall generally be at right angles to street or private road lines (or radial to curving street or private road lines) unless the Planning Board allows a variation from this rule to give a better street, private road or lot arrangement. Dimensions of corner lots shall be large enough to allow for erection of buildings observing the minimum front yard setback from both streets or private roads.

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1. Editor's Note: See Ch. 223, Zoning.



- (3) Where a proposed subdivision includes an existing residence larger in size than can appropriately be placed on a lot of the minimum size permitted in the zoning district, the Planning Board may require:
    - (a) That the lot be of such size and relationship to the proposed street or private road system that the structure will be an appropriate and harmonious part of the subdivision; and
    - (b) Restrictions such that the lot not be resubdivided in the future.
- C. Access from major and collector streets. Lots shall not, in general, derive access from a major or collector street, but shall front on a minor interior street or private road. Where driveway access from a major or collector street may be necessary for two adjoining lots, the Planning Board may require that such lots be served by a common access drive in order to limit the possible traffic hazard on such street. Any such driveways, where permitted, shall be designed in such a way as to provide adequate and convenient area for the turnaround of vehicles so as to avoid requiring them to back into traffic on such streets and private roads.
- D. Double frontage lots. Lots fronting on two streets or private roads, other than corner lots, shall be avoided except where deemed essential by the Planning Board in order to provide separation of residential development from major or collector streets, or to overcome problems of topography or orientation. The Planning Board may require access limitation and/or buffer landscaping for such double frontage lots where the Board determines that such measures would be appropriate.
- E. Water bodies. If a subdivision contains a water body, or portion thereof, lot lines shall be drawn so as to distribute the entire ownership of the water body among the fees of the adjacent lots, unless the Planning Board approves an alternate plan whereby the ownership of and responsibility for the safety of the water body is so placed that it will not become a City responsibility.
- F. Access across a watercourse. Where a watercourse separates the buildable area of a lot from the street or private road by which it has access, provision shall be made for the installation of a bridge, culvert or other drainage facility of a design approved by the Planning Board based upon recommendation of the City

Engineer, to provide satisfactory access across such watercourse for fire, police and other emergency equipment.

G. Subdivisions with land in two or more zoning districts or municipalities.

- (1) In general, a lot should not be divided by a zoning district or municipal boundary. If it is, however, necessary for a zoning district boundary to cross a lot, such lot shall be designed so that it can be readily developed in accordance with the standards of the more restrictive zoning district. If it is necessary for a municipal boundary line to cross a lot, the Planning Board may require suitable legal agreements to assure that the two portions of the lot will not be separated in the future and that the portion of the lot in the adjoining municipality will not be used for any purpose that would make it nonconforming if the entire lot were located within the City of Beacon.
- (2) Whenever a subdivision includes land in two or more zoning districts and/or municipalities, the location of the zoning district and/or municipal boundary line shall be shown on the plat and, in addition, where zoning boundaries are involved, the following notation shall be added: "Existing zoning boundaries as of \_\_\_\_\_, 20 \_\_\_\_."

H. Driveways.

- (1) The developer and/or owner shall design and construct all driveways within the limits of the right-of-way with sufficient sight distance and with a grade of no more than one-half inch per foot from the curbline or edge of roadway pavement to a point 20 feet from the curbline or edge of roadway pavement. The minimum width of the driveway pavement at the curb or street line shall be 14 feet, tapering to a minimum of 10 feet at the right-of-way line.
- (2) All driveways shall be graded to the satisfaction of the Street Superintendent and City Engineer prior to the surfacing of such driveways.
- (3) The driveway surface shall be constructed of a dust-free surface material and shall be six inches in depth.

I. Common driveways.

- (1) The developer and/or owner shall design and construct all common driveways within the limits of the right-of-way with

sufficient sight distance and with a grade of no more than one-half inch per foot from the curbline or edge of roadway pavement to a point 20 feet from the curbline or edge of roadway pavement. The minimum width of the driveway pavement at the curbline or street line shall be 16 feet. At locations where individual driveways branch off from the common driveway, these driveways shall be a minimum of 10 feet in width.

