

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on August 19, 2019. Please note that the video recording of this meeting is available at <https://vimeo.com/354858830>

**Council Members Present:**

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

**Council Members Absent:****Also Present:**

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

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

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

Mayor Casale recognized the accomplishments of Jack Dexter, a former Dutchess County Legislator who recently passed away.

**Speakers:**

John Bono

Mr. Bono read a portion of the resolution from the planning board regarding the project at Ferry Landing. It stated that the preservation and protection of the viewshed from Bayview Avenue will be considered when the applicant comes forward with amendments for site plan approval.

Laura Bono

Ms. Bono spoke about the proposed building at Ferry Landing. The rendering shows the building to rise above the cliff behind it. The applicant said that no objects will be placed on the roof. There has been enough misinformation to believe that the building will not be erected as it is presented. Will the taxpayers have a say in the process if the owner wishes to build more? What happens if the building is in fact above the cliff? It seems that the way the viewshed was worded, it was supposed to have included the entire Bayview Avenue. This is an historic area. She said she hopes it does end up being part of the viewshed.

Mayor Casale responded, saying that the public would have a say if there were any amendments that came forward.

Theresa Kraft

Ms. Kraft spoke about the lack of attendance at the meetings and said that she wishes the people speaking on social media were actually speaking at Council meetings.

She said that the City has to stop selling property at bargain discount properties. Beacon needs to establish pocket parks and green spaces. Beacon has become a city where bar and food establishments have taken priority over the quality of life of residents. The residents have had to call the New York State Liquor Authority Board for peace and quiet.

### **Public Hearings:**

#### **No. 1:**

#### **Public Hearing Regarding A Moratorium with Respect to Land Use Approvals for Residential, Commercial, and Mixed-Use Developments**

City Attorney Nick Ward Willis provided a brief about the proposed moratorium. He stated that the Dutchess County Planning and Development Board commented that it was a matter of local concern. Meanwhile, the City of Beacon Planning Board recommended that the City Council does not pass a resolution in favor of a moratorium. He also stated that in his legal opinion, based upon the reasons stated for the proposed moratorium, there is no legal basis for a moratorium.

Anthony Ruggiero, City Administrator

Mr. Ruggiero gave an update on the condition of Well #2. The well was able to be pumped at 600 gallons per minute but there was increased turbidity above that. The goal is to pump at 800 gallons per minute with no turbidity.

Arthur Camins

Mr. Camins spoke out against the moratorium. He said that there are very few people at the meeting because they believe the City Council will not listen to them. He said that the city is in reactive mode rather than forward planning mode. He continued, stating that a moratorium of one year is necessary. He said that the city needs an expert opinion to determine what the total impact of the development has been on Beacon up until this point. The city needs to take a pause in the meantime. The city should get peoples' opinions at venues all around town because some people don't feel comfortable at City Council meetings. The moratorium should start when the Council votes for the moratorium. If there are any projects in the pipeline, they should be stopped. Also, if anything is exempt from the moratorium, then that defeats the purpose. The possibility of a developer making a case for economic hardship should not be a reason to get

around the moratorium. The burden of proof should not be on the residents, but on the developers to prove why we need a development.

Stosh Yankowski

Mr. Yankowski stated that the moratorium should be more than six months. The Planning Board said they did not see a reason for the moratorium, they did not however give a negative declaration. Further, Planning Board member Jill Reynolds voted against a four-story development in the past and she wasn't at the meeting to comment on the moratorium. Beacon is a small community; it is not Brooklyn. There should be a study of the parking and traffic problem in Beacon, perhaps that could support a moratorium.

Theresa Kraft

Ms. Kraft said that traffic and parking are already an issue. Beacon needs to step up historic preservation policy. Some on the Council are showing allegiance to developers. There should not be any more four floor developments in Beacon.

Tina Bernstein

Ms. Bernstein spoke about the moratorium, stating that the residents are upset that there has been development without studies to determine the effect of those developments. The Council's credibility is at stake if they don't take this opportunity to take a look at all of the proper assessments and community engagement. The city needs to publicize things and meet people where they are at. People are not happy.

