

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on January 21, 2020. Please note that the video recording of this meeting is available at <https://vimeo.com/386463035>

Council Members Present:

Amber Grant, At Large
George Mansfield, At Large
Terry Nelson, Ward One
Air Rhodes, Ward Two
Jodi McCredo, Ward Three
Dan Aymar-Blair, Ward Four
Lee Kyriacou, Mayor

Council Members Absent:**Also Present:**

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

Mayor Kyriacou held a moment of silence in memory of Dr. Martin Luther King Jr.

First Opportunity for Public Comments: Each speaker may have one opportunity to speak up to three minutes on any subject matter.

Speakers:

Louis Amoroso Sr.

Mr. Amoroso said that at the end of 2019 he was under the impression that Beacon was going to renovate all three of the fire stations. However, it was stated at the January 7th meeting with the Firehouse, that Beacon Engine was going to close. He said he is not happy about it for several reasons. There are nursing homes in that area as well as four Councilmembers who live in that area. He asked how much money was spent on the three buildings over the last twenty years. He posited that there hasn't been much money that went into the buildings other than grant money. He said the only time he saw the City spend any money in the fire stations, other than the furnace and electric and gas bills, was when the City bought paint and paint brushes so the volunteers could paint.

Stosh Yankowski

Mr. Yankowski said that the City should test the background radiation at the Howland Avenue site. He congratulated Mayor Kyriacou for the way he conducts the meetings.

Mr. Yankowski asked the Council how much they actually know about the Paris Accords. Money is supposed to be given to the developing countries to help control gas emissions. China is allowed to increase their carbon emissions, India is allowed to increase their carbon emissions, yet the United States will have to drop their emissions by 26 percent. He reminded the Council that carbon dioxide is needed for plants to create oxygen. He said he supports the Council's initiative go control emissions but he does not support the Paris Accords.

Theresa Kraft

Ms. Kraft said that Well 3 cannot act as a new source of water because of a report from WSP. Getting the well into stable condition will require extensive funds. People must question the motive to put money into the well. The City has also not addressed the chemical pollutants found in the water.

Community Segment: Comprehensive Plan Discussion

Sara Pasti, Co-Chair of the Comprehensive Planning Committee
John Clarke, City of Beacon Planner

Ms. Pasti and Mr. Clarke gave a joint presentation on the history of development in Beacon. To view the entire presentation, please visit the link below:

<http://agenda.cityofbeacon.org/CoverSheet.aspx?ItemID=8537&MeetingID=533>

Louis Amoroso Sr.

Mr. Amoroso said that the survey used during the information-gathering phase of the Comprehensive Plan process was sent to Beacon Hills, Hudson View and Chelsea. He asked John Clarke the difference between a four-story building that is ten feet compared to a loft. Developers can determine their floor-to-floor height within that parameter.

John Clarke

Mr. Clarke said residential floors typically are ten feet in height however commercial first floors are higher. In the CMS you can have a four-story building up to 48 feet. Historically, buildings on Main Street had higher floors than 10 feet.

Sara Pasti

Ms. Pasti said that two representatives from Metro North sat on the 2017 Committee. They said that they did not want to get into a conflict with the Committee and essentially approved the plan.

Public Hearing to Discuss a Proposed Local Law to Amend Chapter 134 of the Code of the City of Beacon Concerning Historic Preservation

John Clarke

Mr. Clarke said that during the public hearings for the 35 buildings proposed to be included in the Landmark Overlay Zone stricter guidelines were discussed. Now, additional changes are being made in response to the public's comments on the matter from a public hearing held in 2019. If a homeowner of an historic home wants to renovate their home, they will need a certificate of appropriateness in certain cases. The Council has included some exceptions: alterations to interior spaces or features, alterations to exterior architectural features that are not visible from a sidewalk, park or street, ordinary repair or replacement of an existing architectural feature in kind, installation of a temporary sign, painting or color changes, seasonal updates such as storm windows, site features other than building, emergency or security measures as approved by the Building Inspector, minor accessories such as new lighting features or dryer head. Additionally, no historic upgrades or maintenance are required of homeowners. Further, there will be no additional fees attached to this application of appropriateness.

