



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

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

April 15, 2019  
7:00 PM  
City Council Agenda

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Public Comment:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. Please sign in at the podium. This segment will last no longer than thirty minutes, with speakers recognized in the order they appear on the sign-in sheet. A second public comment opportunity will be provided later in the meeting for those who do not get to speak during this first segment.

**Community Segment:**

- Beacon Historical Society Ghost Tour Announcement

**Reports:**

- Council Member Amber J. Grant
- Council Member John E. Rembert
- Council Member Lee Kyriacou
- Council Member George Mansfield
- Council Member Jodi M. McCredo
- Council Member Terry Nelson
- City Administrator, Anthony Ruggiero
- County Legislators
- Mayor Randy Casale

**Local Laws and Resolutions:**

1. Resolution Approving the Appointment of Will Hough to the Recreation Committee
2. Resolution to Set Public Hearing on Proposed Local Law to Delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon Regarding the Sign Law
3. Resolution to Set Public Hearing on Verizon Wireless Facility at 110 Howland Avenue
4. Scheduling of Information Session for Public Comment on Preliminary Draft Zoning Code Tables for Schedule of Uses and Rezoning of Certain Properties
5. Resolution Supporting Universal Rent Stabilization and Control
6. Resolution to Declare Fairview Tank Replacement Project a Type II Action Under SEQRA
7. Resolution Authorizing Sale of City of Beacon Property Adjacent to 351 Tioronda Avenue

**Approval of Minutes:**

- City Council Meeting Minutes April 1, 2019

**2nd Opportunity for Public Comments:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. This segment will last no longer than thirty minutes. Those who spoke at the first public comment segment are not permitted to speak again.

**Adjournment:**

**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Beacon Historical Society Ghost Tour Announcement**

**Subject:**

**Background:**

**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Resolution Approving the Appointment of Will Hough to the Recreation Committee**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution Approving the Appointment of Recreation Committee Member	Resolution



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_ OF 2019**

**RESOLUTION CONFIRMING THE APPOINTMENT OF RECREATION COMMITTEE  
MEMBER**

**BE IT RESOLVED**, that the City Council of the City of Beacon hereby confirms the appointment of Will Hough to the Recreation Committee for a three-year term effective April 16, 2019 until April 15, 2022.

<b>Resolution No. ____ of 2019</b>		<b>Date:</b>		<b>April 15, 2019</b>			
<input type="checkbox"/> <b>Amendments</b>		<input type="checkbox"/> <b>On roll call</b>		<input type="checkbox"/> <b>2/3 Required.</b>			
<input type="checkbox"/> <b>Not on roll call.</b>				<input type="checkbox"/> <b>3/4 Required</b>			
<b>Motion</b>	<b>Second</b>	<b>Council Member</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Reason</b>	<b>Absent</b>
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Lee Kyriacou</b>					
		<b>John Rembert</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy J. Casale</b>					
		<b>Motion Carried</b>					

**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Resolution to Set Public Hearing on Proposed Local Law to Delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon Regarding the Sign Law**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution to Set Public Hearing on Proposed Local Law to Delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon Regarding the Sign Law	Resolution
Proposed Local Law to Delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon	Local Law



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_ OF 2019**

**RESOLUTION TO SET PUBLIC HEARING ON PROPOSED LOCAL LAW TO  
DELETE CHAPTER 183 AND AMEND CHAPTER 223 SECTIONS 15 AND 63 OF THE  
CODE OF THE CITY OF BEACON**

**WHEREAS**, the City of Beacon will send the proposed local law to the Dutchess County Department of Planning and Development for review.

**BE IT RESOLVED**, that the Beacon City Council hereby sets a Public Hearing on Proposed Local Law to Delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon for May 6, 2019.

<b>Resolution No. ____ of 2019</b>			<b>Date: <u>April 15, 2019</u></b>				
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required.	
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Lee Kyriacou</b>					
		<b>John Rembert</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy J. Casale</b>					
		<b>Motion Carried</b>					

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2019**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO  
DELETE CHAPTER 183 AND AMEND  
CHAPTER 223 SECTIONS 15 AND 63 OF THE  
CODE OF THE CITY OF BEACON**

A LOCAL LAW to delete Chapter 183 entitled "Signs" and to amend Chapter 223 Sections 15 and 63 of Code of the City of Beacon, concerning sign regulations in the City of Beacon.

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

**Section 1.** Chapter 134, Section 6 of the Code of the City of Beacon entitled "Certificate of Appropriateness" is hereby amended as follows:

§ 134-6 Certificate of appropriateness.

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, public property or public building, or for the installation of a temporary sign as described in § 223-15F-15K 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.

**Section 2.** Chapter 183 of the Code of the City of Beacon entitled "Signs" is hereby deleted in its entirety.



**Section 3.** Chapter 223, Section 63 of the Code of the City of Beacon entitled "Definitions" is hereby amended to add the following definitions:

**SIGN**

Any material, structure or device, or part thereof, composed of lettered or pictorial matter which is located out of doors, or on the exterior of any building, including window signs located within 18 inches of the window surface and intended to be viewed from the exterior of the building, displaying an advertisement, announcement notice or name, and includes sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, fluttering devices or projecting signs, and shall include any declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person or business or cause when the same is placed in view of the general public.

~~Any structure or part thereof, or any device attached thereto or painted thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, work, model, banner, emblem, light, device, trademark or other representation used as an announcement, designation, direction, display or advertisement of any person, firm, group, organization, commodity, service, profession or enterprise when placed in such manner that it provides visual communication to the general public out of doors, but not including the following:~~

- ~~A. Signs maintained or required to be maintained by law or governmental order.~~
- ~~B. The flag or insignia of any government or governmental agency.~~
- ~~C. The flag of any civic, political, charitable, religious, fraternal or similar organization, which is hung on a flagpole or mast.~~
- ~~D. Religious or other seasonal holiday decorations which do not contain commercial lettering, wording, designs, symbols or other devices.~~

**SIGN AREA**

Where a sign consists of a single board or face with information on one or both sides, the area which results by including the outside dimensions of such sign, not including the vertical, horizontal or diagonal supports which may affix the sign to the ground or to a structure or building unless such supports are evidently designed to be part of the sign as defined herein. Where a sign consists of several individual faces, the area shall be the total of the area of all such faces which can be observed from any one point.

Where the sign consists of individual letters or symbols attached to or painted on any building, window, or part thereof, the area shall be considered to be that of the smallest basic geometric shape (rectangle, triangle or circle) which encompasses all of the letters, symbols and/or any background of a different color than the color of the building.

**SIGN, AWNING**

Any visual message incorporated in an awning attached to a building. This sign type does not include canopies over gas pumps.

**SIGN, BANNER**

Any sign constructed of fabric or other flexible material. Flags are not considered banner signs.

**SIGN, BILLBOARD OR OTHER OFF-PREMISES COMMERCIAL SIGN**

Any sign, other than an exempt sign, which advertises or otherwise directs attention to a business, commodity, service, industry or other activity which is not, or is only incidentally, sold, offered or conducted at the real property at which such sign is located.

**SIGN, FREESTANDING**

Any sign independent of any building but permanently affixed, by any other means, to the ground.

**SIGN, LAWN**

Temporary freestanding signs placed or inserted into the ground.

**SIGN, PROJECTING**

Any sign which is attached perpendicular to a building or other structure and extends 12 inches beyond the line of the building or structure or beyond the surface of that portion of the building or structure to which it is attached.

**SIGN, ROOF**

A sign erected on a roof or extending in height above the cornice or projecting eave of the roofline of the building on which the sign is erected.

**SIGN, SANDWICH BOARD**

A two-sided hinged sign, portable in nature and capable of standing without support or attachment. The area of a sandwich board sign shall be the total area of one face of the sandwich board sign.