Jessica Eriksmoen

Ms. Eriksmoen wants the City Council to use taste and do things right. She said she is not anti-development but she wants decisions to be made with integrity. The residents are trusting the elected officials to be their voices. The Council should consider what is going to bring in cash for Beacon so the City can have more schools and more cash for infrastructure.

John Bono

Mr. Bono said that things are developing so fast that it is hard to keep up. The sewage plant is going to have to be rebuilt. Is another school going to have to be built to accommodate the development? The roads need improvement, particularly Stratford Avenue. He said he has fallen over in his wheel chair two or three times because of poor road conditions on Stratford Avenue.

Motion to Close the Public Hearing

- Motion by Council person Rembert
- Second by Council person McCredo
- Motion passes 7-0

## **2. Public Hearing Regarding Concept Plan for 248 Tioronda Avenue**

Nick Ward-Willis, City Attorney

Mr. Ward-Willis gave a brief detailing how the project has ended up in front of the Council. Adequate notice was given to neighbors.

Larry Boudro, Chazen Companies

Mr. Boudro detailed the timeline for the project. There were five months of environmental review and the Planning Board adopted a negative declaration. The Army Corps of Engineers updated their report. There was a net increase in area for development and Greenway Trail expansion. There is no gross impact on the floor area. No change in water usage or wastewater. The number of expected school children actually goes down. He requested that the Council keep the public hearing open until they receive the jurisdictional determination from the Army Corps of Engineers. The jurisdictional determination will allow the claimant (Chazen Companies) to request more units and add 500 linear feet of the greenway trail. He took the Council and public through a presentation detailing the location and renderings of the proposed project. If you would like to view the presentation, please see the agenda packet for the August 19, 2019 Council Meeting at [cityofbeacon.org](http://cityofbeacon.org).

John Clarke

Mr. Clarke said that one of the new units being proposed would be priced under workforce affordable criteria.

Jessica Eriksmoen

Ms. Eriksmoen said she is concerned about the traffic and speeding on Tioronda Avenue. She wanted to hear from the Mayor and the Council that this is important, that there will be more police presence in the area. She also wanted to make sure that someone is enforcing construction noise regulations.

Nick Ward-Willis, City Attorney

The Planning Board will be holding hearings on the Site Plan review and at that time construction sequencing discussions will take place and the public is welcome to comment.

Jessica Woods

Ms. Woods said she did not move to Beacon to live in something like what is being proposed at 248 Tioronda. She said she could have stayed in Bushwick. Ms. Woods asked who this development is for.

Theresa Kraft

The mechanical rooms on the roofs of the proposed buildings are huge. The environment must be protected in this area.

Arthur Camins

Mr. Camins said that this project is less objectionable than others. He asked if the development is necessary. He said the City needs a moratorium to determine what should be built in order to create the most economically viable economy. He said that grey boxes on the top of otherwise nice-looking buildings makes it look out-of-character from the other buildings. He thinks it looks ugly.

Elizabeth Strelchun

Ms. Strelchun is deeply concerned about the safety on Tioronda Avenue with this building going up. She said vehicles speed down the road making it unsafe for pedestrians and bicyclists, especially considering the narrow width of the road. More law enforcement is needed.

Al Espizito

Mr. Espizito asked what the development at 248 Tioronda would bring to the City of Beacon. The development will change the beautiful view of Mount Beacon. The “boxes” on the top of the building don’t make the building look like a factory. The parking garages are visible from the rear. There is a problem with wildlife. The road narrows as it gets closer to 9D. The additional traffic is not good. A moratorium, particularly on these proposed buildings, is advisable.

Tina Bernstein

Ms. Bernstein asked, “Who are these apartments for?” She said there was a time when the city was depressed and the arts revival was wonderful, but at this point, the city has to consider what they are doing with all of the development. She continued, saying that the grey boxes on the building next to Homespun are hideous. The building is nice but the boxes on top are ugly as sin.

