



CITY OF BEACON
One Municipal Plaza
Beacon, New York 12508

Mayor Randy Casale
Councilman Lee Kyriacou, At Large
Councilman George Mansfield, At Large
Councilwoman Peggy Ross, Ward 1
Councilman Omar Harper, Ward 2
Councilwoman Pam Wetherbee, Ward 3
Councilman Ali Muhammad, Ward 4
City Administrator Anthony Ruggiero

October 17, 2016
City Council Agenda Regular Meeting

I. Call to Order

II. Pledge of Allegiance

III. Roll Call:

IV. 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.

V. Public Hearings:

- A. Proposed Amendments to the Comprehensive Plan
- B. Proposed Local Law to Rezone Certain Parcels within the Linkage District
- C. Proposed Local Law to Amend Chapter 219 of the Code as it Relates to Unmetered Water
- D. Proposed Local law to Amend Chapter 211 of the Code as it Relates to Parking on Van Nydeck Avenue
- E. Proposed Local Law to Amend Chapter 211 of the Code as it Relates to Parking on Beekman Street

VI. Reports:

- A. Council Member Ali Muhammad
- B. Council Member Omar Harper
- C. Council Member Lee Kyriacou
- D. Council Member George Mansfield
- E. Council Member Pam Wetherbee
- F. Council Member Peggy Ross
- G. City Administrator, Anthony Ruggiero
- H. County Legislators
- I. Mayor Randy Casale

VII. Local Laws and Resolutions:

- A. Resolution to Adopt the Amendments to the Comprehensive Plan
- B. Resolution to Adopt a Local Law Creating an RD-7.5 Zoning District and Changing the Zoning of Certain Properties from the Linkage (L) District to Other Zoning Districts
- C. Resolution to Adopt a Local Law Amending Chapter 119 of the Code as it Relates to Unmetered Water
- D. Resolution to Adopt the Local Law Amending Chapter 211 of the Code of the City of Beacon as it Relates to Parking on Van NyDeck Avenue
- E. Resolution Adopting a Local Law Amending Chapter 211 of the Code as it Relates to Parking on Beekman Street
- F. Resolution Adopting a Policy Relating to the Sale of Residential In Rem Properties

- G. Resolution to Authorize the Release of Funds Representing the Maintenance Bond for Project Known as Union Street Subdivision Project
- H. Resolution to Schedule a Public Hearing for Nov. 7, 2016 to Receive Comments on the Revised Local Law Amending Chapter 174 of the Code as it Relates to the Safe Storage and Display of Firearms
- I. Resolution Ratifying the Memorandum of Agreement Between the CSEA and the City of Beacon

VIII. Budget Amendments:

- A. 2016-10-17 Amendments

IX. 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.

X. Adjournment:

City of Beacon Council Agenda
10/17/2016

Title:

Proposed Amendments to the Comprehensive Plan

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Comp Plan	Backup Material
Comp Plan Ex. A	Exhibit
Comp Plan Neg Dec	Backup Material

**CITY COUNCIL
CITY OF BEACON, NEW YORK**

**RESOLUTION AMENDING THE CITY OF BEACON COMPREHENSIVE
PLAN REGARDING PARCELS IN THE LINKAGE ZONING DISTRICT**

WHEREAS, the City of Beacon Comprehensive Plan (the "Comprehensive Plan") was adopted by the Beacon City Council on December 17, 2007; and

WHEREAS, the Beacon City Council has, subsequent to the adoption of the Comprehensive Plan, been entertaining and adopting amendments to the City of Beacon Zoning Map for the purpose of implementing the Comprehensive Plan; and

WHEREAS, the City Council has been recently evaluating the Comprehensive Plan designation of a portion of three properties on Wolcott Avenue across from Rombout Avenue; and

WHEREAS, these three properties have the following tax parcel designations: portion of 5954-26-649885; portion of 5954-26-637879; and portion of 5954-34-630770 (the "Subject Properties"); and

WHEREAS, the Subject Properties were designated Medium Density Residential on the 2007 version of the Proposed Land Use Plan of the Comprehensive Plan; and

WHEREAS, in 2009 the City Council re-designated the Subject Properties as Low Density Residential for a variety of reasons; and

WHEREAS, the City Council has recently evaluated the proposal of changing the Subject Properties back to Medium Density Residential; and

WHEREAS, the City Council has specifically evaluated the density specified by the Comprehensive Plan for the Subject Properties and has determined that a higher residential density is more appropriate for reasons including the following:

1. the original intent and determination of the 2007 Comprehensive Plan that this area be developed as Medium Density Residential;
2. the purpose and intent of the Linkage District to develop this area for even higher density;
3. the proximity of the Subject Properties to the Main Street Central Business District;

Resolution Amending the City of Beacon Comprehensive Plan Regarding Parcels in the Linkage Zoning District

4. the proximity of the Subject Properties to Hammond Plaza (which had been zoned RD-3 prior to the Linkage District); and
5. the proximity of the Subject Properties to the residential development bounded by Beekman, River and West Main Streets (which had been zoned RD-5 prior to the Linkage District); and

WHEREAS, in entertaining the proposed amendment to the Comprehensive Plan the City Council has given consideration to the Subject Properties and other nearby parcels being in the Historic District and Landmark Overlay Zone, and has also given consideration to the compatibility of the proposed designation with nearby lower density zoning and development; and

WHEREAS, in accordance with Section 28-a of the New York State General City Law, the City Council referred the proposed amendment to the Comprehensive Plan to the City Planning Board for its advisory opinion; and

WHEREAS, in response to said referral the City Planning Board responded and the City Council has given due consideration to the Planning Board's comments; and

WHEREAS, as also in accordance with Section 28-a of the New York State General City Law, the City Council referred the proposed amendment to the Comprehensive Plan to the Dutchess County Department of Planning and Development (DCDPD) for its advisory opinion; and

WHEREAS, in response to said referral the DCDPD responded and stated that this is a matter of local concern; and

WHEREAS, on October 17, 2016 the City Council held a public hearing on the proposed amendment to the Comprehensive Plan at which time all of those interested were given an opportunity to be heard; and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act, the Proposed Action is defined as the proposed amendment to the Comprehensive Plan as well as proposed Zoning chapter text amendments and Zoning Map revisions.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Resolution Amending the City of Beacon Comprehensive Plan Regarding Parcels in the Linkage Zoning District

1. The City Council hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The City Council, as Lead Agency, hereby adopts the attached Negative Declaration, for the reasons stated therein, thereby finding that the Proposed Action will have no significant adverse impact upon the environment, and thereby ending the SEQRA process.
3. The City of Beacon Comprehensive Plan is hereby amended so as to change the designation of the Subject Properties from Low Density Residential to Medium Density Residential on the Proposed Land Use Plan, as shown on Exhibit "A" entitled "Comprehensive Plan Map Proposal," dated July 27, 2016 and attached hereto.

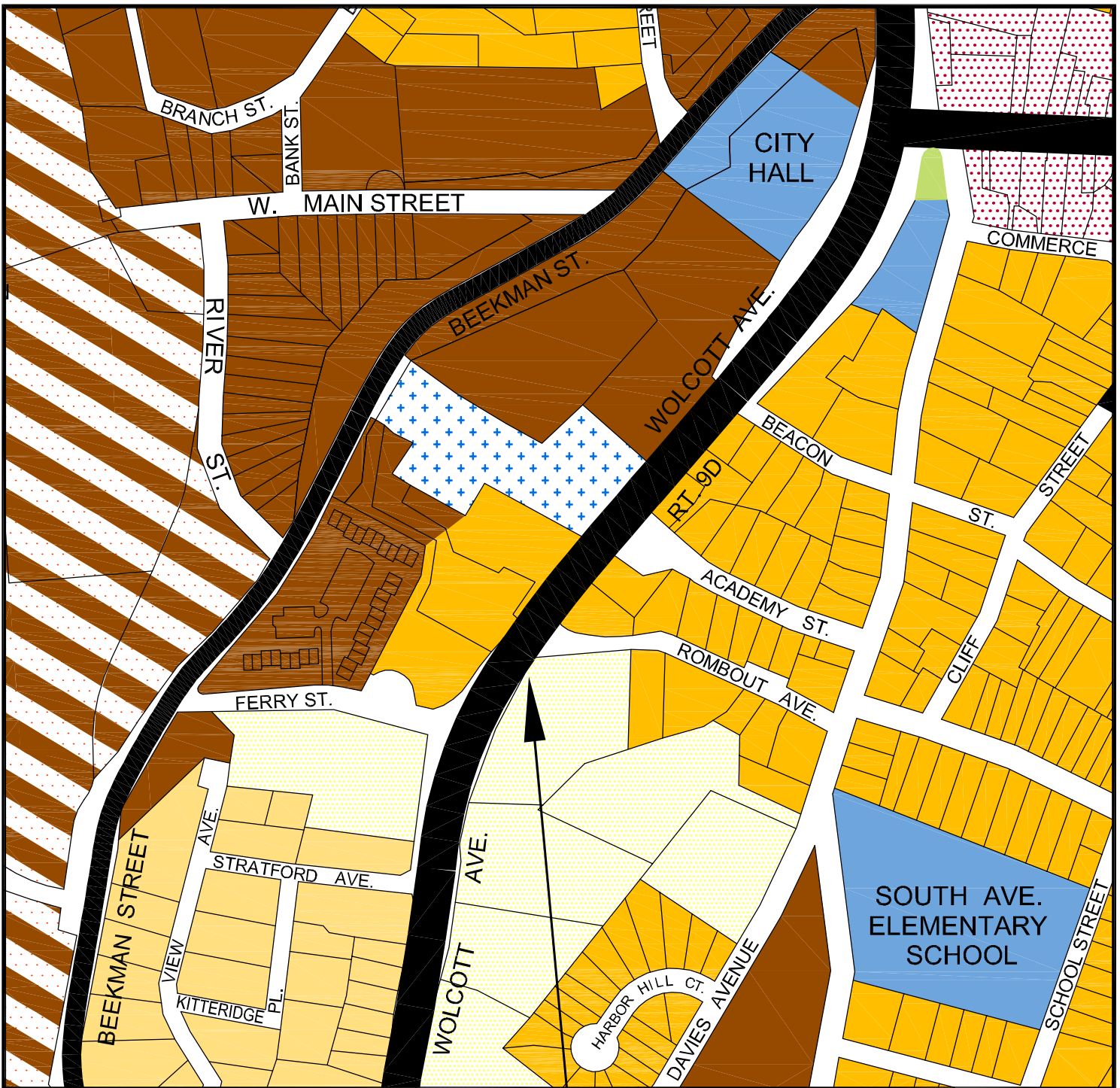
Resolution Adopted: _____, 2016

Mayor Randy Casale

Date

Attachments: Negative Declaration and Exhibit "A"

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COMPREHENSIVE PLAN MAP PROPOSAL - 2016

The proposal consists of changing the Wolcott Avenue side of "Parcel L" from Low Density to Medium Density Residential.