**SIGN, TEMPORARY**

A banner, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the Building Inspector, or his or her designee, to be displayed for a limited period of time of no more than four months in a twelve month period.

**SIGN, WALL**

Any painted sign or poster or any surface or place that may be affixed to the front, side or rear walls of any building.

**SIGN, WINDOW**

A type of sign applied onto or attached to the inside or outside of a window or a transparent door or within 18 inches of the window or transparent door surface.

**Section 4.** Chapter 223, Section 15 of the Code of the City of Beacon entitled “Signs” is hereby amended as follows:

§ 223-15 Signs.

A. Purpose. The purpose of this section is to promote and protect the public health, safety and welfare by regulating signs of all types within the City of Beacon. This section is intended to protect property values, create a more attractive economic and business climate, ensure pedestrian and vehicular safety, enhance and protect the physical appearance of the community and preserve the scenic and natural beauty of the City. It is the City’s policy to regulate signs in a constitutional manner that is content neutral as to noncommercial messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the New York State Constitution.

B. Objectives. These regulations also serve to achieve the following objectives:

- (1) Ensure right to free speech as protected under the Constitution;
- (2) Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;
- (3) Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
- (4) Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
- (5) Minimize the adverse effect of signs on nearby public and private property;
- (6) Avoid personal injury and property damage from unsafe or confusing signs; and
- (7) Establish a clear and impartial process for those seeking to install signs.

C. Conformity required. No sign or billboard shall be erected, constructed, displayed, maintained, moved, reconstructed, extended, enlarged or altered, except in conformity with and expressly authorized by the provisions of this chapter.

D. Substitution clause. A protected noncommercial message of any type may be substituted, in whole or in part, for the message displayed on any sign for which the sign structure or mounting device is legal without consideration of message content. This provision applies to all signs, including outdoor general advertising devices, allowed under this Section. Such substitution of message may be made without any additional approval, permitting, registration or notice to the City.

E. Permit required.

- (1) Unless specifically exempted from obtaining a permit under the provisions of this section, no person shall erect, construct, replace, relocate or structurally alter any sign within the City without first obtaining a sign permit from the Building Inspector and paying the required fee to the Building Department. The repainting, repairing, changing of parts or sign facing, and maintenance of signs shall not require the issuance of a sign permit provided such maintenance, change or alteration does not in any way alter the size, illumination or location of the sign on the property.
- (2) Submission of a permit application shall be on a form issued by the Building Department and the application fee shall be set forth in the City of Beacon Fee Schedule. The application shall include plans and/or specification of the sign, including the dimensions, materials and details of construction of the proposed sign.
- (3) If a sign is not erected within six months following the issuance of a sign permit for said sign, the sign permit will automatically become void.
- A. Relationship to a permitted use. All signs must pertain to a use conducted on the same property on which they are located.
- B. Signs in residence districts. In residence districts, the following signs are hereby authorized:
  - ~~(1) One identification sign stating the name and address of the resident or property or the number of the lot, not exceeding one square foot in area.~~
  - ~~(2) One identification sign announcing any profession or occupation permitted as an accessory use on the lot, not exceeding one square foot of area.~~
  - ~~(3) For other permitted uses, one sign at each street frontage where the use has an access drive, provided that the total area of such sign does not exceed 50 square feet.~~
  - ~~(4) Temporary signs in accordance with Subsection F below.~~
  - ~~(5)(1) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion.~~

#### F. Prohibited Signs.

- (1) Signs that contain words or pictures of an obscene or pornographic nature.

- (2) Signs that emit audible sounds, odor or visible matter.
- (3) Signs placed on a curb, sidewalk, hydrant, utility pole, trees or other objects located on or over any public street, public property or within any public right-of-way, unless otherwise permitted. The City reserves the right to remove any sign placed on public property without notice.
- (4) Portable signs, including signs that are mounted on wheels or mounted on any structure on wheels, but not including permitted sandwich board signs.
- (5) Signs with mirrors or any other reflective material.
- (6) Roof signs.
- (7) Billboards or other off-premise commercial signs.
- (8) Signs that are mechanically, digitally or electronically animated.
- (9) Inflated signs, wind-animated banners, tethered balloons, and projected images, except that such signs may be allowed for commercial uses located on Route 52 and Route 9D by permit from the Building Department in commercial and industrial districts only. Such signs remain prohibited in all residential zoning districts.

G. Signs exempt from permit requirements. The following signs are exempt from the permit requirements of this section. Unless otherwise limited below, such exempt sign shall not exceed four feet in height and shall not exceed six square feet in sign area per sign. Each exempt sign must comply with all other provisions of this section.

- (1) Any official sign, public notice, or warning sign prescribed by federal, state or local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
- (2) Property identification signs not exceeding two square feet in area, such as signs bearing only the property name, numbers, postal route box numbers, image or logo or names of the occupants of the premises.
- (3) One nonilluminated secondary window signs communicating accessory information such as hours of operation, "in" or "out" signs, and totaling no more than one square foot in size.
- (4) Temporary nonilluminated window signs in non-residential uses. The total amount of signage shall not exceed 20% of the total window surface area. Temporary window signs shall include signs that identify special events and sales.

- (5) Nonilluminated signs used for the purpose of selling, renting or leasing land or buildings, and displayed only on the premises for sale or lease. No such signs shall exceed four feet in height or six square feet in area, shall be limited to one per premises, and shall be removed immediately upon sale, rental or lease of the premises. The top of the sign shall be no more than six feet off the ground. The sign shall be placed at least five feet from all property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (6) One nonilluminated construction sign not exceeding six square feet in area identifying the parties involved in the design, financing and/or provision of labor and materials associated with the labor on the premises where the sign is located, but not including the advertisement of any product. Such sign shall be removed prior to the issuance of a certificate of occupancy authorizing the initiation of intended use of the premises. The sign shall be placed at least five feet from all property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (7) Flags of any nation, state, military, or government, flags of any government-affiliated facility, and seasonal flags shall not require a sign permit. The area of any flag shall not exceed 20 square feet.
- (8) Historical markers, monuments or signs as approved by local, state or federal authorities.
- (9) One nameplate or sign not exceeding two square feet for home occupation and home professional offices uses.
- (10) Lawn signs on any lot provided that the aggregate area of all lawn signs on any lot shall not exceed 32 square feet. The top of the lawn sign shall be no more than five feet off the ground. The lawn sign shall be placed at least five feet from all side property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow. Such signs are to be nonilluminated and shall be displayed for a limited period of time of no more than four months in a twelve month period. Lawn signs shall be removed within seven calendar days after the event for which they are displayed.
- (11) Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines.

C.H. Sign regulations in ~~residence~~ all districts.

- (1) Animation. No sign shall be mechanically animated, such as moving, rotating or revolving.
- (2) Setback. All signs shall be located within the setback lines of the lot or on the

building, unless otherwise permitted.

- (3) Repair. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.-
- (4) Illumination. Permitted signs may be internally or externally illuminated, unless otherwise prohibited, except by means of a neon type electric material, provided that such illumination shall not be twinkling, flashing, intermittent, or of changing degrees of intensity or projected outward from the property onto adjacent properties or public rights-of-way and provided that the source of such illumination shall not be visible beyond the boundaries of the lot on which it is located. Notwithstanding the above, neon, LCD fluorescent and LED signs shall not be permitted for any residential use, but may be permitted in nonresidential districts, unless otherwise prohibited. All illumination shall be focused downward from above, shall create no direct glare and shall light only the sign area.
- (5) Placement. No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (6) No sign shall be placed in a location that would cause a violation of the provisions of the Americans with Disabilities Act.