- (2) All common driveways shall be graded to the satisfaction of the Street Superintendent and City Engineer prior to the surfacing of such driveways.
- (3) The common driveway surface shall be constructed of a dust-free surface material and shall be six inches in depth.
- (4) Common driveways shall be permitted in residential districts when approved by the Planning Board. In determining the appropriateness of a common driveway, the Planning Board shall consider whether it will minimize adverse environmental effects on the site, the length of the road, overall density, proposed offset of driveways, road grades and center line radius, setback requirements, and all other generally accepted planning standards.

### **§ 204-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

EXCAVATION or GRADING — Excavation or grading by blasting or by use of power-assisted machinery or equipment.

SLASHING OF TREES — The cutting, grubbing or other removal of any three or more live trees in any calendar year, when such trees are located within less than 100 feet of each other and have a caliper of six inches or more at height of three feet above ground.

### **§ 204-2. Regulated activities: temporary permit.**

On any lot, excavation, grading or removal of topsoil, clay, sand, gravel, rock or other earth materials; dumping, filling or depositing of such earth materials or fill of any kind; and slashing of trees are activities regulated under this chapter and are permitted only under a temporary permit granted by the City Engineer under §§ 204-3 through 204-9 or as one of the exemptions hereinafter specified. Within 20 days after the City Engineer has granted a temporary permit under this chapter, the City Council may, at its discretion, approve, modify and approve or disapprove the temporary permit. Any failure by the City Council to take action within said twenty-day period shall be deemed to be an approval by the City Council.

### **§ 204-3. Application for temporary permit.**

Before any temporary permit shall be granted, a written application shall be submitted to the City Engineer, together with an application fee in accordance with the City of Beacon Fee Schedule and maps and plans, prepared by and bearing the seal of a land surveyor or professional engineer licensed to practice in the State of New York, showing the following:

- A. The area to be excavated.
- B. Existing contour lines on the premises and proposed contour lines resulting from the intended excavation or removal, shown on a map drawn to a scale of not less than 100 feet to the inch and with a contour interval not to exceed two feet.
- C. Existing and proposed drainage on the premises.
- D. Existing rivers, streams or watercourses on or adjacent to the premises.
- E. Adjoining properties and streets.



- F. Proposed truck access to the property.
- G. Such additional information as the City Engineer may deem necessary in order to decide upon such application.

#### **§ 204-4. Criteria for issuance of temporary permit.**

The City Engineer may grant a temporary permit for a limited period of time, not exceeding two years, if he or she shall find that such excavation will not result in the creation of any sharp declivities, pits or depressions, soil erosion or fertility problems, depressed land values nor create any drainage or sewerage problems or other conditions which would impair the use of the property, in accordance with the Zoning Ordinance,<sup>1</sup> and that such excavation will be in harmony with the general purpose and intent of the Zoning Ordinance, and if the City Engineer further finds that the temporary permit to be granted is capable of being completed within the time provided in the permit.

#### **§ 204-5. Standards and conditions for issuance.**

A temporary permit shall be granted only subject to the following standards and conditions:

- A. That the premises shall be excavated and graded in conformity with the proposed contour plan, as approved.
- B. That slopes shall not exceed 30° to the horizontal or such lesser slope that the City Council may specify as necessary for the public health or safety, soil stability or for the reasonable use of the property after completion of the excavation.
- C. That no fixed machinery shall be erected or maintained in connection with the excavation and that no building shall be erected on the premises except temporary shelters for machinery and a field office.
- D. That there shall be no excavation or removal within 50 feet of any street or property line, except that, where the property to be excavated is considerably above street grade at the street line, removal may take place at a lesser distance from the street line if approved by the City Engineer.
- E. That there shall be no sharp declivities, pits or depressions and that proper drainage will be provided to avoid stagnant water, soil erosion and water pollution.

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1. Editor's Note: See Ch. 223, Zoning.