FREDERICK P. CLARK ASSOCIATES, INC.
PLANNING, TRANSPORTATION, ENVIRONMENT AND DEVELOPMENT
RYE, NEW YORK
FAIRFIELD, CONNECTICUT



**Exhibit
A**

7/27/16

Scale in Feet
300 200 100 0 300

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date of Adoption: _____, 2016

Name of Action: Amendment of the City's Comprehensive Plan, Creation of an RD-7.5 Zoning District, and Amendments to the Zoning Chapter Text and Zoning Map with Respect to Certain Parcels within the Linkage (L) Zoning District

Implementing Regulations: This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

Determination: The City of Beacon City Council, as Lead Agency, has determined that the Proposed Action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

SEQR Status: Type I Action

Conditioned Negative Declaration: No

Description of Action: The Proposed Action involves the amendment of the City's Comprehensive Plan, creation of an RD-7.5 zoning district, and amendments to the Zoning chapter text and Zoning Map with respect to certain parcels within the Linkage zoning district.

Location: The amendment to the Comprehensive Plan is with regard to portions of three properties on Wolcott Avenue. These three properties have the following tax parcel designations: portion of 5954-26-649885; portion of 5954-26-637879; and portion of 5954-34-630770 (the "Subject Properties"). The locations of the properties proposed to be rezoned are shown in the table below.

Reasons Supporting This Determination: The City of Beacon Comprehensive Plan was adopted by the Beacon City Council on December 17, 2007. The Beacon City Council has, subsequent to the adoption of the Comprehensive Plan, been entertaining and adopting amendments to the City of Beacon Zoning Map for the purpose of implementing the Comprehensive Plan.

The Subject Properties were designated Medium Density Residential on the 2007 version of the Proposed Land Use Plan of the Comprehensive Plan. In 2009 the City Council re-designated the Subject Properties as Low Density Residential for a variety of reasons. The City Council has recently evaluated the proposal of changing the Subject Properties back to Medium Density Residential.

The City Council has specifically evaluated the density specified by the Comprehensive Plan for the Subject Properties and has determined that a higher residential density is more appropriate for reasons including the following:

1. the original intent and determination of the 2007 Comprehensive Plan that this area be developed as Medium Density Residential;
2. the purpose and intent of the Linkage District to develop this area for even higher density;
3. the proximity of the Subject Properties to the Main Street Central Business District;
4. the proximity of the Subject Properties to Hammond Plaza (which had been zoned RD-3 prior to the Linkage District); and
5. the proximity of the Subject Properties to the residential development bounded by Beekman, River and West Main Streets (which had been zoned RD-5 prior to the Linkage District).

The Proposed Action also involves the creation of a new RD-7.5 Designed Residence zoning district. This district would allow detached single-family development; it would also permit two-family homes and multiple dwellings subject to Special Permit Approval from the City Council and Site Plan Approval from the Planning Board.

The Proposed Action also involves modifying the City Zoning Map as shown in the following table:

Tax Parcel Number	Subject Property Address	Owner's Name and Address	Existing Zoning District	New Zoning District
5954-26-728922	17 South Ave.	Protestant Episcopal Church 1047 Amsterdam Ave. New York, NY 10025	Linkage	R1-7.5
5954-26-724907	21 South Ave.	Protestant Episcopal Church 1047 Amsterdam Ave. New York, NY 10025	Linkage	R1-7.5
Portion of 5954-26-649885	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
Portion of 5954-26-637879	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
Portion of 5954-34-630770	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
5954-26-651901	1113 Wolcott Ave.	Reformed Church of Beacon RD 1, Magnolia Dr. Wappingers Falls, NY 12590	Linkage	R1-40
5954-33-616834	1085 Wolcott Ave.	Mary D'Aprile & Gilda D'Aprile 1085 Wolcott Ave. Beacon, NY 12508	Linkage	R1-40

In each case above, the rezoning involves a change from the Linkage District to a zoning district which permits less residential density. As a general rule, more residential density leads to more adverse impact upon the environment, whereas less residential density results in less environmental impact.

The Proposed Action does not involve site-specific construction or development activity. Therefore, this environmental evaluation is generic nature and any site-specific construction or development activity would be subject to further environmental analysis in accordance with the requirements of SEQRA. The Proposed Action is an exercise of the police powers of the City to protect the health, safety and general welfare of its residents. The Proposed Action is not expected to result in any significant adverse impacts on the environment. More specifically:

1. The Proposed Action does not directly involve construction on, or physical alteration of, any properties.
2. The Proposed Action will not have a significant adverse environmental impact with respect to any unique or unusual land forms.
3. The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies.
4. The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water, and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer.
5. The Proposed Action will not have a significant adverse environmental impact with respect to the development of lands subject to flooding.
6. The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source.
7. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna.
8. The Proposed Action will not have a significant adverse environmental impact on agricultural resources.
9. The Proposed Action will not have a significant adverse environmental impact on any scenic or aesthetic resources.

10. The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources.
11. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of recreational opportunities or with respect to a reduction of an open space resource as designated in any adopted municipal open space plan.
12. The Proposed Action will not have a significant adverse environmental impact on a Critical Environmental Area (CEA).
13. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems.
14. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy.
15. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in noise, odors or outdoor lighting.
16. The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.
17. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with adopted land use plans.
18. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with the existing community character.

Based upon this information and the information in the Full Environmental Assessment Form, the City Council finds that the adoption of the proposed Local Law will not have any significant adverse impacts upon the environment. This Negative Declaration indicates that no environmental impact statement need be prepared.

Lead Agency: City of Beacon City Council
1 Municipal Plaza, Suite 1
Beacon, New York 12508

**For Further
Information Contact:** Anthony J. Ruggiero, MPA
City Administrator
1 Municipal Plaza, Suite 1
Beacon, New York 12508
(845) 838-5000

This notice will be provided to the following email address for publication in the Environmental Notice Bulletin:
enb@dec.ny.gov

City of Beacon Council Agenda
10/17/2016

Title:

Proposed Local Law to Rezone Certain Parcels within the Linkage District

Subject:

Background:

ATTACHMENTS:

Description	Type
LL Linkage	Local Law
Linkage A	Exhibit
Linkage B	Exhibit
Linkage DS Memo	Cover Memo/Letter
DCPD review of Linkage	Cover Memo/Letter
BPB Review of Linkage	Cover Memo/Letter

LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW CREATING AN RD-7.5 ZONING DISTRICT AND CHANGING THE
ZONING OF PROPERTY FROM THE LINKAGE (L) DISTRICT TO OTHER ZONING DISTRICTS**

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

SECTION 1. TITLE

This local law shall be entitled, "A Local Law Creating an RD-7.5 Zoning District and Changing the Zoning of Property from the Linkage (L) District to Other Zoning Districts."

SECTION 2. INTENT AND PURPOSE

The City Council believes that it is reasonable and appropriate to create an RD-7.5 zoning district and to amend the City's Zoning Map with respect to certain properties in the Linkage (L) District so as to conform to the City's Comprehensive Plan and recent amendments made thereto, for the reasons stated in said amendments. This local law is determined to be an exercise of the police powers of the City to protect the public health, safety and welfare of its residents.

SECTION 3. ZONING TEXT AMENDMENTS

1. Section 223-17.C, "Schedule of Regulations for Residential Districts, of the Zoning Law shall be amended by adding a new RD-7.5 Designed Residence District in accordance with the chart attached hereto as Exhibit "A."
2. Sections 223-2.A(8) through (16) shall be respectively renumbered to Sections (9) through (17).
3. A new Section 223-2.A(8) shall be added to the Zoning Law and shall read as follows:

- (8) RD-7.5 Designed Residence District, 7,500 square feet per dwelling unit (minimum lot size of two acres).

4. Section 223-22.B(2) of the Zoning Law shall be amended to read as follows:

- (2) In any R1-10, R1-7.5, R1-5, RD-7.5, RD-6, RD-5, RD-4, RD-3, RD-1.8 or RD-1.7 District, the minimum lot area shall be 20,000 square feet, plus 1,500 square feet for each additional resident person over 10 in number.

5. Section 223-20.1.C(1) of the Zoning Law shall be amended to read as follows:

- (1) Adult uses shall not be located within a five-hundred-foot radius of the following zoning districts which permit residential development: R1-120, R1-80, R1-40, R1-20, R1-10, R1-7.5, R1-5, RD-7.5, RD-6, RD-5, RD-4, RD-3, RD-1.8, RD-1.7, RMF-1.5 and RMF-.8.

SECTION 4. REZONING

The zoning of the parcels listed below is hereby changed from the Existing Zoning District to the New Zoning District as shown in the table:

Tax Parcel Number	Subject Property Address	Owner's Name and Address	Existing Zoning District	New Zoning District
5954-26-728922	17 South Ave.	Protestant Episcopal Church 1047 Amsterdam Ave. New York, NY 10025	Linkage	R1-7.5
5954-26-724907	21 South Ave.	Protestant Episcopal Church 1047 Amsterdam Ave. New York, NY 10025	Linkage	R1-7.5
Portion of 5954-26-649885	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
Portion of 5954-26-637879	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
Portion of 5954-34-630770	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
5954-26-651901	1113 Wolcott Ave.	Reformed Church of Beacon RD 1, Magnolia Dr. Wappingers Falls, NY 12590	Linkage	R1-40
5954-33-616834	1085 Wolcott Ave.	Mary D'Aprile & Gilda D'Aprile 1085 Wolcott Ave. Beacon, NY 12508	Linkage	R1-40

SECTION 5. ZONING MAP

The Zoning Map of the City of Beacon is hereby amended to show the changes specified in Section 4 above. A map showing the proposed rezonings entitled "Zoning Map Proposal" dated September 6, 2016 is attached hereto as Exhibit "B."

SECTION 6. NUMBERING FOR CODIFICATION

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 7. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, the Code of the City of Beacon as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

SECTION 8. SEPARABILITY

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 application to other persons or circumstances. It is hereby declared to be the legislative intent of the City Council of the City of Beacon 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 thereof is held inapplicable had been specifically exempt therefrom.

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by the Municipal Home Rule Law.