I. Signs for residential uses.

- (1) No sign for a residential use, including exempt signs under § 223-15G, shall be placed above the first floor.
- (2) The aggregate sign area of all signs with permits on any lot shall not exceed 16 square feet.
- (3) A subdivision, apartment or multi-family housing development consisting of more than 15 dwelling units may display freestanding identification sign at each street entrance to the development, designating only the name of the development, the address and name of the owner and the names of any buildings located therein, provided that the maximum sign area of said sign shall not exceed 24 square feet and shall not be more than six feet in height. The top of the sign shall be no more than eight feet off the ground. Such sign shall maintain at least a five foot setback from all property lines.

J. Signs in for nonresidence districts nonresidential uses. In nonresidence districts, the following signs are hereby permitted for nonresidential uses: authorized:

- (1) Not more than one sign affixed to the outer wall of the structure within which the permitted use is situated, which outer wall faces the principal street giving access to such structure, provided that:

~~The aggregate area of each such sign shall not exceed one square foot for each linear foot of building facing the street.~~

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~~(a)(1) No such sign shall exceed two feet in height, except that a vertical projecting wall sign shall not exceed eight feet in height or ten square feet. A vertical projecting wall sign is defined as any sign which is attached to the building wall or structure which is perpendicular to the face of such wall or structure.~~

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~~(b)(a) No sign shall project above the eaves of the building on which it is affixed or, if no eaves exist thereon, the roof, nor shall any wall sign extend more than six inches from the building into any required yard.~~

~~(c) No sign shall face an abutting residential zoning district if located within 50 feet of such district.~~

~~(d)(b) Vertical projecting wall signs shall not have more than two faces.~~

~~(e)(c) The exterior edge of a vertical projecting wall sign shall not extend more than five-six feet from the outer wall of the structure or 1/3 the width of the sidewalk, whichever is less.~~

~~(f)(d) No part of a vertical projecting wall sign shall extend into vehicular traffic areas, and any part over pedestrian areas shall have a minimum clearance of seven feet, six inches.~~

~~(2)(1) Not more than one freestanding sign facing each street on which the lot abuts, provided that:~~

~~(a) The building is set back not less than at least 50 feet from the street line;~~

~~(a)(b) The area of the sign in which case the sign shall not exceed 20 square feet in area.~~

~~(b) The building is set back not less than 100 feet from the street line, in which case the sign shall not exceed 35 square feet in area.~~

~~(c) No dimension shall exceed 12 feet. The top of the sign shall be no higher than 16 feet off the ground.~~

~~(2) Permanent window signs. The total amount of signage shall not exceed 20% of the total window surface area and shall not exceed four feet in height and 16 square feet in area.~~

~~(3) Awning signs. One sign for each premise shall be allowed. The area of such sign shall not exceed 20% of the area of the awning.~~



(4) Sandwich board signs. A single sandwich board sign shall be permitted on any lot provided that such sign does not exceed three feet in height and six feet in area. All sandwich board signs shall be brought in each day at the close of business. Signs shall not be placed in such a way as to obstruct property sight distance or otherwise interfere with pedestrian or traffic flow. A pedestrian clearway of at least six feet shall be maintained in a pedestrian walkway, and a pedestrian clearway of at least eight feet shall be maintained whenever possible.

(5) The aggregate area of all signs with permits on any lot shall not exceed two square feet for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by an establishment.

(4)(6) The aggregate area of each sign shall not exceed one square foot for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by an establishment.

(3) One identification sign, not exceeding 10 square feet in area, to the outer wall of the structure facing upon a street or parking lot not faced by a sign as permitted in Subsection E(1) above.

(4) In addition to other permitted signs, necessary small directional signs are permitted on access roads and parking areas, provided that the area of each sign shall not exceed two square feet.

(5) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion.

(2) Temporary signs in accordance with Subsection F below.

D.K. Signs in the Historic District and Landmark Overlay Zone. All signs in the Historic District and Landmark Overlay Zone in which a sign permit is required, shall be approved by the Planning Board pursuant to § 134-6.

E.L. Temporary signs.

(1) All signs of a temporary nature must receive permits before being displayed, except those specified in 123-15G.

(2) Requirements. Any proposed temporary sign shall conform to the following:

(a) Such sign shall not exceed four feet in height and 32 square feet in

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area for any non-residential use. The top of the temporary sign shall be no more than 16 feet off the ground.

(b) Such sign shall not exceed four feet in height and 32 square feet in area for any residential use. The top of the temporary sign shall be no more than six feet off the ground.

(c) Such sign shall not be displayed for more than four months in a twelve month period.

(d) Such sign shall not be illuminated.

(e) Such sign shall maintain at least a five foot setback from all property lines.

(f) Such sign shall be placed in such a way as to not obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.

(3) Banners shall be permitted as temporary signs and shall be subject to the provisions set forth above.

~~(i.) A temporary sign is a nonilluminated sign that is used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, such as signs displayed during campaigns, drives or events of civic, political, philanthropic, educational or religious institutions. If such sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as "temporary." Unless otherwise provided in this section, signs shall not be considered temporary if they are effectively displayed on an ongoing basis, interrupted by short intervals when they are not displayed. Temporary signs shall not require a permit under this section, unless located in the public right-of-way or on public property.~~

~~(2) Temporary signs must be removed by the individual or organization which posted, or caused to be posted, such temporary signs within seven calendar days after the event for which they are displayed, unless otherwise provided in this section.~~

~~(3) No temporary sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~

~~(4) The following temporary signs shall be permitted in all districts, unless otherwise provided in this section:~~

~~(a) Not more than one temporary sign for each street frontage of the lot, identifying the architect, engineer and/or contractor, and not~~

~~exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts, shall be permitted during the course of construction only.~~

- ~~(b) One "for sale" or one "to let" sign not exceeding six square feet in area for a single lot, or 50 square feet in area for a real estate subdivision, and set back at least 15 feet along the frontage of the street upon which the property is located. A "sold" sign shall not be displayed for more than 30 calendar days.~~
- ~~(c) Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival or similar event is taking place on the lot where the sign is located, not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts, and limited to one sign for each street frontage of the lot. The sign shall not be posted sooner than two weeks prior to the special event and shall be removed by the individual or organization which posted, or caused to be posted, such sign within three calendar days following the special event.~~
- ~~(d) Sidewalk signs with no more than two faces, including but not limited to sandwich boards, in nonresidence districts, or in any other district provided the sign is located on Route 52 (Fishkill Avenue and Teller Avenue) or Route 9D (North Avenue and Wolcott Avenue), not exceeding one sign per business and not exceeding two feet in width and three feet in height. Sidewalk signs may be displayed on an ongoing basis, but shall not be displayed between the hours of 11:00 p.m. and 6:00 a.m., shall not include banners, and shall not be tethered. Sidewalk signs shall be located in the front of the business for which the sign is displayed, unless the business is located on a corner lot in which case the sign may be located to the side of the business, or unless the business maintains a rear entrance in which case the sign may be located to the rear of the business.~~
- ~~(e) Signs for tag, garage or yard sales, not exceeding six square feet.~~
- ~~(f) Signs conveying a nonpolitical, noncommercial message, not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts and limited to one sign for each street frontage of the lot.~~
- ~~(g) Political posters, banners, promotional devices and similar political signs.~~

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#### ~~F. Sign regulations in nonresidence districts:~~

- ~~(1) Illumination. Permitted signs may be internally or externally illuminated, provided that such illumination shall not be twinkling, flashing, intermittent, of~~

~~changing degrees of intensity or projected outward from the property onto adjacent properties or public rights-of-way and provided that the source of such illumination shall not be visible beyond the boundaries of the lot on which it is located. Notwithstanding the above, neon, LCD and LED signs may be permitted.~~