The City of Beacon Planning Board was concerned about the loss of a review for the inside of an historic building. They suggested maintaining interior protection for buildings that are on the National Register of Historic Places. Dutchess County had no comments on the proposed local law.

Rebecca Valk, Cuddy and Feder

Ms. Valk thanked the Council for the changes from the proposed draft, in particular removing the interior of buildings from their law. The Council can avoid overbreadth by using the criteria of publicly owned buildings, not buildings that are open to the public. The financial impact is unduly harmful to places of worship. The City law is excessive and unduly harsh. It imposes a great hardship, especially to houses of worship. Once the designation is in place, the City offers no realistic avenue of relief to property owners whose application has been denied. The single proposed method of relief is an appeal to the ZBA for a Certificate of Economic Hardship. However, the law is written such that the standards are virtually impossible to obtain. The City applies this to any change to the structure and not to the demolition alone, which is common in many other municipalities. Relief should be less onerous. There should be modifications for measures that require immediate emergency attention.

Karen Meyer, Vice President of the Beacon Hebrew Alliance Representative

Ms. Meyer said that the new windows in their synagogue are a part of their religious experience. She requested that architectural elements of religious significance be exempted from the law. Those windows are religiously significant with symbols and texts. She questioned whether the Council would consider exempting houses of worship. California has completely exempted churches and synagogues.

Theresa Kraft

Ms. Kraft said she is in favor of the proposed changes. Enforcing the codes will enhance the visual aspect of the City. Any proposed property should be able to opt out because of economic hardship and that exemption should not be transferrable to the next property owner. She said that exempting religious buildings will make things a lot easier.

- Motion to adjourn the Public Hearing to February 3 by Councilmember Mansfield
- Second by Councilmember Grant
- Motion passes 7 – 0

Public Hearing to Discuss a Proposed Local Law to Amend Chapter 223, Section 41.18.E(7) of the Code of the City of Beacon Concerning Building Height Special Permits in the Central Main Street District

John Clarke

Mr. Clarke presented the proposed local law that was the subject of the public hearing. The proposed legislation can be found here <http://agenda.cityofbeacon.org/CoverSheet.aspx?ItemID=8536&MeetingID=533>. He pointed out that properties in the Historic District Overlay Zone or abutting properties would be considered by the Council for a special permit. Further, the City Council may limit the length of any such fourth-floor proposal. Another addition to the proposed law is that any fourth-floor proposal will have to include public benefits.

Nick Ward Willis

Mr. Ward Willis specifically pointed out a proposal within the law to allow the City Council to grant a waiver provision, if special conditions at the site are met, before an applicant goes to the Zoning Board of Appeals for a variance.

Councilmember Mansfield

Mr. Mansfield said that the law should clearly state what “across the street” means. John Clarke agreed and said he would propose specific language.

Theresa Kraft

Ms. Kraft supports the proposed amendments as long as the City does not cave in to developers for any of the givebacks. Mechanical rooms should be considered early on in the approval process. The city’s historic heritage must remain the driving force in the decision making.

Stosh Yankowski

Mr. Yankowski said that people wore top hats a long time ago. He wore the hat to prove a point. Just because there used to be tall buildings on Main Street does not mean we have to have them now. He said that a developer said the same thing as the City Planner, although he is not accusing anyone of collusion. The Council is allowing windmills on top of buildings, please do not allow windmills on top of buildings on Main Street. Also, anything found on top of roofs should be considered as part of the height. We have to keep Beacon beautiful. He recommended keeping the public hearing open.

He thought the person who designed 344 Main Street must have been drunk. A bag should be placed over the building so people can’t see it.

John Clarke

Mr. Clarke said that the Planning Board agreed to the step back requirement however they had concern that there was no mechanism for exceptions in unique circumstances. They suggested the Council allow a waiver under the law under certain circumstances pertaining to buildings with small footprints.

Councilmember McCredo

Ms. McCredo said she would like to leave the public hearing open until the public forums on development.