Dated: _____, 2016

Attachments: Exhibits "A" and "B"

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**EXHIBIT "A": AMENDMENTS TO § 223-17.C, SCHEDULE OF
REGULATIONS FOR RESIDENTIAL DISTRICTS, OF THE CITY OF BEACON ZONING LAW**

EXISTING COLUMN HEADING	NEW ZONING TEXT
Zoning District.....	RD-7.5 ^{k,l}
Permitted Principal Uses ⁴	
Permitted Accessory Uses ⁴	
Minimum Lot Size (see also § 223-12.I) Area..... Lot Area per Dwelling Unit (square feet)..... Width (feet)..... Depth (feet).....	2 acres 7,500 200 200
Minimum Yard ¹⁸ Residential Uses Front (feet)..... Side ^b Minimum (feet)..... Total of 2 (feet)..... Rear (feet) ^b	No less than 20 and no more than 35 ^p 25 ^g 50 50
Minimum Distance Between Buildings on the Same Lot.....	Twice the average height of the facing buildings
Maximum Height (see also § 223-13) Main Building Stories..... Feet.....	 3 35
Minimum Height.....	1 story and 12 feet
Maximum Building Coverage Multi-family (percent)..... All Other Uses (percent).....	 15 20
Maximum Number of Dwelling Units per Building.....	12 ^o
Refer Also to These Pertinent Sections ⁴	
Zoning District.....	RD-7.5

^kFor multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

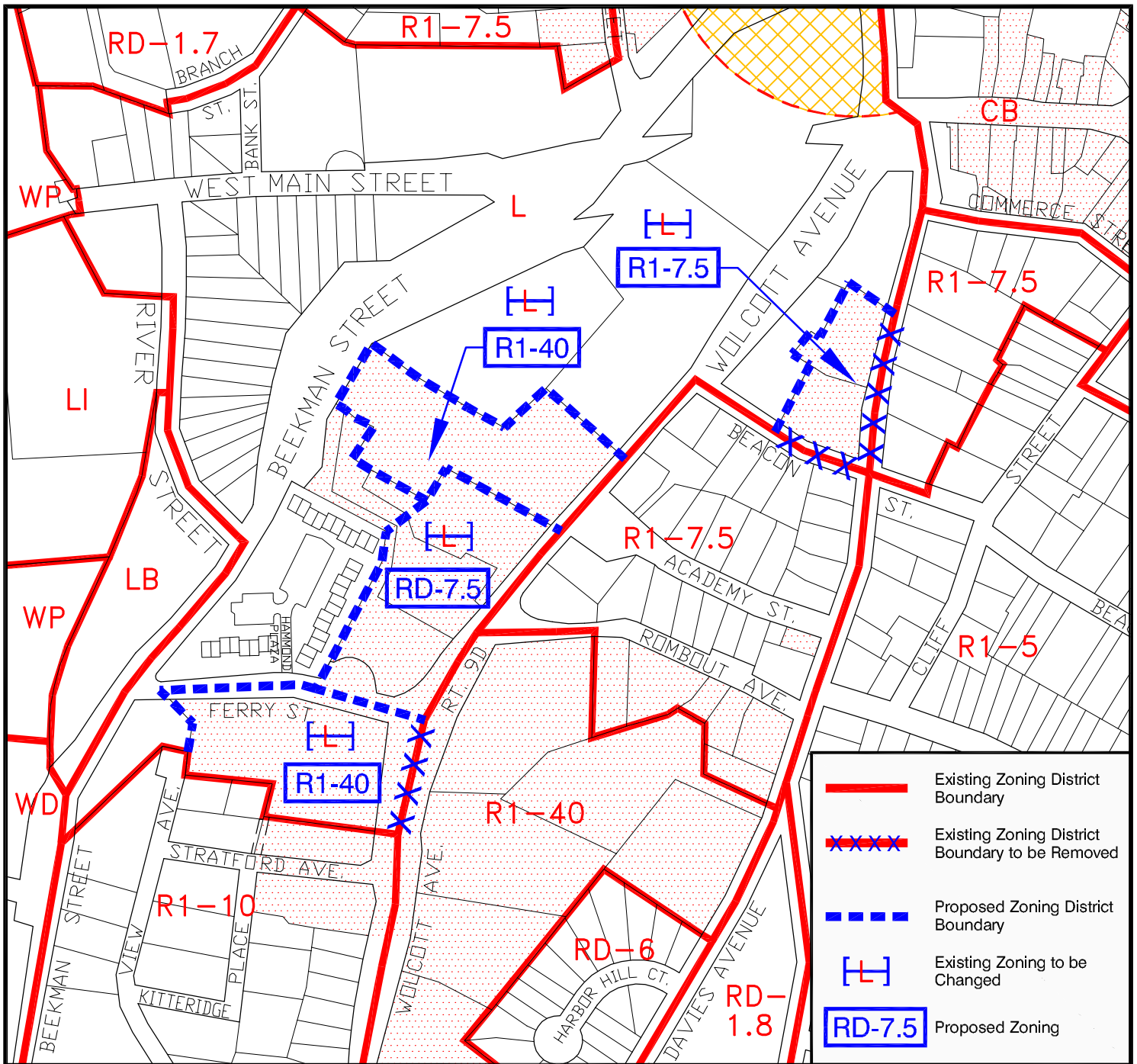
^lIn any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semiattached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreational or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided or developed in the future.

^oAnd each building shall not exceed 150 feet in length.

^pThere shall be no parking in the front yard.

⁴No revision to schedule in this column.

¹⁸[Amended 1-19-2016 by L.L. No. 2-2016]



RESIDENTIAL DISTRICTS

R1-40	One Family 40,000 sq.ft./dwelling
R1-10	One Family 10,000 sq.ft./dwelling
R1-7.5	One Family 7,500 sq.ft./dwelling
R1-5	One Family 5,000 sq.ft./dwelling
RD-7.5	Designed Residence 7,500 sq.ft./dwelling
RD-6	Designed Residence 6,000 sq.ft./dwelling
RD-5	Designed Residence 5,000 sq.ft./dwelling
RD-1.8	Designed Residence 1,800 sq.ft./dwelling
RD-1.7	Designed Residence 1,700 sq.ft./dwelling

FORM BASED DISTRICT

L Linkage

COMMERCIAL DISTRICTS

LB Local Business
CB Central Business

INDUSTRIAL DISTRICT

LI Light Industrial

WATERFRONT DISTRICTS

WP Waterfront Park
WD Waterfront Development



Within 400 Feet of the Rt. 9D/
Beekman Street Intersection



Historic District and
Landmark Overlay Zone

ZONING MAP PROPOSAL 2016



FREDERICK P. CLARK ASSOCIATES, INC.
PLANNING, TRANSPORTATION, ENVIRONMENT AND DEVELOPMENT
RYE, NEW YORK
FAIRFIELD, CONNECTICUT

Scale in Feet
300 200 100 0 300

**Exhibit
B**
9/6/16

MEMORANDUM

TO: David Stolman
FROM: Nicholas M. Ward-Willis
RE: Linkage District Rezoning Local Law
DATE: October 12, 2016

The City Council discussed the draft local law to rezone certain properties in the linkage district at their meeting last night. They requested the following two changes:

- 1) That a footnote be added that no parking is permitted in the front yard in this district; and
- 2) That the minimum front yard be listed as being no less than 20 feet and no more than 35 feet. The Council discussed that the existing frontage of buildings in the vicinity of those parcels subject to the rezoning is approximately 35 feet and the Council also wanted the ability to work with the applicant to modify the front yard and ensure there is no parking in the front yard.

Please make the changes and contact me with any questions. Please circulate a revised local law for inclusion in Thursday's Agenda packet along with a resolution adopting the LL, which will be considered on Monday if the hearing is closed and the Council is ready to vote on it. Thank you for your attention.

ecc: Mayor Randy Casale
Anthony Ruggiero
Tim Dexter



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

September 30, 2016

To: City Council, City of Beacon
Re: **Referral ZR16-317, Proposed rezoning of seven parcels currently in the Linkage District**
Parcel #5954-26-728922, -724907, -649885, -637879, -651901,
#5954-34-630770, 5954-33-616834

The Dutchess County Department of Planning and Development has reviewed the submitted referral for countywide and intermunicipal impacts as outlined in General Municipal Law (Article 12B, §239-l/m).

ACTION

The City Council is considering a Code amendment that would create a new Zoning District called "Designed Residence District (RD-7.5)." In addition, the zoning designation of seven parcels (or portions thereof) would be changed from the Linkage District to the R1-7.5 or R1-40 or the new RD-7.5 District.

COMMENTS

We do not object to the proposed zoning designation changes, nor to the creation of a RD-7.5 District. The new district would establish a 50-foot setback standard for new buildings, which is a relatively suburban design element for parcels located only a block off of Main Street. We suggest the Council consider reducing the required setback to somewhere between 0'-30'. Allowing buildings to be built close to the front of the property line should provide more opportunities to place parking behind buildings, an important design goal for downtown areas.

We noted the following in the proposed that may merit correction. Page two states that "the minimum lot area shall be 20,000 sf", whereas Exhibit A (new Section 223-2.B (8)) states the minimum as "two acres". Also, it appears that footnote 0 in Exhibit A does not correctly relate to the referenced table.

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 be "BK", is written over the word "By".

Brian Kehoe
Planner



Memorandum

Planning Board

TO: Mayor Randy Casale and City Council Members

FROM: Etha Grogan
for Planning Board Chairman Sheers and Planning Board Members

RE: Review Proposed Local Law to Rezone Certain Properties from the Linkage (L) Zone to other Zoning Districts and Proposed Revision to the Comprehensive Plan Land Use Map

DATE: October 13, 2016

At the October 12, 2016 Planning Board meeting, members reviewed the proposed Local Law creating an RD-7.5 Zoning District and amending the City Zoning Map to rezone seven properties from the Linkage Zone to other zoning districts, including R1-7.5, RD-7.5 and R1-40, and the proposed Comprehensive Plan Land Use Map revision to change the Wolcott Avenue side of the three parcels that comprise “Parcel L” from Low Density Residential to Medium Density Residential. A comprehensive review and lengthy discussion took place about the proposals with the City Planner and City Attorney.

The Planning Board Chairman reviewed the history of this matter which began with a Petition from area residents to rezone certain properties from the Linkage District to the zoning that existed immediately prior to the Linkage District rezoning. The Planning Board Chair discussed the Board’s prior recommendations to the City Council on the Petition and a subsequent local law concerning this matter. The City Planner discussed the proposed rezoning, including comments from Dutchess County Department of Planning and the City Council’s discussion of the proposals and the County’s comments at the Council’s October 11, 2016 work session meeting.

After careful consideration, the Planning Board expressed a favorable recommendation on the rezoning of 17 and 21 South Avenue to R1-7.5, 1113 Wolcott Avenue to R1-20 and 1085 Wolcott Avenue to R1-40. With respect to the Wolcott Avenue portions of the three parcels collectively known as “Parcel L” (Portions of Lots 649885, 637879 and 630770), the Planning Board voted 4-1 [*Burke – aye, Lambert – aye, Muscat – aye, Williams – no, Sheers – aye; Barrack – excused, Reynolds – excused*] to recommend that such parcels be rezoned from the Linkage District to R1-20, rather than RD-7.5 as proposed, based on the following reasons:

1. The R1-20 District more consistent with the existing and proposed zoning of adjacent properties, particularly the R1-40 District proposed on either side of Parcel L as well as the R1-40 District across Wolcott Avenue, thereby allowing more consistency of land uses along Wolcott Avenue as one travels further from the downtown area.
2. Increased density at that location may lead to increased traffic concerns for the intersection of Rombout Avenue and Wolcott Avenue which is already a problematic intersection.
3. Maintaining views from Wolcott Avenue to the Hudson River is of great interest to the Planning Board and such views should be maintained to the maximum extent possible.