- ~~(2) Placement. No sign shall be located so as to obscure any signs displayed by public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~
- ~~(3) Setback. Unless otherwise specified, all signs shall be located within the setback lines of the lot or on the building.~~
- ~~(4) Repair. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.~~
- ~~(5)(1) Animation. No sign shall be mechanically animated, such as moving, rotating or revolving.~~

G. Temporary signs in the public right-of-way and on public property.

- ~~(1) Permit required. In all districts, no temporary signs shall be erected in the public right-of-way or on public property without a permit, unless specifically exempted below.~~
- ~~(2) Exceptions. The following signs shall not be subject to the issuance of a permit:~~
  - ~~(a) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.~~
  - ~~(b) Temporary emergency warning signs erected by a governmental body, public utility company or contractor doing authorized or permitted work within the public right-of-way, provided that such signs shall be located outside of the public vehicular and pedestrian travel ways and shall be placed so as not to create any nuisance or threat to public safety.~~
  - ~~(c) Bus stops erected by a public transit company.~~
  - ~~(d) Informational signs of a public utility regarding its poles, lines, pipes or facilities.~~
- ~~(3) Permit standards. The Building Inspector or his duly authorized designee shall issue a permit within a reasonable period of time following receipt of a complete permit application for the placement of a temporary sign in the right-of-way or on public property, provided the following conditions are~~

satisfied:

- ~~(a) Submission of a permit application on a form issued by the Building Department and payment of the application fee as set forth in the City of Beacon Fee Schedule.~~
- ~~(b) No sign shall be placed in a location that would cause a violation of the provisions of the Americans with Disabilities Act, as may be amended from time to time.~~
- ~~(c) All signs must comply with the provisions of Subsection F, above.~~
- ~~(d) No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow or means of egress.~~
- ~~(e) The necessity of surety bonds and/or insurance shall be determined by the Building Inspector or his duly authorized designee. If it is determined that such surety bond and/or insurance is necessary, the amount of such surety bond and/or insurance shall be determined by the Building Inspector or his duly authorized designee, in his/her sole discretion, as may be necessary to defray any expense of liability from the City. Surety bonds and/or insurance policies shall be approved as to form by the City Attorney.~~
- ~~(f) Permits for sidewalk signs shall be valid for one year from the date of issuance and shall not be transferrable.~~

M. Nonconforming signs.

- (1) All nonconforming temporary signs shall be removed or brought into compliance within 90 days of the adoption date of this section.
- (2) Any nonconforming sign that is removed from its position or siting and not replaced in-kind within 90 days shall be presumed to be abandoned and discontinued and may not be restored or re-erected except in compliance with this section.
- (3) No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this section, including but not limited to area, height, setback and illumination.
- (4) Nothing herein shall be deemed to prevent maintaining a nonconforming sign in good repair and safe condition.

H.N. Violations.

- (1) Noncompliance with any of the foregoing provisions shall constitute an offense, punishable as provided for in § 1-3, General penalty. When a person has received written notice from the Building Inspector or has been served with a summons and complaint in an action to enjoin continuance of any violation, each day in excess of 10 days thereafter that he shall continue to be guilty of such violation shall constitute an additional, separate and distinct offense.
- (2) Any temporary sign installed or placed, except in conformance with the requirements of this section, shall be subject to removal. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such signs in accordance with the administrative fee set forth in the City of Beacon Schedule of Fees. The fee shall be paid by the individual or entity retrieving the signs from the City. The City shall dispose of the sign(s) after five calendar days from the removal of the sign(s) by the City.
- (3) The display of any sign at a location containing the name or address of a person or entity and a commercial message relating to such person or address shall be presumptive evidence that such person installed, created, erected and maintained the sign at the location where it was displayed. This presumption shall be subject to rebuttal by competent evidence.

#### Section 4. Ratification, Readoption and Confirmation

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

#### Section 5. 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 therefrom.

#### Section 6. Effective Date

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

**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Resolution to Set Public Hearing on Verizon Wireless Facility at 110 Howland Avenue**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution to Set Public Hearing on Verizon Wireless Facility at 110 Howland Avenue	Resolution



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_ OF 2019**

**RESOLUTION TO SET PUBLIC HEARING ON VERIZON WIRELESS APPLICATION  
AT 110 HOWLAND**

**BE IT RESOLVED**, that the Beacon City Council hereby sets a Public Hearing on Verizon Wireless Application at 110 Howland Avenue for May 6, 2019.

<b>Resolution No. ____ of 2019</b>			<b>Date: <u>April 15, 2019</u></b>				
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required.	
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Lee Kyriacou</b>					
		<b>John Rembert</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy J. Casale</b>					
		<b>Motion Carried</b>					



**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Scheduling of Information Session for Public Comment on Preliminary Draft Zoning Code Tables for Schedule of Uses and Rezoning of Certain Properties**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Scheduling of Information Session for Public Comment on Preliminary Draft Zoning Code Tables for Schedule of Uses and Rezoning of Certain Properties	Resolution
Zoning Map Changes	Map



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. \_\_\_\_ OF 2019**

**SCHEDULING OF INFORMATION SESSION FOR PUBLIC COMMENT ON  
PRELIMINARY DRAFT ZONING CODE TABLES FOR SCHEDULE OF USES AND  
REZONING OF CERTAIN PROPERTIES**

**BE IT RESOLVED**, that the Beacon City Council hereby schedules an information session for public comment on preliminary draft zoning code tables for schedule of uses and rezoning of certain properties for May 20, 2019.

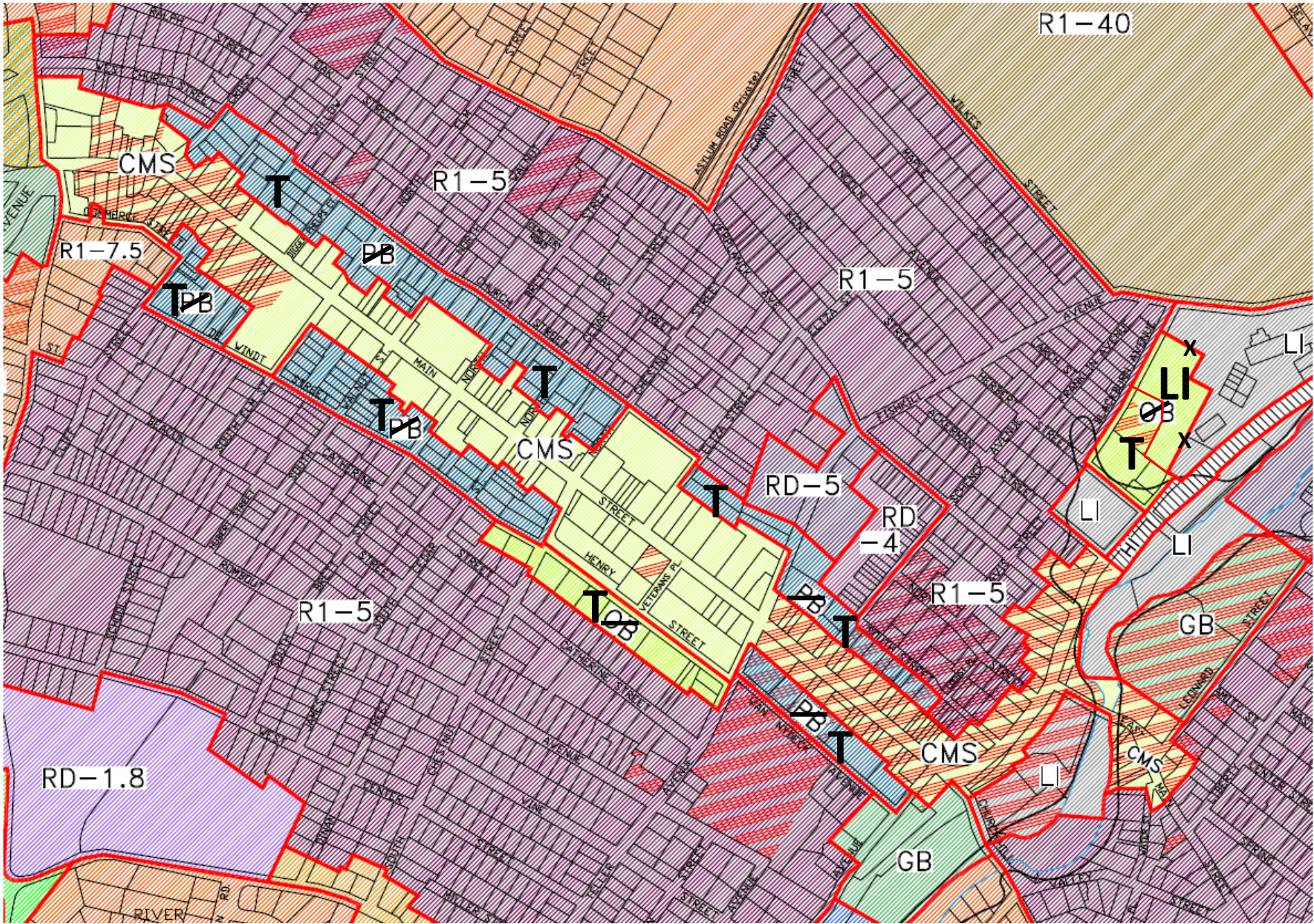
<b>Resolution No. ____ of 2019</b>			<b>Date: <u>April 15, 2019</u></b>				
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required.	
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Lee Kyriacou</b>					
		<b>John Rembert</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy J. Casale</b>					
<b>Motion Carried</b>							