- F. That after excavation or removal, the premises shall be cleared of debris within the time provided in the permit.
- G. That the top layer of arable soil for a depth of six inches shall be set aside and retained on the premises and shall be respread over the premises and that a suitable ground cover shall be planted and grown to an erosion-resistant condition, upon the completion of the excavation or removal, in accordance with the approved contour lines, and that such work shall be completed within the time provided for in the permit.
- H. If required by the City Engineer, that the area to be excavated or a portion thereof shall be enclosed within a fence of such type, height and location as the City Engineer may specify.
- I. That the City Engineer may establish a schedule to be filed with the records of such application and temporary permit showing limitations on the day of the week or the hours of the day during which any work may be performed on the premises; limitations as to the size and type of machinery to be used on the premises; place and manner of disposal of excavated material; and requirements as to the control of dust, noise and lighting, if permitted, so as to prevent results injurious or offensive to the general public.
- J. That the City Engineer may require the applicant to submit periodic reports, prepared by and bearing the seal of a land surveyor or professional engineer licensed to practice in the State of New York, showing the status and progress of the excavation, and may require the applicant to pay to the City an inspection fee in an amount deemed necessary by the City Engineer to defray the cost of inspection of the operation.

#### **§ 204-6. Performance bond.**

The applicant shall file with the City Clerk a performance bond, in form and with surety acceptable to the City Council, in such amount as the City Engineer may deem sufficient to insure the faithful performance of the work to be undertaken.

#### **§ 204-7. Revocation or suspension of temporary permits.**

Any temporary permit issued pursuant to the provisions of this chapter may be revoked by the City Engineer, after notice, in writing, and a hearing, for violation of any conditions of the temporary permit; violation of any provision of this chapter, or any other law or other regulation relating to the work permitted; or the existence of any

condition or the doing of any act constituting or creating a nuisance or endangering the life or property of another.

- A. Notice. The notice shall describe the violation charged and may be either delivered personally or mailed postage prepaid to the address appearing on the application.
- B. Suspension. Any temporary permit may be suspended for cause by the Building Inspector for a period not exceeding five days without a hearing. All work under any special permit shall be suspended following notice of hearing to revoke as provided for in this section.

### **§ 204-8. Exemptions.**

A temporary permit is not required for conduct of one or more of the aforesaid regulated activities in the following cases, provided that the activity is conducted and completed in such a manner as to cause no danger to the public health and safety and no stagnant water, soil erosion, sedimentation, water pollution, excessive drainage runoff or flooding problems:

- A. In connection with the grading of land in or the construction and installation of roads, drainage and other improvements in a subdivision plat granted final approval by the Planning Board and only in accordance with plans as approved by the Planning Board.
- B. In connection with the construction, reconstruction, enlargement, moving or structural alteration of a building or other structure, including construction and installation of site improvements related thereto, for which an application for a certificate of occupancy and/or building permit shall have been approved by the Building Inspector, and only in accordance with plans accompanying such approved application or permit.
- C. In connection with a bona fide farming or forest management operation.
- D. In connection with a bona fide landscaping or other site improvement on a lot, provided that no fill is deposited within a watercourse, water body, swamp or other wetlands, and provided that disturbed areas are properly graded and reseeded or otherwise planted.

**§ 204-9. Penalties for offenses.**

Any person who shall violate any provision of this chapter shall be liable to a fine of not more than \$250 or imprisonment for not exceeding 15 days, or both such fine and imprisonment.



**§ 191-14. Written permission to tunnel required.**

No person having a permit secured under this article shall, under any circumstances, tunnel under macadam, asphalt macadam, concrete or similarly paved roads for the purpose of connecting to water or sewer facilities unless written permission from the Superintendent of Streets shall first have been secured.

**§ 191-15. Openings into water or sewer facilities.**

All openings into any water or sewer facilities shall be made only by plumbers duly licensed by the City.<sup>1</sup>

**§ 191-16. Compliance with directions of Superintendent of Streets required.**

Any person to whom a permit is issued under the terms of this article must comply with all directions of the Superintendent of Streets designed to secure the safety of persons and their property lawfully using the streets of the City. Such directions may be given orally or in writing by the Superintendent or his representative.

**§ 191-17. Penalties for offenses.**

Any person, firm or corporation or his or its representative, agent or employee who shall violate any of the provisions of this article shall be punished by the imposition of a penalty as prescribed in § 1-3.

**§ 191-18. Permit required.**

No person, without having first secured a permit therefor from the City Clerk as provided in this article, shall:

- A. Fill in or raise or cause to be filled in or raised any street or any part thereof.
- B. Take up, remove or carry away or cause to be taken up, removed or carried away any asphalt or asphalt blocks, flagstones, turf, stone, gravel, concrete, sand, clay or earth from any street or part thereof.

**§ 191-19. Application for permit.**

Any person may apply to the City Clerk for a permit required by this article to open a street.