Should you have any questions or require additional information, please feel free to contact me.

**City of Beacon Council Agenda
10/17/2016**

Title:

Proposed Local Law to Amend Chapter 219 of the Code as it Relates to Unmetered Water

Subject:

Background:

ATTACHMENTS:

Description

LL unmetered water

Type

Local Law

LOCAL LAW NO. ____ OF 2016

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW AMENDING
CHAPTER 219
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend
Chapter 219 of the Code of the
City of Beacon concerning Water.

A LOCAL LAW to amend Chapter 219 of the Code of the City of Beacon concerning Water.

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

Chapter 219 of the Code of the City of Beacon is hereby amended as follows:

Section 1. § 219-15 Supply and installation of meters; ~~deposit.~~

- A. The city will supply meters at the expense of the builder/owner of each property according to the rate schedule. The City reserves the right to require that a separate meter be installed for each residential unit, including separate dwelling units in mobile home parks and multiple dwellings.
- B. There will be an initial meter ~~deposit~~ charge equal to the cost of the meter to the City. All meters shall remain the property of the City of Beacon.
- C. Any property owner or owners who has/have not allowed the installation of radio read water meter as of the date of passage of this subsection shall be surcharged a penalty of ~~45~~ 25% on each and every water bill until such time as the radio read water meter has actually been installed. This penalty can be appealed for a due process hearing pursuant to Chapter **34**.
- D. The property owner shall be responsible for the maintenance, repair and replacement of all water meters. The consumer shall notify the City within five (5) business days of any defect or problem with the water meter. Failure to notify the City of an issue with the meter within five (5) business days shall constitute a violation, punishable pursuant to § 219-40 of this Chapter. The City reserves the right to inspect water meters.

- E. In any instance where a meter has been removed without authorization from the City, and such removal prevents the City from calculating water usage, the next water bill shall be charged at twice the amount of the highest water bill issued within the last two (2) years.
- F. Any unauthorized bypass of a water meter or unauthorized modification to the service pipe, meter, or meter appurtenances that results in the water meter's failure to register water usage shall constitute a violation, punishable pursuant § 219-40.

Section 2. § 219-16 Pipes to be in proper condition prior to meter installation.

- A. In the event that the pipes of the consumer are not in proper condition for the installation, repair, or replacement of a meter, the customer shall cause said pipes at the point at which said meter is to be installed or repaired to be put in proper condition prior to the installation, repair, or replacement of said meter at the owners expense.
- B. If, due to acts, omissions or negligence on the part of the owner, the meter becomes inoperable, the owner will be charged for the cost of the meter, unless it is determined that the meter is defective.

Section 3. § 219-18 Failure of meter to register.

If a meter is out of order and fails to register, the consumer will be charged at the average consumption as shown by the meter when in order. If after 45 days of written notice from the City the water meter remains out of order and continues to fail to register, the consumer will be surcharged a penalty of 25% on each and every water bill until the meter is repaired and the property owner grants the City access to inspect the water meter or the City obtains a valid search warrant to be issued by a judge pursuant to § 219-35. The property owner shall provide the City with proof of repair to the meter.

Section 4. § 219-29 Establishment of schedule.

- A. The City Administrator, subject to the approval of the City Council, shall establish, and may amend from time to time by resolution, a schedule of rates, including the following rents and charges:
 - (1) The minimum water rents and schedule of water rents.
 - (2) Service charges, such as for discontinuance of service, restoration of service, special meter readings and meter test.
 - (3) Meter installation charge, in addition to the deposit specified in § 219-15B.

(4) A penalty of ~~15~~ 25% on each and every water bill on property without radio read water meters until such time as the radio read water meters are actually installed.

B. The City Clerk shall assess any unpaid water billings, including interest and penalties, on the water consumer's upcoming tax bill as a lien against any City property owned by the water consumer. The City Clerk shall then accept payment of unpaid water billings in quarterly increments.

City of Beacon Council Agenda
10/17/2016

Title:

Proposed Local law to Amend Chapter 211 of the Code as it Relates to Parking on Van Nydeck Avenue

Subject:

Background:

ATTACHMENTS:

Description
LL Van Nydeck

Type
Local Law

LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING
CHAPTER 211 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapter 211, Article III of the City Code of the City of Beacon regarding Parking, Stopping and Standing.

A LOCAL LAW to amend Chapter 211 of the Code of the City of Beacon concerning Vehicles and Traffic.

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

Section 1. Chapter 211, Section 14.1, Subsection B of the Code of the City of Beacon is hereby amended as follows:

§211-14.1 No parking, stopping or standing at intersections.

B. There shall be no parking here to corner in the following locations:

Name of Street	Side	Location
Amity Street [Added 5-3-2004 by Res. No. 84-2004]	All	30 feet from every intersection
Conklin Avenue [Added 11-17-2003 by Res. No. 180-2003]	North	To a point 30 feet from the Fishkill Avenue intersection
DeWindt Street [Added 4-4-2005 by Res. No. 34-2005]	Northeast	To a point 30 feet from the South Cedar intersection

Dutchess Terrace [Added 8-4- 2008 by Res. No. 110-2008]	Both	From Verplanck Avenue to a point 50 feet in from intersection
East Main Street [Added 11-17- 2003 by Res. No. 180-2003]	Both	To a point 30 feet west of the Howland Avenue/DePuyster Avenue intersection
Eliza Street	West	At the corner of Oak Street
Helen Court [Added 2-20- 2001 by Res. No. 30-2001]	Both	30 feet east from the intersection of Washington Avenue
Main Street [Added 5-18- 2009 by Res. No. 82-2009]	East	From the corner at East Main Street to a point 50 feet north
Mead Avenue [Added 11-17- 2003 by Res. No. 180-2003]	North	To a point 30 feet from the Conklin Avenue intersection
Oak Street	South	At the corner of Eliza Street
O'Dell Street [Added 1-16- 2007 by Res. No. 7-2007]	East	To a point 30 feet from the intersection of East Main Street
Prospect Street [Added 11-17- 2003 by Res. No. 180-2003]	Both	To a point 30 feet west of the East Main Street intersection

Prospect Street [Added 6-5- 2006 by Res. No. 69-2006]	West	To a point 30 feet in both directions from the intersection of Union Street
Russell Avenue [Added 11-17- 2003 by Res. No. 180-2003]	Both	To a point 30 feet west of the East Main Street intersection
South Cedar Street [Added 10-19- 2009 by Res. No. 152-2009]	Both	To a point 30 feet from intersection of DeWindt Street
South Cedar Street [Added 4-4-2005 by Res. No. 34- 2005]	Both	To a point 30 feet from the Main Street intersection
Teller Avenue [Added 6-5- 2006 by Res. No. 69-2006]	Both	To a point 30 feet in both directions from the intersection of Rombout Avenue
Tioronda Avenue [Added 1-16- 2007 by Res. No. 7-2007]	North	To a point 20 feet in both directions from the intersection of Van Nydeck Avenue
<u><i>Van Nydeck Avenue</i></u>	<u><i>North</i></u>	<u><i>To a point 275 feet from Teller Avenue</i></u>
<u><i>Van Nydeck Avenue</i></u>	<u><i>South</i></u>	<u><i>To a point 150 feet from Teller Avenue</i></u>
<u><i>Van Nydeck Avenue</i></u>	<u><i>North</i></u>	<u><i>To a point 215 feet from Tioronda Avenue</i></u>
<u><i>Van Nydeck Avenue</i></u>	<u><i>South</i></u>	<u><i>To a point 95 feet from Tioronda Avenue</i></u>

Added material in *Red, italics, and underlined*

~~Deleted Material~~

Section 2. Chapter 211, Article III, Section 15, Subsection B of the Code of the City of Beacon is hereby amended to restrict parking on Van Nydeck Avenue as follows:

§ 211-15. Parking, stopping and standing prohibited at all times.

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection A, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Ackerman Street	North	From Davis Street to Main Street
Amin Street [Repealed 6-6-2005 by Res. No. 57-2005[1]]		
Amity Street [Repealed 4-19-2004 by Res. No. 78-2004]		
Bank Street [Amended 3-17-1997 by Res. No. 34-1997; 7-19-1999 by Res. No. 105-1999]	West	From Tomkins Avenue to Branch Street
Beacon Street	Both	From Cliff Street west to South Avenue
Beekman Street	Both	From west end of Railroad Bridge to Ferry Plaza
Beekman Street [Added 10-6-2003 by Res. No. 158-2003]	Both	From Red Flynn Drive to Wolcott Avenue

Beekman Street	North	Between North Avenue and River Street
Beekman Street	North	From the west property line of No. 54 Beekman Street to the west property line of No. 68 Beekman Street
Beekman Street	North	From west property line of No. 96 Beekman Street to west property line of No. 110 Beekman Street
Beekman Street	North	From a point 160 feet west of the east intersection of Ferry Street
Branch Street [Added 3-6-2006 by Res. No. 17-2006]	South	Entire length
Buchanan Street [Added 7-21-2003 by Res. No. 104-2003]	East	Entire length
Center Street	Both	From Liberty Street to a point 20 feet east
Churchill Street	South	From Tioronda Avenue to railroad crossing
Church Street	North	From Eliza Street to a point 25 feet west
Church Street	South	From North Cedar Street to Eliza Street
Cliff Street	East	From the driveway of premises at No. 8 Cliff Street to a point 50 feet north
Cliff Street	East	From Main Street to a point 30 feet past Commerce Street

Commerce Street
[Repealed 5-18-2015 by L.L. No.
4-2015]

Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	Both	From Cliff Street to a point 30 feet east
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Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	Both	From a point 115 feet west of Cliff Street intersection to a point 125 feet beyond (no parking between signs)
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Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	Both	From South Avenue to a point 30 feet east
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Commerce Street
[Repealed 5-18-2015 by L.L. No.
4-2015]

Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	South	From Cliff Street to a point 35 feet west
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Commerce Street [Amended 5-18-2015 by L.L. No. 4-2015]	South	From 75 feet east of fire hydrant at No. 11 Commerce Street to a point 25 feet west
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Conklin Street [Added 7-7-2008 by Res. No. 99-2008]	North	Between Fishkill Avenue and Mead Avenue
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Cross Street [Amended 5-18-2015 by L.L. No. 4-2015]	Both	From Main Street to the parking lot entrance
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DeWindt Street	North	From South Chestnut Street to South Cedar Street
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DeWindt Street	South	From South Chestnut Street to a point 25 feet west
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Digger Phelps Court	Both	From Main Street to a point 25 feet north
Dutchess Terrace	Both	From a point 35 feet north of Verplanck Avenue to a point 35 feet south of Verplanck Avenue
East Main Street [Added 12-6-2010 by L.L. No. 17-2010]	Both	From Main Street to a point 300 feet east
East Main Street	North	From Leonard Street to Russell Avenue
East Main Street	North	From Main Street to the east end of East Main Street Bridge
East Main Street	South	From the east end of the Fishkill Creek bridge to a point 75 feet east thereof
East Main Street	South	From Russell Avenue to a point 25 feet west
East Main Street	South	From Water Street to a point 50 feet west
East Main Street	South	From Water Street to Spring Valley Street
Eliza Street [Added 10-6-2003 by Res. No. 158-2003]	East	From Kent Street to 30 feet south thereof
Eliza Street [Added 10-6-2003 by Res. No. 158-2003]	East	From Verplanck Avenue to 30 feet north thereof
Eliza Street	West	From Church Street to a point 25 feet north

Eliza Street	West	All areas to a point 10 feet north and 20 feet south of existing driveways between Church Street and Main Street
Eliza Street	West	From Verplanck Avenue to a point 35 feet north
Ferry Street [Amended 3-17-1997 by Res. No. 34-1997]	South	Entire length, including cul-de-sac
Fishkill Avenue	Both	From Main Street to a point 25 feet north
Fishkill Avenue	East	From Main Street to a point 40 feet north
Fishkill Avenue	East	From Verplanck Avenue to Ackerman Street
Fishkill Avenue	East	From Verplanck Avenue to the southwest corner of the land of the Masonic Order
Fishkill Avenue	West	From Delavan Avenue south to Wilkes Street
Fishkill Avenue	West	From Verplanck Avenue to Kent Street
Grove Street Herbert Street	South North	-- From Fishkill Avenue to Main Street
Herbert Street	North	From Main Street to Blackburn Avenue
Howland Avenue	Both	From a point 200 feet east of Union Street to a point 600 feet south

Howland Avenue	Both	From Union Street south to Wolcott Avenue
Judson Street [Added 6-19-2000 by Res. No. 91-2000]	Both	From Union Street to a point 45 feet from the corner
Kent Street [Repealed 10-6-2003 by Res. No. 158-2003]		
Kent Street [Added 10-6-2003 by Res. No. 158-2003]	South	From Eliza Street to 30 feet east thereof
Kent Street [Added 10-6-2003 by Res. No. 158-2003]	South	From Fishkill Avenue to 30 feet west thereof
Leonard Street [Repealed 5-18-2015 by L.L. No. 4-2015]		
Leonard Street	West	From a point opposite the parking lot driveway of St. Joachim's and the Presbyterian Churches for 30 feet
Liberty Street [Repealed 5-18-2015 by L.L. No. 4-2015]		
Liberty Street [Added 5-18-2015 by L.L. No. 4-2015]	East	From school drop-off entrance to a point 425 feet north, 30 feet beyond teacher parking lot entrance
Liberty Street	East	From Center Street to a point 20 feet north
Liberty Street	East	From Center Street to a point 20 feet south

Liberty Street	East	From Spring Street to a point 40 feet north
Liberty Street	West	From Amity Street south to East Main Street
Liberty Street	West	From Amity Street north to Grove Street, except Sundays
Liberty Street [Added 5-18-2015 by L.L. No. 4-2015]	West	From Central Hudson Gas & Electric Corp. building to the entrance to Angela Court
Liberty Street	West	From East Main Street to Spring Street
Louisa Street	West	From East Main Street south to dead end
Main Street	Both	From North and South Avenues to a point 25 feet east
Main Street [Added 4-18-2016 by L.L. No. 5-2016]	East	From Ackerman Street to a point 20 feet north and to a point 20 feet south
Main Street	East	From East Main Street to a point 75 feet south
Main Street [Added 4-18-2016 by L.L. No. 5-2016]	East	From a point 433 feet from East Main Street to 793 feet north
Main Street [Added 5-18-2009 by Res. No. 82-2009]	East	From a point 150 feet north of the intersection of East Main Street to the intersection of Herbert Street
Main Street [Amended 4-18-2016 by L.L. No. 5-2016]	East	From East Main Street 58 feet north to Verplanck Avenue

Main Street
[Repealed 5-18-2009 by Res.
No. 82-2009]

Main Street	North	From a point 335 feet west of the intersection west to Beekman Street to a point 470 feet west of the intersection with Beekman Street
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Main Street	North	From Cross Street to a point 85 feet east
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Main Street	North	From Cross Street to a point 140 feet west
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Main Street	North	From Willow Street to a point 25 feet west
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Main Street
[Repealed 5-18-2015 by L.L. No.
4-2015]

Main Street	South	From Beekman Street to a point 300 feet west of the intersection with Beekman Street
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Main Street
[Repealed 5-6-2002 by Res. No.
87-2002]

Main Street [Added 6-6-2005 by Res. No. 57-2005]	South	From Teller Avenue to 30 feet east of Schenck Avenue
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Main Street	South	In front of the United States Post Office at a duly designated marked and yellow-striped area
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Main Street [Added 4-18-2016 by L.L. No. 5-2016]	West	From Verplanck Avenue to a point 120 feet north
Matteawan Road [Added 11-5-2001 by Res. No. 172-2001; amended 8-19-2002 by Res. No. 144-2002]	Both	From Verplanck Avenue to Camp Beacon Road
Monell Place South [Added 2-19-2002 by Res. No. 25-2002]	Both	From Lafayette Avenue to the dead end
North Avenue [Repealed 5-18-2015 by L.L. No. 4-2015]		
North Avenue	East	From Rock Hill Road to a point 45 feet south
North Avenue	East	From West Church Street north to Ralph Street
North Avenue	West	From Conway Place north to Tompkins Avenue
North Avenue	West	From Main Street to Conway Place
North Avenue	West	From south property line of No. 15 North Avenue to Conway Place
North Brett Street	West	From New York Telephone Company Pole No. 109 north to New York Telephone Pole No. 108, this side area to be loading zone only
North Chestnut Street [Added 8-7-1995]	Both	From Verplanck Avenue for a distance of 50 feet
North Chestnut Street	West	From Main Street to Church Street

North Street	North	From Main Street west to Davis Street
Rector Street [Added 3-5-2012 by L.L. No. 5-2012]	Both	No parking on either side from 25 feet south of Union Street to corner of Rector and Union
River Street	West	From Main Street south to Beekman Street
Rombout Avenue [Amended 1-20-2004 by Res. No. 7-2004]	Both	From South Chestnut Street to a point 125 feet west
Rombout Avenue	Both	From Teller Avenue to a point 25 feet west
Rombout Avenue	North	From South Cedar Street west to South Brett Street
Rombout Avenue [Added 4-17-2000 by Res. No. 61-2000]	North	From Teller Avenue to a point 75 feet west
Russell Avenue [Added 5-18-2015 by L.L. No. 4-2015]	East	From East Main Street to a point 80 feet south
Russell Avenue [Amended 5-18-2015 by L.L. No. 4-2015]	West	From East Main Street to a point 30 feet south
Saint Luke's Place	East	From Union Street to Spring Valley
Sargent Avenue [Added 4-16-2001 by Res. No. 55-2001]	Both	From Education Drive north to Wolcott Avenue, except it shall be permissible for the school crossing guard to park at a designated location during school crossing hours
Schenck Avenue	East	

[Amended 10-21-2013 by L.L.
No. 17-2013]

From Main Street to a point
110 feet northeast therefrom

School Street

West

From Rombout Avenue
south to West Center Street

South Avenue

East

From Commerce Street to a
point 215 feet south

South Avenue

East

From a point 215 feet south
of Commerce Street to
Beacon Street

South Avenue

[Repealed 9-6-2005 by L.L. No.
10-2005]

South Avenue

East

From Main Street south to
Commerce Street

South Avenue

[Amended 9-6-2005 by L.L. No.
10-2005]

West

From Main Street south to
the north line of Saint
Andrew's Church property

South Chestnut Street

East

From a point 88 feet from
Henry Street to a point 75
feet north

South Chestnut Street

East

From Wolcott Avenue to a
point 100 feet north

South Chestnut Street

South

From DeWindt Street to a
point 25 feet south

South Chestnut Street

West

From DeWindt Street south
to Catherine Street

South Chestnut Street

West

From DeWindt Street to a
point 25 feet north

South Chestnut Street

West

From a point 105 feet from
Henry Street to a point 75
feet north

South Chestnut Street	West	From Wolcott Avenue to a point 150 feet north
South Street	North	From Locust Place to Schenck Avenue
South Street	North	From Schenck Avenue to a point 25 feet east
South Street	South	From Main Street to a point 100 feet west thereof
South Street	South	From Main Street to a point opposite Locust Place
South Street	South	From Schenck Avenue to a point 25 feet east
South Street and Locust Place	--	From the hydrant on South Street to a point 40 feet east
Spring Street	North	From a point 100 feet southeast of Liberty Street
Spring Street [Added 2-19-2002 by Res. No. 25-2002]	South	From Washington Avenue to Liberty Street
Spring Valley Street	East	From East Main Street to a point 100 feet south
Spring Valley Street	South	From East Main Street to a point 100 feet west
Spring Valley Street	West	From East Main Street to a point 25 feet south
State Street [Added 4-18-2011 by L.L. No. 3-2011]	North	From a point 36 feet west of the intersection of Fishkill Avenue to a point 196 feet west
Teller Avenue	Both	From Main Street to a point 25 feet south

Teller Avenue	East	From Main Street to Van Nydeck Avenue
Teller Avenue	East	From Vine Street to Catherine Street
Teller Avenue	West	From the northwest corner of the intersection of Catherine Street to a point 75 feet north
Teller Avenue	West	From Henry Street to Catherine Street
Teller Avenue	West	From Main Street south to Henry Street
Tioronda Avenue	Both	From Knevels Avenue to Wolcott Avenue
Tioronda Avenue	Both	From Main Street to a point 25 feet south
Tioronda Avenue	East	From Main Street to a point 120 feet south except Sundays
Tioronda Avenue [Added 2-5-2007 by Res. No. 16-2007]	South	From Two Tioronda Avenue to a point 125 feet west
Tioronda Avenue	West	From Knevels Avenue to South Avenue
Union Street	Both	From Hudson Street east for 250 feet to Goodrich Street
Union Street	South	From Russell Avenue to Prospect Street
Van Nydeck Avenue [Repealed 4-19-2004 by Res. No. 78-2004]		

Van Nydeck Avenue [Added 4-19-2004 by Res. No. 78-2004]	North	From Teller Avenue to Tioronda Avenue
Van Nydeck Avenue [Added 4-19-2004 by Res. No. 78-2004]	South	From 30 feet east of the easternmost exit of Madam Brett Homestead
Van Nydeck Avenue [Added 5-18-2009 by Res. No. 82-2009]	South	From the intersection of Tioronda Avenue to a point 100 feet west
Verplank Avenue [Repealed 5-6-2002 by Res. No. 87-2002]		
Verplanck Avenue [Added 5-18-2015 by L.L. No. 4-2015]	North	From Willow Street to a point 60 feet east
Verplanck Avenue [Added 8-19-2002 by Res. No. 144-2002; repealed 5-18-2015 by L.L. No. 4-2015]		
Water Street	Both	From East Main Street to a point 50 feet from the south line of East Main Street
West Church Street	Both	From North Avenue to a point 25 feet east
West Church Street	South	From North Avenue to a point 250 feet east
Wilkes Street [Repealed 5-18-2015 by L.L. No. 4-2015]		
Wilkes Street	North	From Fishkill Avenue to Cannon Street
Wolcott Avenue	South	From Hudson Avenue to a point 300 feet west

Added material in *Red, italics, and underlined*

~~Deleted Material~~

Section 3. Chapter 211, Section 17, Subsection B of the Code of the City of Beacon is hereby amended as follows:

§211-17 Time limit parking.