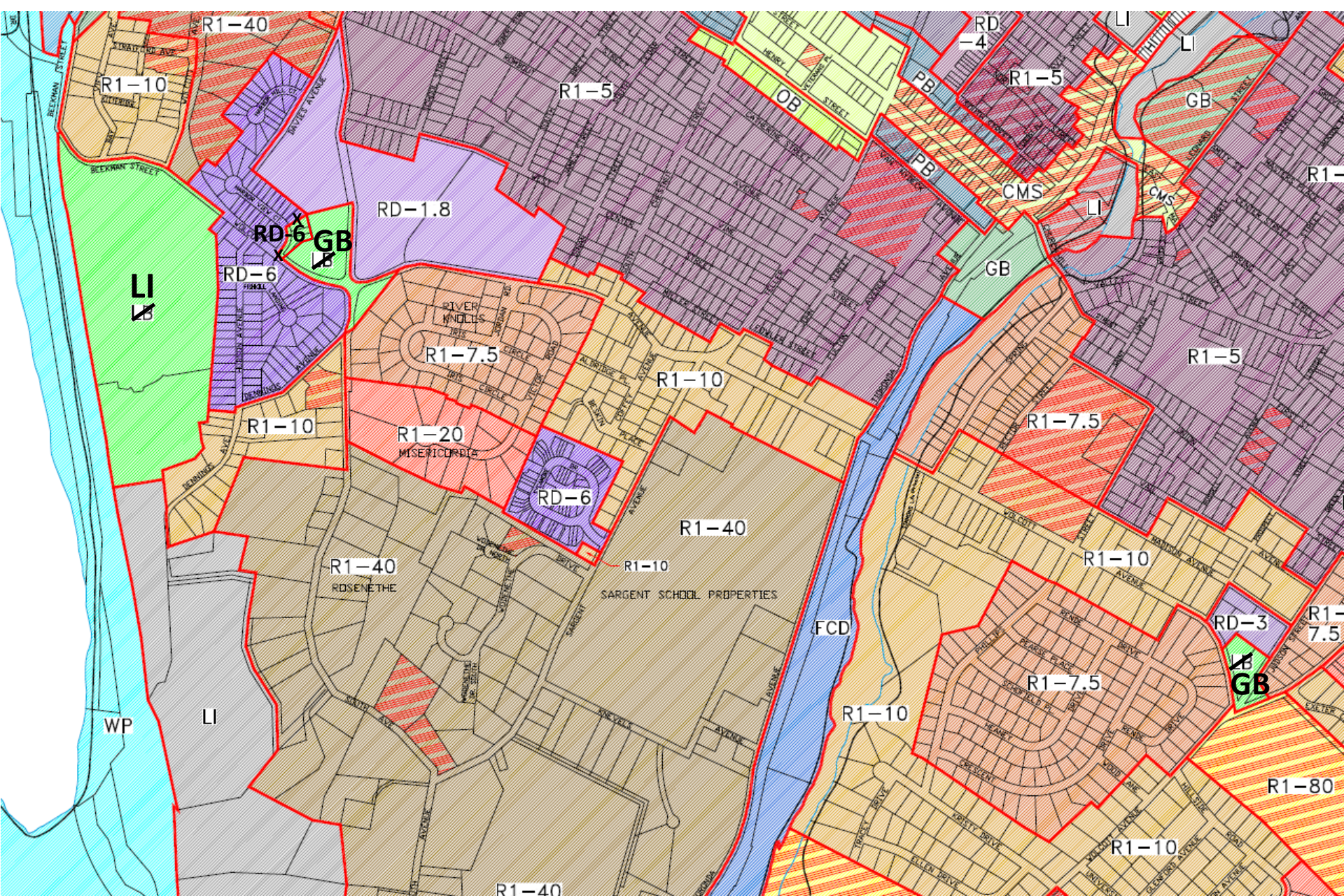




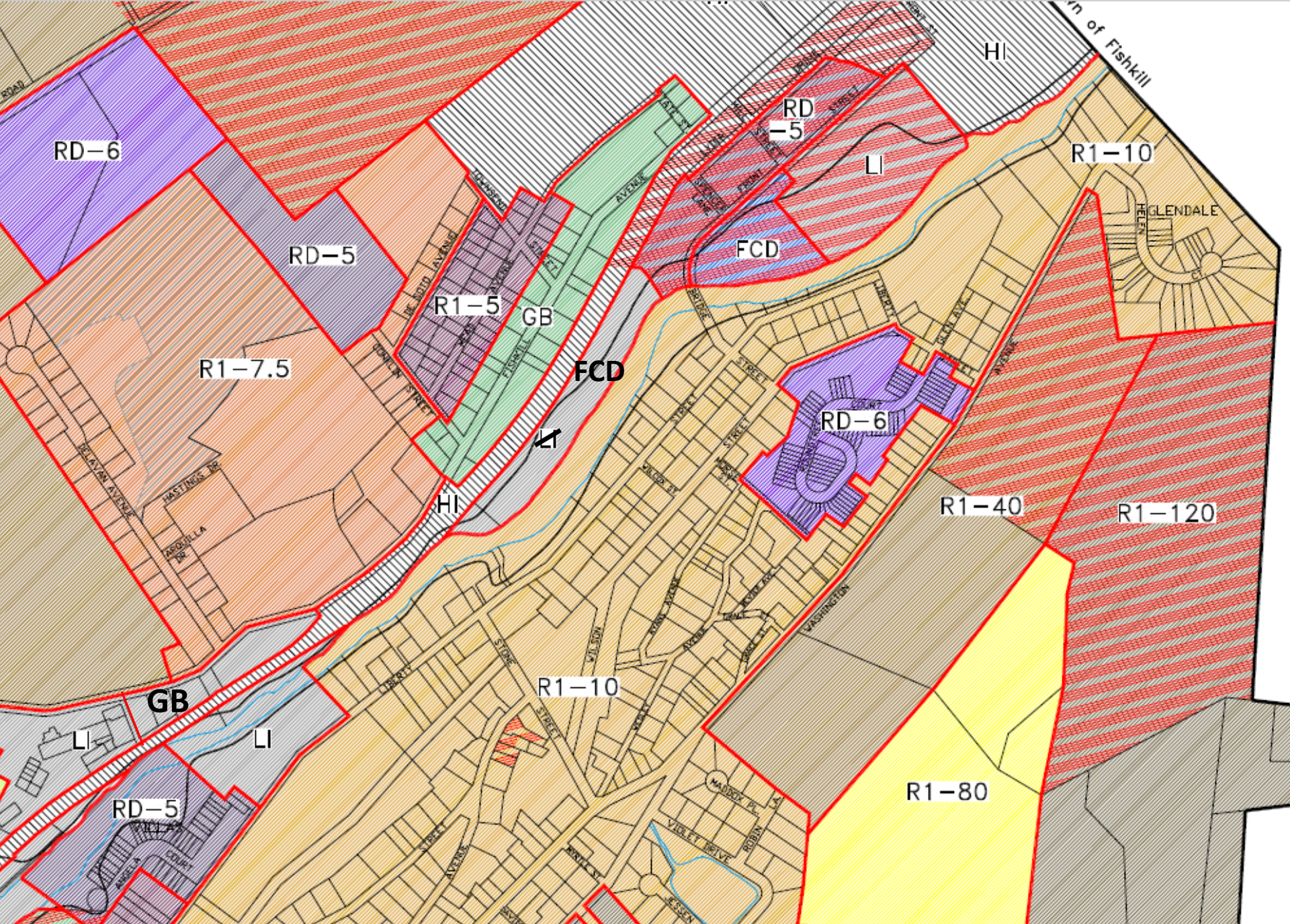














**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Resolution Supporting Universal Rent Stabilization and Control**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution Supporting Universal Rent Stabilization and Control	Resolution





## BEACON CITY COUNCIL

Resolution No. \_\_\_\_\_ of 2019

### RESOLUTION SUPPORTING UNIVERSAL RENT STABILIZATION AND CONTROL

**WHEREAS**, the City of Beacon has documented and identified unmet need for affordable housing opportunities to serve low- and moderate-income residents; and

**WHEREAS**, the City enacted [Article IVB § 223-41.9 “Affordable Workforce Housing Law”](#) in 2010, amended in 2015, which requires ten percent (10%) of all projects containing ten (10) or more apartment dwellings and/or attached dwellings to comprise of below-market-rate units; and

**WHEREAS**, the City’s affordable housing law is only one way to address housing affordability, and aside from the new construction that is required to be affordable according to this local law, currently state law does not provide local authority to form a local board that would determine annual allowable rental increases in order to protect tenants from arbitrary rent increases; and

**WHEREAS**, the [New York State’s Emergency Tenant Protection Act \(ETPA\) of 1974](#) provides rental protections including rent stabilization whereby landlords are subject to regulated rent increases and tenants have the right to renewal leases; and

**WHEREAS**, under the current ETPA law only municipalities in Nassau, Westchester, Rockland counties and New York City are eligible to adopt a form of rent stabilization, resulting in rent control only applying to tenants in eight (8) of the state’s sixty-two (62) counties; and

**WHEREAS**, in 2019, New York State’s Emergency Tenant Protection Act (ETPA) of 1974 will be expiring, presenting an opportunity for our leadership in Albany to improve and extend tenants’ rights moving forward;

**THEREFORE BE IT RESOLVED**, that the City Council of the City of Beacon calls upon our leaders in Albany to remove the geographic restrictions from the ETPA by supporting [S5040/A7046](#), so that local governments can take an active role addressing the cost of rental housing and have a choice in providing critical rental rights to tenants in Beacon and across the state; and

**BE IT FURTHER RESOLVED** that the City Council of the City of Beacon supports and endorses [S2892A/A5030A](#) which would enact “good cause” eviction legislation which would bring the right to a lease renewal with limited rent increases to all renters in non-owner occupied buildings in the state, and protect tenants from evictions without good cause.