Councilmember Aymar-Blair

Mr. Aymar-Blair said that the public hearing should not continue beyond the second and final forum on community development on February 29th.

Councilmember Nelson

Mr. Nelson said he would like to hear from more people before closing the public hearing.

- Motion to close the Public Hearing by Councilmember Grant
- Second by Councilmember Nelson
- Motion passes 7 – 0

Public Hearing to Discuss a Proposed Local Law to Amend Chapters 223 and 210 of the Code of the City of Beacon Concerning the City’s Schedule of Regulations and Associated Amendments Regarding Permitted Uses in the City of Beacon

John Clarke

Mr. Clarke said that all of the tables have been posted to cityofbeacon.org. He simplified the tables and made

them more user-friendly. Some special permits that are not of city-wide importance have shifted to the Planning Board. He took the Council through specific properties throughout the City that would transition to different zoning districts.

Speaking of the dimensional tables he said that new standards have been added for the new transitional district, some setbacks in the R1 districts have been decreased and side setbacks in some RD districts have been increased. The new tables add dimensional standards instead of floor area ratios. Further, the new tables eliminate more than half of the existing footnotes.

Nick Ward Willis, City Attorney

Mr. Ward Willis read aloud the comments provided by Dutchess County on the matter. The full comments can be found at the end of these minutes.

John Clarke

Mr. Clarke answered a clarifying question from Councilmember Rhodes that gardens and incidental urban agriculture in front yards are allowed.

Theresa Kraft

Ms. Kraft said that the documentation attached the proposal is lengthy and difficult to follow. She hoped that the Council holds off on adopting the measures until after the Community Development Forums.

John Clarke

Mr. Clarke said he will update the law to incorporate the County's comments.

- Motion to close the Public Hearing by Councilmember Grant
- Second by Councilmember Nelson
- Motion passes 7 – 0

Council Reports

Councilmember Terry Nelson

Mr. Nelson will be holding office hours on Saturday from 12:00 – 2 pm at the Howland Public Library. He will try to do this on a consistent basis. He asked why there are no speed limit signs on Main Street and requested that the speed limit be limited by five miles per hour.

Councilmember Rhodes

Ms. Rhodes will be holding office hours every month on second Saturday at Big Mouth Coffee shop from 8 – 9 am. They expressed their delight at seeing so many people at the Martin Luther King Jr. Celebration. They are pleased with how many people showed up at the Women's March on Saturday. The Councilmember thanked all of the Beaconites who are advocating in Albany for family members of incarcerated individuals. They said that best way to help Beacon is to shop on Main Street.

Councilmember Mansfield

Mr. Mansfield thanked the County Legislators Nick Page and Fritz Zernike for their work on the legislation

regarding liquor store hours. Liquor stores are now able to stay open to 9 pm each night of the week.

Councilmember McCredo

Ms. McCredo asked about shortening the parking spaces on Main Street by restriping. Anthony Ruggiero said the work will be done this summer when additional safety measures will be added to Main Street including repaving.

Councilmember Grant

Ms. Grant thanked students Noah, Esther, Annabel and Gabe for their enthusiasm and hard work to bring composting to Beacon schools. She is interested in speaking about ways to making composting more widespread.

Councilperson Aymar-Blair

Mr. Blair thanked everyone who participated in the Martin Luther King Jr Day Celebrations. He said that protestors make our society and our democracy stronger. He will be setting up Office Hours on the Second Saturday of each month.

Mayor Kyriacou

The Mayor announced a Main Street Access Initiative which will include a special committee of residents and businesses. Mayor Kyriacou referenced a press release found at the end of these minutes announcing the creation of an ad-hoc committee.

Anthony Ruggiero

Mr. Ruggiero said that the reservoirs are full and that the water moratorium will be discussed at the next workshop.

Local Laws and Resolutions

Resolution Appointing Tyler Rath as a City of Beacon Police Officer

Chief Kevin Junjulas

Chief Junjulas said that after an extensive search and background investigation the Beacon Police Department would like to recommend Tyler Rath be hired as a Beacon Police Officer.