Daniel Aubry

Mr. Aubry said that the developer must think there is a market for the rentals or else the developer would be the first one not to want to build them. They want to build because Main Street is shuttered four nights a week and we need more people living in Beacon. Let the market decide. There are no new developments coming to Beacon, this project is four years old.

Stosh Yankowski

Mr. Yankowski said that he has talked to a lot of people in Beacon who do not want any more development - for now at least. The retail spaces on Main Street (he referred to them as the “Monsters on Main”) are empty. He questioned whether or not Beacon even needs all of this

development. Additionally, the City still has an opportunity to purchase the land where the Ferry Landing project is proposed. Slow this development down.

Tom Cunningham

Mr. Cunningham asked what the height will be to the top of the mechanical. He asked what the purpose is of the non-residential building. Mr. Cunningham said that the best development for the city would be office space.

Mayor Casale

Mayor Casale responded by saying that the Council decided there should be some commercial space because the city doesn't have enough. He continued by saying that changes were made because the councils have listened to the public through extensive planning processes including two Comprehensive Plans, one in 2007 and an updated one in 2017, which took considerable public input into account. He also responded to residents who said that traffic speed will be even more of a problem when 248 Tioronda is developed by saying that cars are speeding and people are dumping on Tioronda because there isn't much action there. If there was development, that could stop. Legally, the city can't have a moratorium every time a building goes up that someone doesn't like.

Bill Irwin

Mr. Irwin said that the wetland is a precious resource. One-by-one environmental impact studies for each proposed project don't take into account the cumulative impact of all of the development on the Fishkill Creek. He continued, saying that a traffic study on Tioronda Avenue near the entrance to Madame Brett Park was done a few years ago but only studied the north side of the road. He said that the "Please Honk" sign in the same area is a nuisance for residents who live there.

John Clarke, City Planner

The 2007 Comprehensive Plan had a generic environmental impact statement for development city-wide.

Jodi McCredo

Ms. McCredo asked Larry Boudro if an entrance could be built on Wolcott Avenue in an attempt to alleviate traffic on Tioronda Avenue.

Larry Boudro

It was determined that the Wolcott Avenue access would be used just for emergency access. He presented three scenarios to the Planning Board and the Planning Board determined the best

option was to have the entrance on Tioronda Avenue because traffic would back up past the entrance if it were Wolcott Avenue. The grey structures on top of the buildings are stair towers.

Andrea Capsaus

She said that she can't get a parking spot on Main Street and there is heavy traffic on the street. Main Street doesn't seem like it is struggling, we don't need development to help Main Street.

Aaron Giunta

Ms. Giunta said that she is concerned about the entrance into the development, particularly with cars making illegal right turns into the development. She's concerned about the speed of cars in the area, there is a school bus stop and kids are walking to school. If there has to be commercial space then office space where people are only coming and going in a traditional nine to five-time frame is ideal. This is marketed towards high end residential; this is not what we need. We need low income housing.

Motion to Adjourn the Public Hearing until October 7

- Motion by Council person Grant
- Second by Council person Rembert
- Motion passes 7-0

## **Council Reports**

### Council Person Terry Neslon

No comments.

### Council Person Jodi McCredo

Ms. McCredo said that the responses she's gotten from people about her proposal for taking parking off of one side of Main Street have been really overwhelmingly positive and she is excited to talk about it with the Council in the future.

### Council Person Mansfield

Mr. Mansfield welcomed Industrial Arts Brewery to Beacon and thanked them for bringing jobs.

### Council Person Kyriacou

Mr. Kyriacou spoke about the history of the 248 Tioronda Avenue project. Two years ago, the project was proposed for 100 residential units with a peaked roof style. The Council made several adjustments to the project, including reducing the residential range of the allowable number of units per acre, requiring a minimum of 25% of the buildout to be commercial space, removing steep slopes and wetlands from any calculation of residential density, establishing a

more “factory-style” building, bringing the greenway trail more thoroughly adjacent to the river and reducing the number of residential units down from 100 to 64.