**BE IT FURTHER RESOLVED**, that the City Clerk is directed to send a copy of this resolution to U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, U.S. Representative Sean Patrick Maloney, Governor Andrew Cuomo, State Senator Sue Serino, State Assemblyman Jonathan G. Jacobson, Dutchess County Executive Marc Molinaro, Dutchess County Legislator Chair A.Gregg Pulver, Dutchess County Legislator Frits Zernike and Dutchess County Legislator Nick Page.

The Resolution was thereupon adopted.

\_\_\_\_\_  
City Clerk Date

Iola C. Taylor,

Resolution No. _____ of 2019			Date: April 15, 2019				
Amendments						2/3 Required	
Not on roll call.			On roll call			3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>John Rembert</b>					
		<b>Lee Kyriacou</b>					
		<b>George Mansfield</b>					
		<b>Jodi McCredo</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy Casale</b>					
		<b>Motion Carried</b>					

**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Resolution to Declare Fairview Tank Replacement Project a Type II Action Under SEQRA**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution to Declare Fairview Tank Replacement Project a Type II Action Under SEQRA	Resolution
Fairview Water Tank Short Environmental Assessment Form (EAF)	EAF



**CITY COUNCIL  
CITY OF BEACON**

**RESOLUTION TO DECLARE FAIRVIEW TANK REPLACEMENT PROJECT A  
TYPE II ACTION UNDER SEQRA**

Resolution No. \_\_\_\_\_ of 2019

**WHEREAS**, the City Council would like to demolish and remove the existing 1 Million-gallon Fairview water storage tank due to its poor condition, and construct a new 1.5 Million-gallon water storage tank and related appurtenances in the same vicinity (the “Proposed Action”); and

**WHEREAS**, the Proposed Action will serve to provide clean drinking water throughout the City of Beacon; and

**WHEREAS**, the City prepared a Short Environmental Assessment Form, Part 1-Project Information, dated July 6, 2018.

**NOW THEREFORE BE IT RESOLVED**, that the City Council hereby finds that the Proposed Action is a Type II Action pursuant to § 617.5(c)(2) of the New York State Environmental Quality Review Act, and accordingly, no further environmental review is required.

**BE IT FURTHER RESOLVED**, that the Proposed Action will not result in any significant adverse impacts on the environment.

Resolution No. _____ of 2019			Date: April 15, 2019				
Amendments						2/3 Required	
Not on roll call.			On roll call			3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>John Rembert</b>					
		<b>Lee Kyriacou</b>					
		<b>George Mansfield</b>					
		<b>Jodi McCredo</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy Casale</b>					
<b>Motion Carried</b>							

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

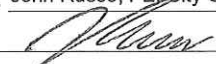
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