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1. Editor's Note: See Ch. 167, Plumbing.

**§ 191-20. Fee and work rules.**

- A. The applicant for a permit under this article or the person for whose benefit the excavation or opening is to be made shall pay a fee as set forth in the City of Beacon fee schedule<sup>2</sup> to the Superintendent of Streets for each street opening. **[Amended 7-6-2010 by L.L. No. 10-2010]**
- B. A permit shall be obtained no less than 24 hours before any work is performed. All work shall be done during regular work hours of the Highway Department. The Superintendent of Streets may waive these requirements in the event of an emergency.
- C. The opening shall be backfilled with item and tamped in one-foot lifts before applying four inches of blacktop. All openings shall be square cut and edges shall be cleaned before patching. Openings in concrete roads shall be filled with K-Crete or approved equal from the bottom of the trench to two inches below the riding surface. The riding surface shall consist of two inches of blacktop. The opening shall be properly maintained at all times during construction and the quality of the work (in case of settlement) shall be guaranteed for a period of one year. During construction, barricades, lights and other safety devices shall be employed as required by law or custom in the construction industry.

**§ 191-21. Bond and insurance.**

- A. Before a permit may be granted under this article by the Superintendent of Streets to any person to open any City street, the applicant for such permit shall execute a continuing bond to the City in the sum of \$10,000, to be executed by a recognized and responsible surety company authorized to do business in Dutchess County, New York, subject to the same conditions as contained in a plumber's bond.
- B. Before a permit may be granted under this article by the Superintendent of Streets to any person duly licensed as a plumber by the City to open any water and sewer facility, the applicant for such permit shall execute a continuing bond to the City in the sum of \$10,000, to be executed by a recognized and responsible surety company authorized to do business in Dutchess County, New York.
- C. Before a permit may be granted, the applicant must submit to the Superintendent of Streets a certificate of insurance providing

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2. Editor's Note: The fee schedule is on file in the City offices.

a minimum coverage of \$500,000 for any one injury, accident or occurrence, naming the City of Beacon as an additional insured. Coverage shall be provided for bodily injury and property damage, underground collapse and explosion resulting in any way from the applicant's performance of work under its permit and for the applicant's completed operations.

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Site Plan signage**

**Subject:**

**Background:**

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Newspaper**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Procedures\_newspaper

Type

Backup Material



## **Sec. 2.16. Procedures.**

- A. Meetings. The Council shall meet regularly twice in every month at such times and places as the Council may prescribe by rule. The Mayor's office shall prepare and make public a written agenda at least two (2) working days before each regular Council meeting. Special meetings may be held on the call of the Mayor or of four (4) or more members, and whenever practicable, upon no less than twenty-four (24) hours' written notice to each member. All meetings shall be public; however, the Council may recess for the purpose of discussing, in a closed or executive session, those topics or items for which the Public Officers Law allows a closed session. The general subject matter for consideration must be expressed in the motion calling for such closed session. Final action thereon shall not be taken by the Council until the matter is placed on the agenda.
- B. Rules and journal. The Council shall determine its own rules and order of business and shall provide for keeping of a full and accurate journal of its proceedings and communications, which shall be a public record. They shall provide for public comments at all meetings.
- C. Workshops. In order to prepare for regular meetings, the Council may meet in informal public workshops. Workshop meetings shall be subject to the same requirements as regular meetings with respect to notice, public attendance, advance public agenda, and public record. No formal legislative decision may take place at a workshop. Any Council member may add an item to the workshop agenda. Any Council member may refer to workshop any item of business that has not been previously reviewed in workshop and/or any item of business discussed at a regular meeting which requires further discussion. **[Added 10-2-2006 by L.L. No. 11-2006<sup>1</sup>]**
- D. A majority of the whole number of the Council, including vacancies, abstentions and any members disqualified, shall constitute a quorum, and the same number shall be necessary to perform and exercise any power, authority or duty of the Council. **[Amended 7-1-1991 by L.L. No. 5-1991]**
- E. Official newspaper. The Council shall designate on an annual basis an official newspaper or newspapers, which may be a daily

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1. Editor's Note: This local law also redesignated former Subsections C and D as Subsections D and E, respectively.