#### Council Person Rembert

Mr. Rembert said the City needs more commercial space, more low-income housing and needs to focus on viewsheds. He agreed with the Resolution commenting on the Danskammer Buildout.

South Elm Street did not have lights last night.

#### Council Person Grant

Ms. Grant thanked the Highway Department and the City Administrator for responding to her inquiry on behalf of a resident regarding landscaping at Green Street Park.

The Traffic Safety Committee should look at the traffic situation on Tioronda Avenue.

She asked if there was anything the Council could do to make the mechanical rooms and stair towers on the roofs of new buildings less offensive.

#### Mayor Casale

Mayor Casale thanked the public for coming out and speaking. He stated that the Council has done a good job of listening to the public and making adjustments based upon what residents have to say. He spoke about parking; saying that the parking is not busy because of the people that live here but it is so because of people who come to visit. He said that the City has looked at options for more parking however, the more parking you bring to a city, the more cars you will bring. We must be careful.

The public took a major role in the processes here in Beacon. The Comprehensive Plan is a living document. Changes can be made to the document; a moratorium is not needed to make alterations to the Comprehensive Plan.

Mayor Casale talked about the upcoming dedication ceremony for Clara Lou Gould. The ceremony will include guest speakers and the unveiling of a plaque. He invited all of the Council members who served on the Council during Mayor Gould’s time as Mayor. The ceremony will be on August 29<sup>th</sup> at 6:30 pm at City Hall. Mayor Casale said that Clara Lou Gould was instrumental in turning around the City of Beacon.

#### Tina Bernstein

Ms. Bernstein said that she saw people getting parking tickets on West Main Street for two-hour parking. Municipal parking needs to be better signed.

#### Mayor Casale



Mayor Casale responded by saying that the City is improving wayfinding.

**Resolutions, Ordinances and Local Laws:**

**1. A Resolution Authorizing the City of Beacon to Hire Joseph Oaks for the Vacant Water and Sewer Helper Maintenance Position**

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

**2. Resolution Rejecting Bids for the Main Street Improvement Project**

Mayor Casale spoke about the scope of the project. He said that the recommendation was to reject the bids because they came in so much higher than expected.

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

**3. A Resolution Authorizing the City of Beacon to Enter into a Contract with Sun Up Construction for the Teller Avenue Sanitary Sewer Replacement Project**

Anthony Ruggiero gave a brief on the project by stating that the City Engineer determined that Sun Up Construction was the lowest responsible bidder and the bid came below the budgeted price.

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

**4. A Resolution Scheduling a Public Hearing for September 3, 2019 Regarding Local Law to Amend Chapter 211, Article II, Section 10 of the Code of the City of Beacon Concerning a Stop Sign at the Intersection of North Elm Street and Oak Street**

- Motion by Council person McCrede
- Second by Council person Mansfield
- Resolution Passes 7-0

**5. A Resolution Authorizing the City of Beacon to Enter into a Dog Housing Agreement with the Dutchess County SPCA**

- Motion by Council person Grant
- Second by Council person Rembert
- Resolution passes 7-0

**6. A Resolution Granting a Special Use Permit Extension for Edgewater (22 Edgewater Place)**

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

**7. A Resolution Authorizing the City of Beacon to Enter into a Contract with Balanced Builders, Inc. for the Memorial Building Window Replacement and Exterior Painting Project**

- Motion by Council person Rembert
- Second by Council person McCredo
- Resolution passes 7 - 0

**Approval of Minutes**

Motion to approve council minutes from August 5, 2019

- Motion by Council person McCredo
- Second by Council person Nelson
- Motion passes 7-0

**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:**

**Adjournment:**

- Motion by Council person Grant
- Second by Council person Nelson

- Motion passes 7-0

Next Workshop: August 26, 2019

Next Meeting: September 3, 2019