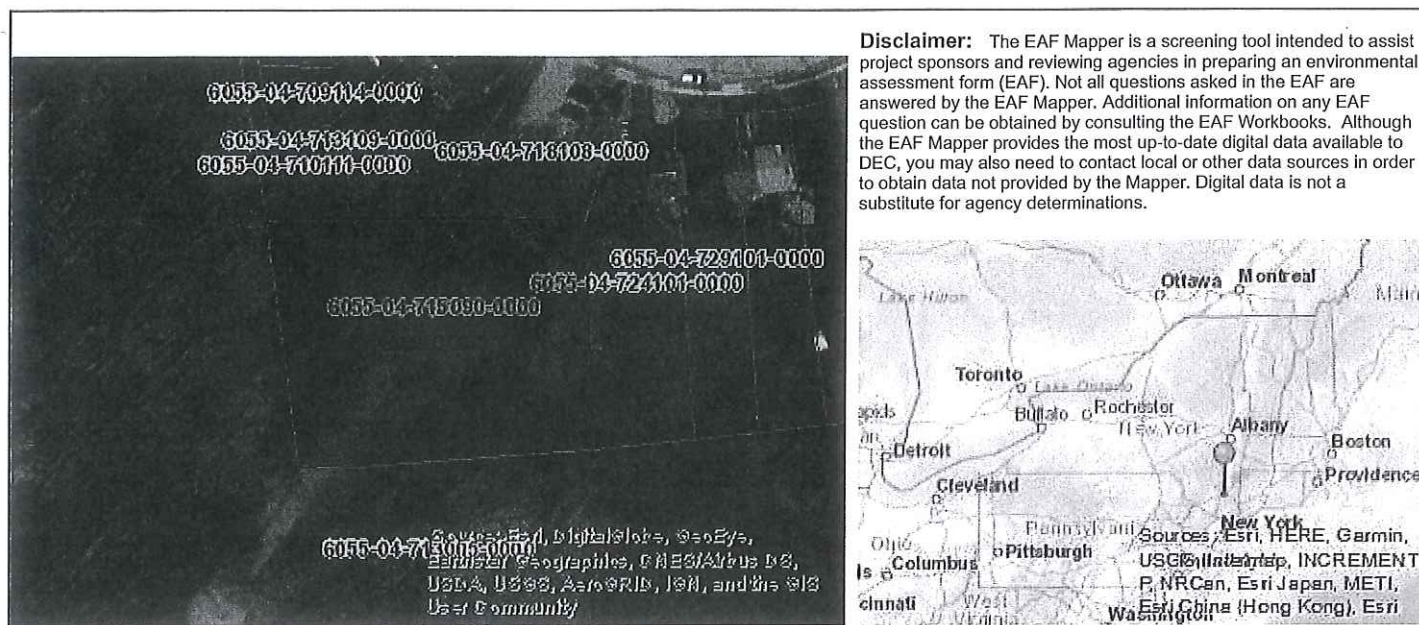
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: FAIRVIEW WATER STORAGE TANK REPLACEMENT							
Project Location (describe, and attach a location map): Accessed through Fairview Cemetery off of Washington Avenue							
Brief Description of Proposed Action: Demolition and removal of existing 1M gallon water storage tank and construction of new 1.5M gallon water storage tank and related appurtenances							
Name of Applicant or Sponsor: City of Beacon, Randy Casale, Mayor		Telephone: 845-838-5011					
		E-Mail: mayor@cityofbeacon.org					
Address: 1 Municipal Plaza							
City/PO: Beacon		State: NY	Zip Code: 12508				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Dutchess County Department of Health - Public Water Supply Improvement			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		0.7± acres					
b. Total acreage to be physically disturbed?		0.3± acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.7± acres					
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): cemetery <input type="checkbox"/> Parkland							



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ No wastewater facilities at a water storage tank	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?    Indiana Bat	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input checked="checked" type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>John Russo, PE, City Consultant</u> Date: <u>7/6/2018</u> Signature: <u></u>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**Resolution Authorizing Sale of City of Beacon Property Adjacent to 351 Tioronda Avenue**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution Authorizing Sale of City of Beacon Property Adjacent to 351 Tioronda Avenue	Resolution



## CITY OF BEACON

### CITY COUNCIL

Resolution No. \_\_\_\_ of 2019

#### **RESOLUTION AUTHORIZING SALE OF CITY OF BEACON PROPERTY ADJACENT TO 351 TIORONDA AVENUE**

**WHEREAS**, the City owns the right of way along Tioronda Avenue, adjacent to the real property located at 351 Tioronda Avenue (parcel identification grid number 130200-5954-16-871316) in the City of Beacon, Dutchess County, New York (the “**Property**”); and

**WHEREAS**, the Property was obtained by the City of Beacon (the “**City**”) pursuant to a deed recorded at the Dutchess County Clerk’s Office and is currently used as road right-of-ways; and

**WHEREAS**, the Property has been encroached upon by certain improvements and is not needed by the City for any municipal purpose; and

**WHEREAS**, the Beacon City Council (the “**City Council**”) has the authority pursuant to General City Laws § 20 to sell and convey real property, when not needed for City purposes; and

**WHEREAS**, pursuant to Section 1.07 of the City Charter, the City Council may by resolution vote to sell City property upon such terms and conditions as the City Council may deem proper; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council, in accordance with Article 8 of the State Environmental Conservation Law and 6 NYCRR Part 617 and upon review of the EAF and all other materials prepared for this unlisted action, hereby adopts the attached Negative Declaration; and

**BE IT FURTHER RESOLVED**, the City Council hereby declares that the Property is not needed for municipal purposes; and

**BE IT FURTHER RESOLVED**, the City Council approves of the sale of the Property to Susan Carbonaro and David T. Miller, having an address at 351 Tioronda Avenue, Beacon, New York 12508 for a sales price of Five Hundred and 00/100 Dollars (\$500.00) Dollars, in accordance with the terms of the Agreement, subject to review and approval by the City Attorney; and

**BE IT FURTHER RESOLVED**, that the Mayor and/or City Administrator are authorized to sign any and all documents, necessary to effectuate the purpose of this Resolution.

<b>Resolution No. __ of 2019</b>			<b>Date: <u>April 15, 2019</u></b>				
<input type="checkbox"/> <b>Amendments</b>						<input type="checkbox"/> <b>2/3 Required.</b>	
<input type="checkbox"/> <b>Not on roll call.</b>			<input type="checkbox"/> <b>On roll call</b>			<input type="checkbox"/> <b>3/4 Required</b>	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Lee Kyriacou</b>					
		<b>John Rembert</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy J. Casale</b>					
<b>Motion Carried</b>							

**City of Beacon Council Agenda**  
**4/15/2019**

**Title:**

**City Council Meeting Minutes April 1, 2019**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
City Council Meeting Minutes April 1, 2019	Minutes

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on April 1, 2019. Please note that the video recording of this meeting is available at <https://vimeo.com/327857817>

**Council Members Present:**

Lee Kyriacou, At Large  
George Mansfield, At Large  
Terry Nelson, Ward One  
John Rembert, Ward Two  
Amber Grant, Ward Four  
Randy Casale, Mayor

**Council Members Absent:**

Excused: Jodi McCredo, Ward Three

**Also Present:**

Anthony Ruggiero, City Administrator  
Nick Ward Willis, City Attorney

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

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The Resolution Authorizing the Hiring of a Fire Recruitment Coordinator was pulled off of the agenda and will be workshopped and a later date.

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

**Speakers:****Lou Amoroso Sr.**

Mr. Amoroso Sr. discussed the Certificate of Occupancy Law. There are many code violations throughout the City. For example, the hedges are too high on Rector Street coming out onto Wolcott Avenue. Further, there are tree houses that may not have permits. Many houses are being sold via cash so they may still have violations and are not being inspected.

**Theresa Kraft**

Ms. Kraft spoke out against the sale of property near 351 Tioronda Avenue. She cited the fact that sidewalks should be put there instead. She told the Council to start looking at the big picture. The Ferry Landing project is going to cause the City to lose a historic viewshed. The City Planner, who lives in the Village of Rhinebeck and is on their Planning Board, is hypocritical because he is allowing out-of-scale construction in Beacon that he would never allow in Rhinebeck.

Stosh Yankowski

Mr. Yankowski spoke about the RF Engineer's report regarding Verizon Wireless facilities. The RF Engineer's study was not an independent study. He should have tested to see if there really were any gaps in coverage instead of basing his conclusion on Verizon's data. Once Verizon has one facility, they will pop up all over town and we'll have hundreds of them especially when Verizon goes to 5G. Why are they taking down the antenna on Mount Beacon? The emissions can be changed remotely, is this safe?