Sec. 2.16

Sec. 2.16

or weekly newspaper of general circulation in the City of Beacon.  
**[Amended 2-16-1999 by L.L. No. 3-1999]**

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Meeting Dates**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description  
Meeting Dates

Type  
Backup Material

### **City Council Meeting Dates – 2018**

1. Tuesday, January 2
2. Tuesday, January 16
3. Monday, February 5
4. Tuesday February 20
5. Monday, March 5
6. Monday, March 19
7. Monday, April 2
8. Monday, April 16
9. Monday, May 7
10. Monday, May 21
11. Monday, June 4
12. Monday, June 18
13. Monday, July 2
14. Monday, July 16
15. Monday, August 6
16. Monday, August 20
17. Tuesday, September 4
18. Monday, September 17
19. Monday, October 1
20. Monday, October 15
21. Monday, November 5
22. Monday, November 19
23. Monday, December 3
24. Monday, December 17

### **City Council Workshop Dates – 2018**

1. Monday, January 2
2. Monday, January 8
3. Monday, January 29
4. Tuesday, February 13
5. Monday, February 26
6. Monday, March 12
7. Monday, March 26
8. Monday, April 9
9. Monday, April 30
10. Monday, May 14
11. Tuesday, May 29
12. Monday, June 11
13. Monday, June 25
14. Monday, July 9
15. Monday, July 30
16. Monday, August 13
17. Monday, August 27
18. Monday, September 10
19. Monday, September 24
20. Tuesday, October 9
21. Monday, October 29
22. Tuesday, November 13
23. Monday, November 26
24. Monday, December 10

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Appointment of Judge Mensch**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Rebecca Mensch Letter	Cover Memo/Letter



Rebecca S. Mensch, Esq.  
64 Washington Avenue  
Beacon, New York 12508

Admitted in NY & CT

845-546-0314

[Menschrebecca@yahoo.com](mailto:Menschrebecca@yahoo.com)

October 11, 2017

Mayor Randy Casale  
City of Beacon  
One Municipal Plaza  
Beacon, New York 12508

Re: Reappointment as Assistant City Judge

Dear Mayor Casale,

As you know, my current six (6) year appointment as Assistant City Court Judge for the City of Beacon expires at the end of this year. I am writing to inform you that I am seriously committed to continuing to serve the City of Beacon in this capacity and respectfully request that you reappoint me pursuant to the Uniform City Court Act Section 2104 for another six (6) year term (January 1, 2018 - December 31, 2023), with the consent of the City Council.

I was first appointed to this position in 2000 to fill the balance of Judge Julius Boccia's term and was reappointed in 2005 and 2011. A lifelong resident of Beacon, I am privileged to be of service to this City and believe I have been an asset to the Court and this community for almost 17 years. I possess the legal knowledge and the temperament for this judicial seat and I would welcome the opportunity to extend my tenure here in this great city.

Thank you for your kind consideration.

Very truly yours,



Rebecca S. Mensch

Cc: Anthony Ruggiero, City Administrator

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Tree Ordinance**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Section 195-24

Type

Backup Material

### **§ 204-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

EXCAVATION or GRADING — Excavation or grading by blasting or by use of power-assisted machinery or equipment.

SLASHING OF TREES — The cutting, grubbing or other removal of any three or more live trees in any calendar year, when such trees are located within less than 100 feet of each other and have a caliper of six inches or more at height of three feet above ground.

### **§ 204-2. Regulated activities: temporary permit.**

On any lot, excavation, grading or removal of topsoil, clay, sand, gravel, rock or other earth materials; dumping, filling or depositing of such earth materials or fill of any kind; and slashing of trees are activities regulated under this chapter and are permitted only under a temporary permit granted by the City Engineer under §§ 204-3 through 204-9 or as one of the exemptions hereinafter specified. Within 20 days after the City Engineer has granted a temporary permit under this chapter, the City Council may, at its discretion, approve, modify and approve or disapprove the temporary permit. Any failure by the City Council to take action within said twenty-day period shall be deemed to be an approval by the City Council.