...

B. Schedule XII: Time Limit Parking. In accordance with the provisions of Subsection A, no person shall park a vehicle for longer than the time limit shown upon any of the following described streets or parts of streets.

Name of Street	Site	Time Limit: Hours/Delays	Location
Bank Street [Added 7-19-1999 by Res. No. 106-1999]	East	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From West Main Street to Tompkins Avenue
Beekman Street	West	2 hours; all/all	From River Street to a point 200 feet south
Branch Street [Added 7-19-1999 by Res. No. 106-1999]	North	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Buchanan Street [Added 7-21-2003 by Res. No. 104-2003]	West	2 hours; 7:00 a.m. to 3:00 p.m./Mon. through Fri. during school session	Entire length
Conklin Street [Added 7-7-2008 by Res. No. 99-2008]	South	2 hours	Between Fishkill Avenue and Mead Avenue
East Main Street [Added 11-4-1996; amended 4-19-		2 hours; 9:00 a.m. to 5:00 p.m.	From Main Street to Leonard Street

2004 by Res. No. 78-
2004]

Eliza Street [Added 12-6- 1999 by Res. No. 180-1999]	Both	2 hours	From Main Street to Church Street
Ferry Street [Added 3-17- 1997 by Res. No. 34- 1997]	North	4 hours/Mon. through Fri.	Entire length
High Street [Added 2-22- 2005 by Res. No. 18- 2005]	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Main Street [Added 7-19- 1999 by Res. No. 106-1999]	North	2 hours; 9:00 a.m. to 5:00 p.m./all	From Route 9D to North Street
Main Street [Added 5-17-1993]	South	2 hours; 6:00 a.m. to 6:00 p.m./Mon. through Fri.	From a point 300 feet west of the intersection with Beekman Street to the westerly terminus of Main Street
Main Street [Added 7-19- 1999 by Res. No. 106-1999]	South	2 hours; 9:00 a.m. to 5:00 p.m./all	From Route 9D to South Street
Main Street [Added 7-19- 1999 by Res. No. 106-1999]	South	4 hours; 9:00 a.m. to 5:00 p.m./all	Diagonal parking from South Street to East Main Street
Main Street [Added 7-19-	West	No restrictions; all/all	From North Street to Herbert Street

1999 by Res. No.
106-1999]

Ralph Street [Added 2-22- 2005 by Res. No. 18- 2005]	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Riverfront Park	--	4 hours; all/Mon. through Fri.	Entire parking lot
River Street Added 7-19- 1999 by Res. No. 106-1999] [Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From West Main Street to Beekman Street
River Street	East	2 hours; all/all	From Beekman Street to Lower Main Street
Tilden Avenue [Added 7-21- 2003 by Res. No. 103-2003]	Both	2 hours; 7:00 a.m. to 3:00 p.m./Mon. through Fri. during school session	From Buchanan Street to Van Buren Street
Tompkins Avenue [Added 2-22- 2005 by Res. No. 18- 2005]	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Van Buren Street [Added 7-21- 2003 by Res. No. 105-2003]	Both	2 hours; 7:00 a.m. to 3:00 p.m./Mon. through Fri. during school session	Entire length
Van Nydeck Avenue	North	2 hours, 7:00 a.m. to 5:00 p.m./Mon. through Fri.	From the east end of the Municipal Building parking lot to Teller Avenue
West Church Street [Added 2-22- 2005 by Res. No. 18- 2005]	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
West Main Street [Added 3-17-	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	

1997 by Res. No. 34-
1997; amended 2-22-
2005by Res. No. 18-
2005]

Added material in *Red, italics, and underlined*

~~Deleted Material~~

Section 4. Severability. If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

Section 5. This local law shall take effect immediately upon filing with the Office of the Secretary of State.

City of Beacon Council Agenda
10/17/2016

Title:

Proposed Local Law to Amend Chapter 211 of the Code as it Relates to Parking on Beekman Street

Subject:

Background:

ATTACHMENTS:

Description

LL Beekman Street Parking

Type

Local Law

LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING
CHAPTER 211 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapter 211, Article III, Section 15 of the City Code of the City of Beacon regarding Parking, Stopping and Standing Prohibited at all Times as follows:

A LOCAL LAW to amend Chapter 211 of the Code of the City of Beacon concerning Parking, Stopping and Standing Prohibited at all Times

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

Section 1. Chapter 211, Article III, Section 15, Subsection B of the Code of the City of Beacon is hereby amended to restrict parking on Beekman Street as follows:

§ 211-15. Parking, stopping and standing prohibited at all times.

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection A, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Ackerman Street	North	From Davis Street to Main Street
Amin Street [Repealed 6-6-2005 by Res. No. 57-2005[1]]		
Amity Street [Repealed 4-19-2004 by Res. No. 78-2004]		
Bank Street	West	

[Amended 3-17-1997 by Res. No. 34-1997; 7-19-1999 by Res. No. 105-1999]

From Tomkins Avenue to Branch Street

Beacon Street

Both

From Cliff Street west to South Avenue

Beekman Street

Both

From west end of Railroad Bridge to Ferry Plaza

Beekman Street

[Added 10-6-2003 by Res. No. 158-2003]

Both

From Red Flynn Drive to Wolcott Avenue

Beekman Street

South

From a point 418 feet west of the Municipal Center entrance to a point 654 feet west.

Beekman Street

North

Between North Avenue and River Street

Beekman Street

North

From the west property line of No. 54 Beekman Street to the west property line of No. 68 Beekman Street

Beekman Street

North

From west property line of No. 96 Beekman Street to west property line of No. 110 Beekman Street

Beekman Street

North

From a point 160 feet west of the east intersection of Ferry Street

Branch Street

[Added 3-6-2006 by Res. No. 17-2006]

South

Entire length

Buchanan Street

[Added 7-21-2003 by Res. No. 104-2003]

East

Entire length

Center Street

Both

From Liberty Street to a point 20 feet east

Churchill Street

South

From Tioronda Avenue to railroad crossing

Church Street	North	From Eliza Street to a point 25 feet west
Church Street	South	From North Cedar Street to Eliza Street
Cliff Street	East	From the driveway of premises at No. 8 Cliff Street to a point 50 feet north
Cliff Street	East	From Main Street to a point 30 feet past Commerce Street
Commerce Street [Repealed 5-18-2015 by L.L. No. 4-2015]		
Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	Both	From Cliff Street to a point 30 feet east
Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	Both	From a point 115 feet west of Cliff Street intersection to a point 125 feet beyond (no parking between signs)
Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	Both	From South Avenue to a point 30 feet east
Commerce Street [Repealed 5-18-2015 by L.L. No. 4-2015]		
Commerce Street [Added 5-18-2015 by L.L. No. 4-2015]	South	From Cliff Street to a point 35 feet west
Commerce Street [Amended 5-18-2015 by L.L. No. 4-2015]	South	From 75 feet east of fire hydrant at No. 11 Commerce Street to a point 25 feet west
Conklin Street [Added 7-7-2008 by Res. No. 99-2008]	North	Between Fishkill Avenue and Mead Avenue
Cross Street	Both	

[Amended 5-18-2015 by L.L. No. 4-2015]

DeWindt Street	North	From Main Street to the parking lot entrance
DeWindt Street	South	From South Chestnut Street to South Cedar Street
DeWindt Street	South	From South Chestnut Street to a point 25 feet west
Digger Phelps Court	Both	From Main Street to a point 25 feet north
Dutchess Terrace	Both	From a point 35 feet north of Verplanck Avenue to a point 35 feet south of Verplanck Avenue
East Main Street [Added 12-6-2010 by L.L. No. 17-2010]	Both	From Main Street to a point 300 feet east
East Main Street	North	From Leonard Street to Russell Avenue
East Main Street	North	From Main Street to the east end of East Main Street Bridge
East Main Street	South	From the east end of the Fishkill Creek bridge to a point 75 feet east thereof
East Main Street	South	From Russell Avenue to a point 25 feet west
East Main Street	South	From Water Street to a point 50 feet west
East Main Street	South	From Water Street to Spring Valley Street
Eliza Street [Added 10-6-2003 by Res. No. 158-2003]	East	From Kent Street to 30 feet south thereof
Eliza Street [Added 10-6-2003 by Res. No. 158-2003]	East	From Verplanck Avenue to 30 feet north thereof
Eliza Street	West	From Church Street to a point 25 feet north

Eliza Street	West	All areas to a point 10 feet north and 20 feet south of existing driveways between Church Street and Main Street
Eliza Street	West	From Verplanck Avenue to a point 35 feet north
Ferry Street [Amended 3-17-1997 by Res. No. 34-1997]	South	Entire length, including cul-de-sac
Fishkill Avenue	Both	From Main Street to a point 25 feet north
Fishkill Avenue	East	From Main Street to a point 40 feet north
Fishkill Avenue	East	From Verplanck Avenue to Ackerman Street
Fishkill Avenue	East	From Verplanck Avenue to the southwest corner of the land of the Masonic Order
Fishkill Avenue	West	From Delavan Avenue south to Wilkes Street
Fishkill Avenue	West	From Verplanck Avenue to Kent Street
Grove Street	South	--
Herbert Street	North	From Fishkill Avenue to Main Street
Herbert Street	North	From Main Street to Blackburn Avenue
Howland Avenue	Both	From a point 200 feet east of Union Street to a point 600 feet south
Howland Avenue	Both	From Union Street south to Wolcott Avenue
Judson Street [Added 6-19-2000 by Res. No. 91-2000]	Both	From Union Street to a point 45 feet from the corner

Kent Street

[Repealed 10-6-2003 by Res. No. 158-2003]

Kent Street

[Added 10-6-2003 by Res. No. 158-2003]

South

From Eliza Street to 30 feet east thereof

Kent Street

[Added 10-6-2003 by Res. No. 158-2003]