Elaine Ciaccio

Ms. Ciaccio spoke about abolishing the need for special use permits and site plans for accessory apartments and structures. It surprised her because she hasn't seen anyone complain about the process. The building inspector did not provide data to back up the need for this. He knew of only one person who had been refused. This may be a solution to a problem that does not exist. It will not help with affordable housing. It will disrupt the neighborhoods.

Ms. Ciaccio went on to say that changing setbacks is ecologically unsound. Short term rentals should be regulated.

Arthur Camins

Mr. Camins spoke about affordable housing. The housing for about 50 percent of Beacon is either unaffordable or severely unaffordable. The efforts being made are not good enough. Government intervention and regulations are needed to create affordability. He asked for four things to be done: (1) increase the set aside for below market rate housing for all new construction of 4 units or more to 30 percent (2) authorize an independent study to determine what can be done to ensure residential and commercial affordability (3) at public hearings before the Planning and Zoning Board the City needs to create an independent and impartial way to address the expertise imbalance between the City and the developer. The developer brings their own expert with respects to SEQRA and the impact of development of schools and zoning variances, meanwhile the tax payers cannot afford their own expert, and (4) institute a residential building moratorium.

Tara Vamos:

Disagreed with the Danskammer expansion. Burning more natural gas will lead to higher rates of asthma, lung disease, heart disease, and premature births. Global warming is also a tremendous threat. She asked the Council to push back against Danskammer.

**Community Segment****Danskammer Construction Update**

The presentation was given by Bill Reid, CEO of Danskammer

Danskammer is an oil and natural gas plant in Newburgh, New York. When Indian Point stops running new generation of energy will be needed. Danskammer is looking to create an upgraded, more efficient facility that would run 10 – 15 times more than they are running now. Their new facility would result in an 80 – 90% emissions reduction. Their output would power more than 500,000 NY homes. No new infrastructure will be built. Benefits include the following: over \$100 million spent locally during construction, 40 local, high-paying operations jobs, more than 400 union construction jobs, and over \$50 million in property and school taxes over the next 20 years. They will be able to help Central Hudson lower the price of residential energy consumption. Before the facility is built, several independent studies will take place including: traffic counts and analysis, noise monitoring and modeling, cultural resource consultations, visual simulations and analysis, wetlands delineation, air emissions modeling, economic modeling, electric system impacts, electric interconnection system impacts and reliability.

Council person Mansfield: What is River Keeper's position?

Bill Reid, Danskammer CEO: River Keeper has asked Danskammer for funding for a study to determine if what we say is true.

Council person Nelson: Isn't this going to create more air pollution?

Bill Reid: On a gross basis we will emit more air pollution but we are going to be more efficient. In terms of health of the community we have to be in compliance with state and federal regulations.

Council person Grant: Please describe the chart in your presentation that displays how much more efficient the new plant will be compared to the old one.

Bill Reid: He explained that the chart displays the difference between the efficiency of the existing facility versus the proposed facility.

Mayor Casale: Asked Mr. Reid if the existing facility will continue to run if they are not approved to build a new one. He also asked what will happen to the coal ash field adjacent to the existing facility.

Bill Reid: The existing facility will continue to run and will likely be doing so at a much higher rate to compensate for Indian Point's upcoming closure. Therefore emissions will be high from an inefficient plant with high levels of production. Therefore, not building a new facility may result in worse pollution. Further, he noted that a solar farm is likely to be placed atop of the current ash field.

Council person Lee Kyriacou: Asked Mr. Reid if he could provide New York State's energy production plan that would include how much the State plans to run the existing facility versus the new facility once Indian Point comes off line.

Bill Reid: Yes, you can find the State's reports, called the *Load and Capacity Data Report (Gold Book)* at this website <https://www.nyiso.com/library>

## **Council Member Reports**

### Council person Grant

Ms. Grant asked what are the City's vacancy rates? What are the City's median rental rates?

### Council person Rembert

Mr. Rembert would like to continue talking about affordable housing in the next workshop. April is Autism Awareness Month. He asked everyone to be aware that autism doesn't just fall under the special education kids from high school, for all we know the people next to us could have autism and they should be known for who they are and not just as a person who may have made a socially awkward comment.

### Council person Kyriacou

Mr. Kyriacou called for an immediate and careful review of the Linkage Zone and the language for and additions to protected viewsheds, if necessary, he is willing to attach a short-term moratorium to get this done.

He proposed adding two viewsheds, one at the top of where Ferry Street used to meet 9D - south of the church just past the new development, and a second one at the north end of Bayview Avenue.

He showed a map of the area and pointed out the two locations where he is suggesting for viewshed classification. He also provided a brief history of the linkage district and how it has led to some unforeseen outcomes that he would like to correct. To view his presentation, please go to the 43:40 mark of the meeting video which is linked at the top of these minutes.

### Council person Mansfield

Mr. Mansfield thanked the Highway and Water department for their response to a water main break on Route 52.

### Council person Nelson

Mr. Nelson talked about the importance of affordable housing and called it the most important item on the Council's agenda.



Mayor Casale

Mayor Casale thanked the Public Works Department for their efforts on the water main break on Route 52.

He made an announcement on behalf of the Beacon Volunteer Ambulance Corps telling residents about the event “Helping Mature Drivers Find Their Safest Fit” which will be held on April 6, 2019 at the Ambulance Corps. If anyone has questions, call his office at 845 838 5010.

Mayor Casale also noted that on April 7, 2019 there will be a brunch to help fundraise for the Beacon Volunteer Ambulance Corps. The first serving will be at 10:30 and second at 12:30.

Water and Wastewater Superintendent, Ed Balicki

Mr. Balicki addressed the Council and residents to keep them up to date on the work being done by the Water and Waste Water Department. He described the water main break on Route 52 and thanked the Departments of Public Works, Fire and Police for their hard work. Also, he described the work that is being done on the Fairview water tank replacement. He went onto discuss the sewer main break on Wilson Street. He stated that the project is ongoing due to the unique size of the pipe that broke.

**Resolutions, Ordinances and Local Laws:****1. A Resolution Authorizing Sale of City of Beacon Property Adjacent to 351 Tioronda Avenue**

- Motion by Council person Nelson
- Second by Council person Mansfield
- Resolution passes 7-0

Council person Kyriacou

Stated that if a resident has a sliver of property that is not in their name and wishes it to be in their name, please come forward. If you are interested in owning that property, speak with the City or State about acquiring the land.

**2. A Resolution Supporting Universal Rent Stabilization and Control**

- Motion by Council person Nelson
- Second by Council person Rembert

Nick Ward-Willis

The City Attorney stated that the essence of the resolution would extend the New York State Emergency Tenant Protection Act (NYSETPA) to areas outside of the greater New York City area, should such areas wish to opt in.

During the discussion it became clear that the Council was not well versed on the intricacies of the law. Council person Kyriacou made a motion to table.

Motion to table the Resolution for two weeks by Council person Kyriacou

Second by Council person Rembert

All present Council members were in favor of tabling.

### **3. Approval of City Council Meeting Minutes March 18, 2019**

- Motion by Council person Rembert
- Second by Council person Mansfield
- All present Council members approve

**Second Opportunity for Public Comments:** Each speaker may have one opportunity to speak for up to three minutes on any subject matter on which the Council can take action.

#### **Speakers:**

No speakers

#### **Adjournment:**

- Motion by Council person Rembert
- Second by Council person Mansfield
- All present Council members approve

Next Workshop: April 8, 2019

Next Meeting: April 15, 2019

Retreat with the City Council, Zoning Board of Appeals, and Planning Board on April 22, 2019