### **§ 204-3. Application for temporary permit.**

Before any temporary permit shall be granted, a written application shall be submitted to the City Engineer, together with an application fee in accordance with the City of Beacon Fee Schedule and maps and plans, prepared by and bearing the seal of a land surveyor or professional engineer licensed to practice in the State of New York, showing the following:

- A. The area to be excavated.
- B. Existing contour lines on the premises and proposed contour lines resulting from the intended excavation or removal, shown on a map drawn to a scale of not less than 100 feet to the inch and with a contour interval not to exceed two feet.
- C. Existing and proposed drainage on the premises.
- D. Existing rivers, streams or watercourses on or adjacent to the premises.
- E. Adjoining properties and streets.

- F. Proposed truck access to the property.
- G. Such additional information as the City Engineer may deem necessary in order to decide upon such application.

#### **§ 204-4. Criteria for issuance of temporary permit.**

The City Engineer may grant a temporary permit for a limited period of time, not exceeding two years, if he or she shall find that such excavation will not result in the creation of any sharp declivities, pits or depressions, soil erosion or fertility problems, depressed land values nor create any drainage or sewerage problems or other conditions which would impair the use of the property, in accordance with the Zoning Ordinance,<sup>1</sup> and that such excavation will be in harmony with the general purpose and intent of the Zoning Ordinance, and if the City Engineer further finds that the temporary permit to be granted is capable of being completed within the time provided in the permit.

#### **§ 204-5. Standards and conditions for issuance.**

A temporary permit shall be granted only subject to the following standards and conditions:

- A. That the premises shall be excavated and graded in conformity with the proposed contour plan, as approved.
- B. That slopes shall not exceed 30° to the horizontal or such lesser slope that the City Council may specify as necessary for the public health or safety, soil stability or for the reasonable use of the property after completion of the excavation.
- C. That no fixed machinery shall be erected or maintained in connection with the excavation and that no building shall be erected on the premises except temporary shelters for machinery and a field office.
- D. That there shall be no excavation or removal within 50 feet of any street or property line, except that, where the property to be excavated is considerably above street grade at the street line, removal may take place at a lesser distance from the street line if approved by the City Engineer.
- E. That there shall be no sharp declivities, pits or depressions and that proper drainage will be provided to avoid stagnant water, soil erosion and water pollution.

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1. Editor's Note: See Ch. 223, Zoning.

- F. That after excavation or removal, the premises shall be cleared of debris within the time provided in the permit.
- G. That the top layer of arable soil for a depth of six inches shall be set aside and retained on the premises and shall be respread over the premises and that a suitable ground cover shall be planted and grown to an erosion-resistant condition, upon the completion of the excavation or removal, in accordance with the approved contour lines, and that such work shall be completed within the time provided for in the permit.
- H. If required by the City Engineer, that the area to be excavated or a portion thereof shall be enclosed within a fence of such type, height and location as the City Engineer may specify.
- I. That the City Engineer may establish a schedule to be filed with the records of such application and temporary permit showing limitations on the day of the week or the hours of the day during which any work may be performed on the premises; limitations as to the size and type of machinery to be used on the premises; place and manner of disposal of excavated material; and requirements as to the control of dust, noise and lighting, if permitted, so as to prevent results injurious or offensive to the general public.
- J. That the City Engineer may require the applicant to submit periodic reports, prepared by and bearing the seal of a land surveyor or professional engineer licensed to practice in the State of New York, showing the status and progress of the excavation, and may require the applicant to pay to the City an inspection fee in an amount deemed necessary by the City Engineer to defray the cost of inspection of the operation.

#### **§ 204-6. Performance bond.**

The applicant shall file with the City Clerk a performance bond, in form and with surety acceptable to the City Council, in such amount as the City Engineer may deem sufficient to insure the faithful performance of the work to be undertaken.

#### **§ 204-7. Revocation or suspension of temporary permits.**

Any temporary permit issued pursuant to the provisions of this chapter may be revoked by the City Engineer, after notice, in writing, and a hearing, for violation of any conditions of the temporary permit; violation of any provision of this chapter, or any other law or other regulation relating to the work permitted; or the existence of any



condition or the doing of any act constituting or creating a nuisance or endangering the life or property of another.

- A. Notice. The notice shall describe the violation charged and may be either delivered personally or mailed postage prepaid to the address appearing on the application.
- B. Suspension. Any temporary permit may be suspended for cause by the Building Inspector for a period not exceeding five days without a hearing. All work under any special permit shall be suspended following notice of hearing to revoke as provided for in this section.