- Motion by Councilmember McCredo
- Second by Councilmember Nelson
- Resolution passes 7 – 0

Resolution Setting a Public Hearing to Receive Public Comment on the 1182 North Avenue Special Use Permit Application for March 2, 2020

Mayor Kyriacou removed this resolution.

Resolution Adopting the City of Beacon Inventory of Community and Municipal Operations Greenhouse Gas

Emissions

- Motion by Councilmember Nelson
- Second by Councilmember Grant
- Resolution passes 7 – 0

City Council Meeting Minutes December 16, 2019

- Motion by Councilmember McCrede
- Second by Councilmember Grant
- Motion passes 5 – 0 – 2 (Councilmember Rhodes and Aymar-Blair abstained because they were not on Council at the time of the December 16, 2019 meeting)

City Council Meeting Minutes January 6, 2020

- Motion to Adjourn by Councilmember Grant
- Second by Councilmember Nelson
- Motion passes 7 – 0

Next Council Workshop: January 27, 2020

Next Council Meeting: February 3, 2020

Motion to Adjourn

- Motion to Adjourn by Councilmember McCrede
- Second by Councilmember Rhodes
- Motion passes 7 – 0



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

January 17, 2020

To: City Council, City of Beacon
Re: **ZR19-406, Local Law Amending the City Code regarding Schedule of Use and Bulk Regulations**

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, Sections 239-l and 239-m).

ACTION

The City is seeking to amend its Schedule of Uses and Bulk Regulations.

COMMENTS

We are pleased to see that the City has revised its Schedule of Uses to be much easier to read and has combined similar districts to streamline the code. We have a few minor comments for the Council's consideration:

1. Museums are proposed in all R-1 and RD districts via special permit by the Council. This use may be too intense for residential areas, especially on small lots.
2. A definition should be provided for Trade Schools and Training Programs. As "Colleges or Universities" and "Private Schools or Nursery Schools" are permitted in All R1 and RD districts, it is unclear why "Trade Schools or Training Programs" aren't as well.
3. There is no definition for Medical Service Structure. "Medical service accessory structure" is also referred to in section 223-13(O).
4. The City should consider permitting forms of urban agriculture.
5. Section 223-14.4 Waterfront Development (WD) Zone and §223-63 Definitions references "Conference Centers" while the Schedule of Uses references "Conference space."
6. The current proposal defines the term "Workshop" in the text of §223-41.18(17), but then does not in §223-41.21(15). Perhaps the definition of this use should not be included in these sections but should appear in the Definitions.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By

A handwritten signature in black ink, appearing to read "Jennifer F. Cocozza".

Jennifer F. Cocozza
Deputy Commissioner

Dutchess County Department of Planning and Development

FAX INFO ONLY

To Jen Cocozza	Date 12/10/2019	# pgs 55
Co./Dept. Planning and Development	From Collin Milone	
Fax # 845 486 3610	Phone # 845 838 5010	

239 Planning/Zoning Referral - Standard Form

Municipality: City of Beacon

Referring Agency: Planning Board Zoning Board of Appeals Municipal Board

Tax Parcel Number(s):

Project Name: Proposed Local Law to Amend Ch 223 and 210 of the C.O.B Code Re Schedule of Regulations...

Applicant: ... and Associated Amendments

Address of Property:

Please fill in this section

Type of Action:

- Local Law / Text Amendment
- Rezoning
- Site Plan
- Special Permit
- Use Variance
- Area Variance
- Other: _____

Parcels within 500 feet of:

- State Road _____
- County Road _____
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Date Response Requested (if less than 30 days): Jan 21, 2020

If subject of a previous referral, please note County referral number(s):

FOR COUNTY OFFICE USE ONLY

Response from Dutchess County Department of Planning and Development

No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn

Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete — municipality must resubmit to County
- Incomplete with Comments — municipality must resubmit to County