### **§ 204-8. Exemptions.**

A temporary permit is not required for conduct of one or more of the aforesaid regulated activities in the following cases, provided that the activity is conducted and completed in such a manner as to cause no danger to the public health and safety and no stagnant water, soil erosion, sedimentation, water pollution, excessive drainage runoff or flooding problems:

- A. In connection with the grading of land in or the construction and installation of roads, drainage and other improvements in a subdivision plat granted final approval by the Planning Board and only in accordance with plans as approved by the Planning Board.
- B. In connection with the construction, reconstruction, enlargement, moving or structural alteration of a building or other structure, including construction and installation of site improvements related thereto, for which an application for a certificate of occupancy and/or building permit shall have been approved by the Building Inspector, and only in accordance with plans accompanying such approved application or permit.
- C. In connection with a bona fide farming or forest management operation.
- D. In connection with a bona fide landscaping or other site improvement on a lot, provided that no fill is deposited within a watercourse, water body, swamp or other wetlands, and provided that disturbed areas are properly graded and reseeded or otherwise planted.

**§ 204-9. Penalties for offenses.**

Any person who shall violate any provision of this chapter shall be liable to a fine of not more than \$250 or imprisonment for not exceeding 15 days, or both such fine and imprisonment.

**City of Beacon Workshop Agenda**  
**1/2/2018**

**Title:**

**Tanker-Avoidance Zone**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Tanker-Avoidance Zone Flyer	Backup Material

# Proposed Hudson River Anchorages

## Simulation



### These floating parking lots jeopardize:

- Great strides communities have made in revitalizing their riverfronts.
- The region's scenic splendor, foundation of its \$5.3-billion tourism economy.
- Drinking water supplies drawn from the Hudson.
- Prime habitats for sturgeon and other imperiled fish species.
- Safe river access for paddlers and other boaters.

## Background

The U.S. Coast Guard (USCG) proposal to establish 10 new sites for 43 commercial vessels to anchor along the Hudson River between Yonkers, Westchester County, and Kingston, Ulster County, was temporarily suspended pending a Ports and Waterways Safety Assessment (PAWSA). This proposal could turn over 2,400 acres of the river into huge "parking lots" for barges—in 42 out of the 43 berths, vessels could sit for 30 days or more, letting companies store flammable crude oil awaiting shipment to East Coast refineries. Allowing these containers to anchor on the Hudson puts our natural resources, aquatic habitats and scenic views at risk. These vessels, which can hold up to 4 million gallons of volatile cargo, would increase the risk of spills, leaks or explosions and jeopardize all of the progress Hudson River communities have made in revitalizing their waterfronts.

The USCG has not demonstrated that new anchorages are needed for navigational safety. And there are other measures that can enhance navigational safety without compromising environmental and community interests.

## What has been done?

- In 2016 over 10,000 comments were submitted to the USCG, with over 96% expressing negative concerns over the proposal.
- In 2017 the USCG temporarily suspended the rulemaking pending a PAWSA.
- In November 2017 Scenic Hudson participated in two PAWSA workshops hosted by the USCG where we reiterated our continued opposition to any official designation of new anchorages and offered alternative mitigation measures to improve navigational safety.
- Gov. Cuomo signed Senate Bill 5197b and Assembly Bill 6825 into law, authorizing the Department of Environmental Conservation to issue enforceable regulations that would designate Tanker Avoidance Zones on the Hudson River based on environmental considerations and waterfront communities.

## What you can do

- Contact the NY Department of Environmental Conservation and urge it to issue strict regulations that will prohibit new anchorage grounds from being sited where they pose a clear and direct threat to the environment, quality of life and regional economic development goals.

**DEC's Bureau of Public Outreach: [public@dec.ny.gov](mailto:public@dec.ny.gov) or 518 402 8044**

- Ask your Representative to support bill number H.R. 2619, which would prevent the Coast Guard from establishing any new anchorage grounds on the Hudson River without submitting a report to Congress detailing their potential impacts on critical habitats and sites listed on the National Priorities List. Also ask your Representative to support the amendment to division E of Rules to bar expenditures for new anchorages sites in the specified area prior to October 1, 2018.

**U.S. Capitol switchboard: 202 224 3121**



# Proposed Hudson River Anchorages

## Hudson River Valley National Heritage Area