Date Submitted: <u>12/10/19</u>	Notes: <u>map received 1/7/2020</u>	<input type="checkbox"/> Major Project
Date Received: <u>12/10/19</u>		Referral #: <u>19-406</u>
Date Requested: <u>1/21/20</u>		
Date Required: <u>2/5/20</u>	<input type="checkbox"/> Also mailed hard copy	Reviewer: <u>Janifer Houzz</u>
Date Response Faxed: <u>1/17/20</u>		



CITY OF BEACON New York

Lee Kyriacou, Mayor

OFFICE OF THE MAYOR

845-838-5011

FOR IMMEDIATE RELEASE

January 23, 2020

Contact: Collin Milone; cityofbeacon@cityofbeacon.org (845) 838 5010

MAYOR KYRIACOU ANNOUNCES MAIN STREET ACCESS INITIATIVE, WITH CITIZEN COMMITTEE TO TACKLE PARKING, TRAFFIC, TRANSIT AND PEDESTRIAN ISSUES

Beacon, NY: At the second official meeting of the 2020 Beacon City Council on January 21, Mayor Lee Kyriacou announced a Main Street Access Initiative to improve and plan for parking, traffic, transit and pedestrian issues – beginning with the formation of a special committee of Beacon residents and Main Street businesses.

In announcing the Main Street Access Initiative, Mayor Kyriacou noted, “The City has not kept pace with development in terms of planning for and providing Main Street parking, traffic management and pedestrian access. We must quickly make some basic improvements in Main Street access, while laying out plans for longer term capital investments. I will work closely with the City Council to establish, set goals for and provide resources for this initiative.”

Kyriacou outlined the basic components that he wants to see in the Main Street Access Initiative:

Main Street Access Committee: With City Council input and oversight, the Mayor will create an *ad hoc* committee, appoint members and a chair, establish specific objectives and timing, and provide needed planning resources.

Overall Goal: The Committee is to develop a holistic action plan for sustainable Main Street parking, traffic, public transit and pedestrian use – both short-term improvements (e.g., large blue “P” parking signs, modified striping to create extra parking spaces) and a long-term plan for appropriate infrastructure investment and funding (e.g., parking facilities, transit options).

Long-Term Plan: The Committee’s long-term view should look at access in a comprehensive fashion over at least a 10-year horizon. Current and projected parking needs should be considered block-by-block, with a focus on at least some parking for each side of each block of Main Street. Traffic and parking plans should take into account changing patterns of private vehicle use, as well as public transit, pedestrian and non-vehicular access.

Funding: Plans at a high level must consider funding mechanisms – other than property tax increases – for proposed capital investment in parking or other infrastructure.

Funding discussions should look at grants, contributions from Main Street buildings that lack sufficient parking, monthly user fees for resident parking stickers, allocation of a portion of existing higher tax rates paid by commercial properties, and other concepts.

The Mayor said, “Our Main Street is the heart of Beacon. Improving access is critical to Main Street’s ability to handle more people living nearby, which itself is critical to Main Street’s viability. We need to deal with access holistically and for the long term. I trust our community will come together to help build a better, vibrant and sustainable Main Street.”

The next step will be discussions by the City Council of the proposed Main Street Access Initiative at the next workshop in January.

About the City of Beacon:

Beacon, New York is located on the eastern shore of the Hudson River 60 miles north of New York City, with a population of 15,000. Originally a Native American settlement, the area was purchased from the Wappinger Tribe in 1683 and settled by Dutch and other Europeans, leading to the riverfront community of Fishkill Landing on the Hudson, and the mill community of Matteawan on Fishkill Creek. The two communities were incorporated together as the City of Beacon in 1913, named for the Revolutionary War signal fires on Mount Beacon. Beacon thrived as a 19th and 20th Century factory city, but as factories closed after WWII and the local economy declined, the city went through a period of hard times. Today, Beacon has successfully reinvented itself as a 21st Century river community centered around tourism, the arts and access to the scenic Hudson River heritage area. A diverse and thriving small city, it is now home to DIA:Beacon (one of the largest exhibition spaces in the country for modern and contemporary art), a network of Hudson River parks connecting to Fishkill Creek and Mount Beacon trails, and a vibrant historic Main Street of art galleries, shops, cultural venues and restaurants.