South

From Fishkill Avenue to 30 feet west thereof

Leonard Street

[Repealed 5-18-2015 by L.L. No. 4-2015]

Leonard Street

West

From a point opposite the parking lot driveway of St. Joachim's and the Presbyterian Churches for 30 feet

Liberty Street

[Repealed 5-18-2015 by L.L. No. 4-2015]

Liberty Street

[Added 5-18-2015 by L.L. No. 4-2015]

East

From school drop-off entrance to a point 425 feet north, 30 feet beyond teacher parking lot entrance

Liberty Street

East

From Center Street to a point 20 feet north

Liberty Street

East

From Center Street to a point 20 feet south

Liberty Street

East

From Spring Street to a point 40 feet north

Liberty Street

West

From Amity Street south to East Main Street

Liberty Street

West

From Amity Street north to Grove Street, except Sundays

Liberty Street

[Added 5-18-2015 by L.L. No. 4-2015]

West

From Central Hudson Gas & Electric Corp. building to the entrance to Angela Court

Liberty Street	West	From East Main Street to Spring Street
Louisa Street	West	From East Main Street south to dead end
Main Street	Both	From North and South Avenues to a point 25 feet east
Main Street [Added 4-18-2016 by L.L. No. 5-2016]	East	From Ackerman Street to a point 20 feet north and to a point 20 feet south
Main Street	East	From East Main Street to a point 75 feet south
Main Street [Added 4-18-2016 by L.L. No. 5-2016]	East	From a point 433 feet from East Main Street to 793 feet north
Main Street [Added 5-18-2009 by Res. No. 82-2009]	East	From a point 150 feet north of the intersection of East Main Street to the intersection of Herbert Street
Main Street [Amended 4-18-2016 by L.L. No. 5-2016]	East	From East Main Street 58 feet north to Verplanck Avenue
Main Street [Repealed 5-18-2009 by Res. No. 82-2009]		
Main Street	North	From a point 335 feet west of the intersection west to Beekman Street to a point 470 feet west of the intersection with Beekman Street
Main Street	North	From Cross Street to a point 85 feet east
Main Street	North	From Cross Street to a point 140 feet west
Main Street	North	From Willow Street to a point 25 feet west

Main Street
[Repealed 5-18-2015 by L.L. No.
4-2015]

Main Street	South	From Beekman Street to a point 300 feet west of the intersection with Beekman Street
Main Street [Repealed 5-6-2002 by Res. No. 87-2002]		
Main Street [Added 6-6-2005 by Res. No. 57-2005]	South	From Teller Avenue to 30 feet east of Schenck Avenue
Main Street	South	In front of the United States Post Office at a duly designated marked and yellow-striped area
Main Street [Added 4-18-2016 by L.L. No. 5-2016]	West	From Verplanck Avenue to a point 120 feet north
Matteawan Road [Added 11-5-2001 by Res. No. 172-2001; amended 8-19-2002 by Res. No. 144-2002]	Both	From Verplanck Avenue to Camp Beacon Road
Monell Place South [Added 2-19-2002 by Res. No. 25-2002]	Both	From Lafayette Avenue to the dead end
North Avenue [Repealed 5-18-2015 by L.L. No. 4-2015]		
North Avenue	East	From Rock Hill Road to a point 45 feet south
North Avenue	East	From West Church Street north to Ralph Street
North Avenue	West	From Conway Place north to Tompkins Avenue
North Avenue	West	From Main Street to Conway Place

North Avenue	West	From south property line of No. 15 North Avenue to Conway Place
North Brett Street	West	From New York Telephone Company Pole No. 109 north to New York Telephone Pole No. 108, this side area to be loading zone only
North Chestnut Street [Added 8-7-1995]	Both	From Verplanck Avenue for a distance of 50 feet
North Chestnut Street	West	From Main Street to Church Street
North Street	North	From Main Street west to Davis Street
Rector Street [Added 3-5-2012 by L.L. No. 5-2012]	Both	No parking on either side from 25 feet south of Union Street to corner of Rector and Union
River Street	West	From Main Street south to Beekman Street
Rombout Avenue [Amended 1-20-2004 by Res. No. 7-2004]	Both	From South Chestnut Street to a point 125 feet west
Rombout Avenue	Both	From Teller Avenue to a point 25 feet west
Rombout Avenue	North	From South Cedar Street west to South Brett Street
Rombout Avenue [Added 4-17-2000 by Res. No. 61-2000]	North	From Teller Avenue to a point 75 feet west
Russell Avenue [Added 5-18-2015 by L.L. No. 4-2015]	East	From East Main Street to a point 80 feet south
Russell Avenue [Amended 5-18-2015 by L.L. No. 4-2015]	West	From East Main Street to a point 30 feet south

Saint Luke's Place	East	From Union Street to Spring Valley
Sargent Avenue [Added 4-16-2001 by Res. No. 55-2001]	Both	From Education Drive north to Wolcott Avenue, except it shall be permissible for the school crossing guard to park at a designated location during school crossing hours
Schenck Avenue [Amended 10-21-2013 by L.L. No. 17-2013]	East	From Main Street to a point 110 feet northeast therefrom
School Street	West	From Rombout Avenue south to West Center Street
South Avenue	East	From Commerce Street to a point 215 feet south
South Avenue	East	From a point 215 feet south of Commerce Street to Beacon Street
South Avenue [Repealed 9-6-2005 by L.L. No. 10-2005]		
South Avenue	East	From Main Street south to Commerce Street
South Avenue [Amended 9-6-2005 by L.L. No. 10-2005]	West	From Main Street south to the north line of Saint Andrew's Church property
South Chestnut Street	East	From a point 88 feet from Henry Street to a point 75 feet north
South Chestnut Street	East	From Wolcott Avenue to a point 100 feet north
South Chestnut Street	South	From DeWindt Street to a point 25 feet south
South Chestnut Street	West	From DeWindt Street south to Catherine Street
South Chestnut Street	West	From DeWindt Street to a point 25 feet north

South Chestnut Street	West	From a point 105 feet from Henry Street to a point 75 feet north
South Chestnut Street	West	From Wolcott Avenue to a point 150 feet north
South Street	North	From Locust Place to Schenck Avenue
South Street	North	From Schenck Avenue to a point 25 feet east
South Street	South	From Main Street to a point 100 feet west thereof
South Street	South	From Main Street to a point opposite Locust Place
South Street	South	From Schenck Avenue to a point 25 feet east
South Street and Locust Place	--	From the hydrant on South Street to a point 40 feet east
Spring Street	North	From a point 100 feet southeast of Liberty Street
Spring Street [Added 2-19-2002 by Res. No. 25-2002]	South	From Washington Avenue to Liberty Street
Spring Valley Street	East	From East Main Street to a point 100 feet south
Spring Valley Street	South	From East Main Street to a point 100 feet west
Spring Valley Street	West	From East Main Street to a point 25 feet south
State Street [Added 4-18-2011 by L.L. No. 3-2011]	North	From a point 36 feet west of the intersection of Fishkill Avenue to a point 196 feet west
Teller Avenue	Both	From Main Street to a point 25 feet south
Teller Avenue	East	From Main Street to Van Nydeck Avenue

Teller Avenue	East	From Vine Street to Catherine Street
Teller Avenue	West	From the northwest corner of the intersection of Catherine Street to a point 75 feet north
Teller Avenue	West	From Henry Street to Catherine Street
Teller Avenue	West	From Main Street south to Henry Street
Tioronda Avenue	Both	From Knevels Avenue to Wolcott Avenue
Tioronda Avenue	Both	From Main Street to a point 25 feet south
Tioronda Avenue	East	From Main Street to a point 120 feet south except Sundays
Tioronda Avenue [Added 2-5-2007 by Res. No. 16-2007]	South	From Two Tioronda Avenue to a point 125 feet west
Tioronda Avenue	West	From Knevels Avenue to South Avenue
Union Street	Both	From Hudson Street east for 250 feet to Goodrich Street
Union Street	South	From Russell Avenue to Prospect Street
Van Nydeck Avenue [Repealed 4-19-2004 by Res. No. 78-2004]		
Van Nydeck Avenue [Added 4-19-2004 by Res. No. 78-2004]	North	From Teller Avenue to Tioronda Avenue
Van Nydeck Avenue [Added 4-19-2004 by Res. No. 78-2004]	South	From 30 feet east of the easternmost exit of Madam Brett Homestead
Van Nydeck Avenue [Added 5-18-2009 by Res. No. 82-2009]	South	From the intersection of Tioronda Avenue to a point 100 feet west

Verplank Avenue
[Repealed 5-6-2002 by Res. No.
87-2002]

Verplanck Avenue
[Added 5-18-2015 by L.L. No. 4-2015]

North

From Willow Street to a point
60 feet east

Verplanck Avenue
[Added 8-19-2002 by Res. No.
144-2002; repealed 5-18-
2015 by L.L. No. 4-2015]

Water Street

Both

From East Main Street to a point 50 feet from the south line of East Main Street

West Church Street

Both

From North Avenue to a point
25 feet east

West Church Street

South

From North Avenue to a point
250 feet east

Wilkes Street
[Repealed 5-18-2015 by L.L. No.
4-2015]

Wilkes Street

North

From Fishkill Avenue to Cannon Street

Wolcott Avenue

South

From Hudson Avenue to a point 300 feet west

Added material in Red, italics, and underlined

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City of Beacon Council Agenda
10/17/2016

Title:

Resolution to Adopt the Amendments to the Comprehensive Plan

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Comp Plan	Resolution

**CITY COUNCIL
CITY OF BEACON, NEW YORK**

**RESOLUTION AMENDING THE CITY OF BEACON COMPREHENSIVE
PLAN REGARDING PARCELS IN THE LINKAGE ZONING DISTRICT**

WHEREAS, the City of Beacon Comprehensive Plan (the "Comprehensive Plan") was adopted by the Beacon City Council on December 17, 2007; and

WHEREAS, the Beacon City Council has, subsequent to the adoption of the Comprehensive Plan, been entertaining and adopting amendments to the City of Beacon Zoning Map for the purpose of implementing the Comprehensive Plan; and

WHEREAS, the City Council has been recently evaluating the Comprehensive Plan designation of a portion of three properties on Wolcott Avenue across from Rombout Avenue; and

WHEREAS, these three properties have the following tax parcel designations: portion of 5954-26-649885; portion of 5954-26-637879; and portion of 5954-34-630770 (the "Subject Properties"); and

WHEREAS, the Subject Properties were designated Medium Density Residential on the 2007 version of the Proposed Land Use Plan of the Comprehensive Plan; and

WHEREAS, in 2009 the City Council re-designated the Subject Properties as Low Density Residential for a variety of reasons; and

WHEREAS, the City Council has recently evaluated the proposal of changing the Subject Properties back to Medium Density Residential; and

WHEREAS, the City Council has specifically evaluated the density specified by the Comprehensive Plan for the Subject Properties and has determined that a higher residential density is more appropriate for reasons including the following:

1. the original intent and determination of the 2007 Comprehensive Plan that this area be developed as Medium Density Residential;
2. the purpose and intent of the Linkage District to develop this area for even higher density;
3. the proximity of the Subject Properties to the Main Street Central Business District;

Resolution Amending the City of Beacon Comprehensive Plan Regarding Parcels in the Linkage Zoning District

4. the proximity of the Subject Properties to Hammond Plaza (which had been zoned RD-3 prior to the Linkage District); and
5. the proximity of the Subject Properties to the residential development bounded by Beekman, River and West Main Streets (which had been zoned RD-5 prior to the Linkage District); and

WHEREAS, in entertaining the proposed amendment to the Comprehensive Plan the City Council has given consideration to the Subject Properties and other nearby parcels being in the Historic District and Landmark Overlay Zone, and has also given consideration to the compatibility of the proposed designation with nearby lower density zoning and development; and

WHEREAS, in accordance with Section 28-a of the New York State General City Law, the City Council referred the proposed amendment to the Comprehensive Plan to the City Planning Board for its advisory opinion; and

WHEREAS, in response to said referral the City Planning Board responded and the City Council has given due consideration to the Planning Board's comments; and

WHEREAS, as also in accordance with Section 28-a of the New York State General City Law, the City Council referred the proposed amendment to the Comprehensive Plan to the Dutchess County Department of Planning and Development (DCDPD) for its advisory opinion; and

WHEREAS, in response to said referral the DCDPD responded and stated that this is a matter of local concern; and

WHEREAS, on October 17, 2016 the City Council held a public hearing on the proposed amendment to the Comprehensive Plan at which time all of those interested were given an opportunity to be heard; and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act, the Proposed Action is defined as the proposed amendment to the Comprehensive Plan as well as proposed Zoning chapter text amendments and Zoning Map revisions.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Resolution Amending the City of Beacon Comprehensive Plan Regarding Parcels in the Linkage Zoning District

1. The City Council hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The City Council, as Lead Agency, hereby adopts the attached Negative Declaration, for the reasons stated therein, thereby finding that the Proposed Action will have no significant adverse impact upon the environment, and thereby ending the SEQRA process.
3. The City of Beacon Comprehensive Plan is hereby amended so as to change the designation of the Subject Properties from Low Density Residential to Medium Density Residential on the Proposed Land Use Plan, as shown on Exhibit "A" entitled "Comprehensive Plan Map Proposal," dated July 27, 2016 and attached hereto.

Resolution Adopted: _____, 2016

Mayor Randy Casale

Date

Attachments: Negative Declaration and Exhibit "A"

j:\docs2\100\beacon\comp plan prms & lls\linkage parcels prn 10-13-16.dhs.doc

City of Beacon Council Agenda
10/17/2016

Title:

Resolution to Adopt a Local Law Creating an RD-7.5 Zoning District and Changing the Zoning of Certain Properties from the Linkage (L) District to Other Zoning Districts

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. to adopt LL Linkage	Local Law
LL Linkage 10-13-17	Local Law
Linkage Ex A	Exhibit
Linkage Ex B	Exhibit



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**RESOLUTION ADOPTING THE LOCAL LAW CREATING AN RD-7.5 ZONING
DISTRICT AND CHANGING THE ZONING OF PROPERTY FROM THE LINKAGE (L)
DISTRICT TO OTHER ZONING DISTRICTS**

WHEREAS, the City of Beacon City Council is currently entertaining the adoption of a Local Law which includes amending the Zoning chapter of the City Code regarding the creation of an RD-7.5 zoning district and amending the Zoning Map with respect to certain parcels within the Linkage zoning district; and

WHEREAS, the Local Law would amend the Zoning Map with respect to said properties in the Linkage District so as to conform to the City's Comprehensive Plan and recent amendments made thereto; and

WHEREAS, in accordance with Section 28-a of the New York State General City Law, the City Council referred the proposed Local Law to the City Planning Board for its advisory opinion; and

WHEREAS, in response to said referral the City Planning Board responded and the City Council has given due consideration to the Planning Board's comments; and

WHEREAS, in accordance with Sections 239-l and m of the New York State General Municipal Law, the City Council referred the proposed Local Law to the Dutchess County Department of Planning and Development (DCDPD) for its advisory opinion; and

WHEREAS, in response to said referral the DCDPD responded and stated that this is a matter of local concern with comments and the City Council has given due consideration to the DCDPD's comments; and

WHEREAS, on October 17, 2016 the City Council held a public hearing on the proposed Local Law at which time all of those interested were given an opportunity to be heard; and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Proposed Action is defined as the proposed amendment of the City's Comprehensive Plan as well as proposed Zoning chapter text amendments and Zoning Map revisions; and

WHEREAS, the City Council, as Lead Agency, has adopted a Negative Declaration, thereby finding that the Proposed Action will not have any significant adverse impacts upon the environment and that an environmental impact statement need not be prepared, thereby ending the SEQRA process.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The City Council hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The City Council, after due deliberation, finds that it is in the best interest of the City to adopt said Local Law, and the Council hereby adopts the Local Law, a copy of which is attached hereto and made a part of this resolution.
3. The City Clerk is hereby directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

Resolution Adopted: _____, 2016

Mayor Randy Casale

Date

Attachment: Local Law

Resolution No. ____ of 2016			Date: _____ 2016				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
Motion Carried							

LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW CREATING AN RD-7.5 ZONING DISTRICT AND CHANGING THE
ZONING OF PROPERTY FROM THE LINKAGE (L) DISTRICT TO OTHER ZONING DISTRICTS**

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

SECTION 1. TITLE

This local law shall be entitled, "A Local Law Creating an RD-7.5 Zoning District and Changing the Zoning of Property from the Linkage (L) District to Other Zoning Districts."

SECTION 2. INTENT AND PURPOSE

The City Council believes that it is reasonable and appropriate to create an RD-7.5 zoning district and to amend the City's Zoning Map with respect to certain properties in the Linkage (L) District so as to conform to the City's Comprehensive Plan and recent amendments made thereto, for the reasons stated in said amendments. This local law is determined to be an exercise of the police powers of the City to protect the public health, safety and welfare of its residents.

SECTION 3. ZONING TEXT AMENDMENTS

1. Section 223-17.C, "Schedule of Regulations for Residential Districts, of the Zoning Law shall be amended by adding a new RD-7.5 Designed Residence District in accordance with the chart attached hereto as Exhibit "A."
2. Sections 223-2.A(8) through (16) shall be respectively renumbered to Sections (9) through (17).
3. A new Section 223-2.A(8) shall be added to the Zoning Law and shall read as follows:

- (8) RD-7.5 Designed Residence District, 7,500 square feet per dwelling unit (minimum lot size of two acres).

4. Section 223-22.B(2) of the Zoning Law shall be amended to read as follows:

- (2) In any R1-10, R1-7.5, R1-5, RD-7.5, RD-6, RD-5, RD-4, RD-3, RD-1.8 or RD-1.7 District, the minimum lot area shall be 20,000 square feet, plus 1,500 square feet for each additional resident person over 10 in number.

5. Section 223-20.1.C(1) of the Zoning Law shall be amended to read as follows:

- (1) Adult uses shall not be located within a five-hundred-foot radius of the following zoning districts which permit residential development: R1-120, R1-80, R1-40, R1-20, R1-10, R1-7.5, R1-5, RD-7.5, RD-6, RD-5, RD-4, RD-3, RD-1.8, RD-1.7, RMF-1.5 and RMF-.8.

SECTION 4. REZONING

The zoning of the parcels listed below is hereby changed from the Existing Zoning District to the New Zoning District as shown in the table:

Tax Parcel Number	Subject Property Address	Owner's Name and Address	Existing Zoning District	New Zoning District
5954-26-728922	17 South Ave.	Protestant Episcopal Church 1047 Amsterdam Ave. New York, NY 10025	Linkage	R1-7.5
5954-26-724907	21 South Ave.	Protestant Episcopal Church 1047 Amsterdam Ave. New York, NY 10025	Linkage	R1-7.5
Portion of 5954-26-649885	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
Portion of 5954-26-637879	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
Portion of 5954-34-630770	Wolcott Ave.	Beacon Ridge Associates Inc. 142 Main St. Beacon, NY 12508	Linkage	RD-7.5
5954-26-651901	1113 Wolcott Ave.	Reformed Church of Beacon RD 1, Magnolia Dr. Wappingers Falls, NY 12590	Linkage	R1-40
5954-33-616834	1085 Wolcott Ave.	Mary D'Aprile & Gilda D'Aprile 1085 Wolcott Ave. Beacon, NY 12508	Linkage	R1-40

SECTION 5. ZONING MAP

The Zoning Map of the City of Beacon is hereby amended to show the changes specified in Section 4 above. A map showing the proposed rezonings entitled "Zoning Map Proposal" dated September 6, 2016 is attached hereto as Exhibit "B."

SECTION 6. NUMBERING FOR CODIFICATION

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and sub-sections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

SECTION 7. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the amendments contained herein, the Code of the City of Beacon as adopted and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

SECTION 8. SEPARABILITY

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 application to other persons or circumstances. It is hereby declared to be the legislative intent of the City Council of the City of Beacon 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 thereof is held inapplicable had been specifically exempt therefrom.

SECTION 9. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State as provided by the Municipal Home Rule Law.

Dated: _____, 2016

Attachments: Exhibits "A" and "B"

J:\DOCS2\100\Beacon\Code Amendments\Linkage LL 10-13-16.dhs.doc

**EXHIBIT "A": AMENDMENTS TO § 223-17.C, SCHEDULE OF
REGULATIONS FOR RESIDENTIAL DISTRICTS, OF THE CITY OF BEACON ZONING LAW**

EXISTING COLUMN HEADING	NEW ZONING TEXT
Zoning District.....	RD-7.5 ^{k,l}
Permitted Principal Uses ⁴	
Permitted Accessory Uses ⁴	
Minimum Lot Size (see also § 223-12.I) Area..... Lot Area per Dwelling Unit (square feet)..... Width (feet)..... Depth (feet).....	2 acres 7,500 200 200
Minimum Yard ¹⁸ Residential Uses Front (feet)..... Side ^b Minimum (feet)..... Total of 2 (feet)..... Rear (feet) ^b	No less than 20 and no more than 35 ^p 25 ^g 50 50
Minimum Distance Between Buildings on the Same Lot.....	Twice the average height of the facing buildings
Maximum Height (see also § 223-13) Main Building Stories..... Feet.....	 3 35
Minimum Height.....	1 story and 12 feet
Maximum Building Coverage Multi-family (percent)..... All Other Uses (percent).....	 15 20
Maximum Number of Dwelling Units per Building.....	12 ^o
Refer Also to These Pertinent Sections ⁴	
Zoning District.....	RD-7.5

^kFor multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

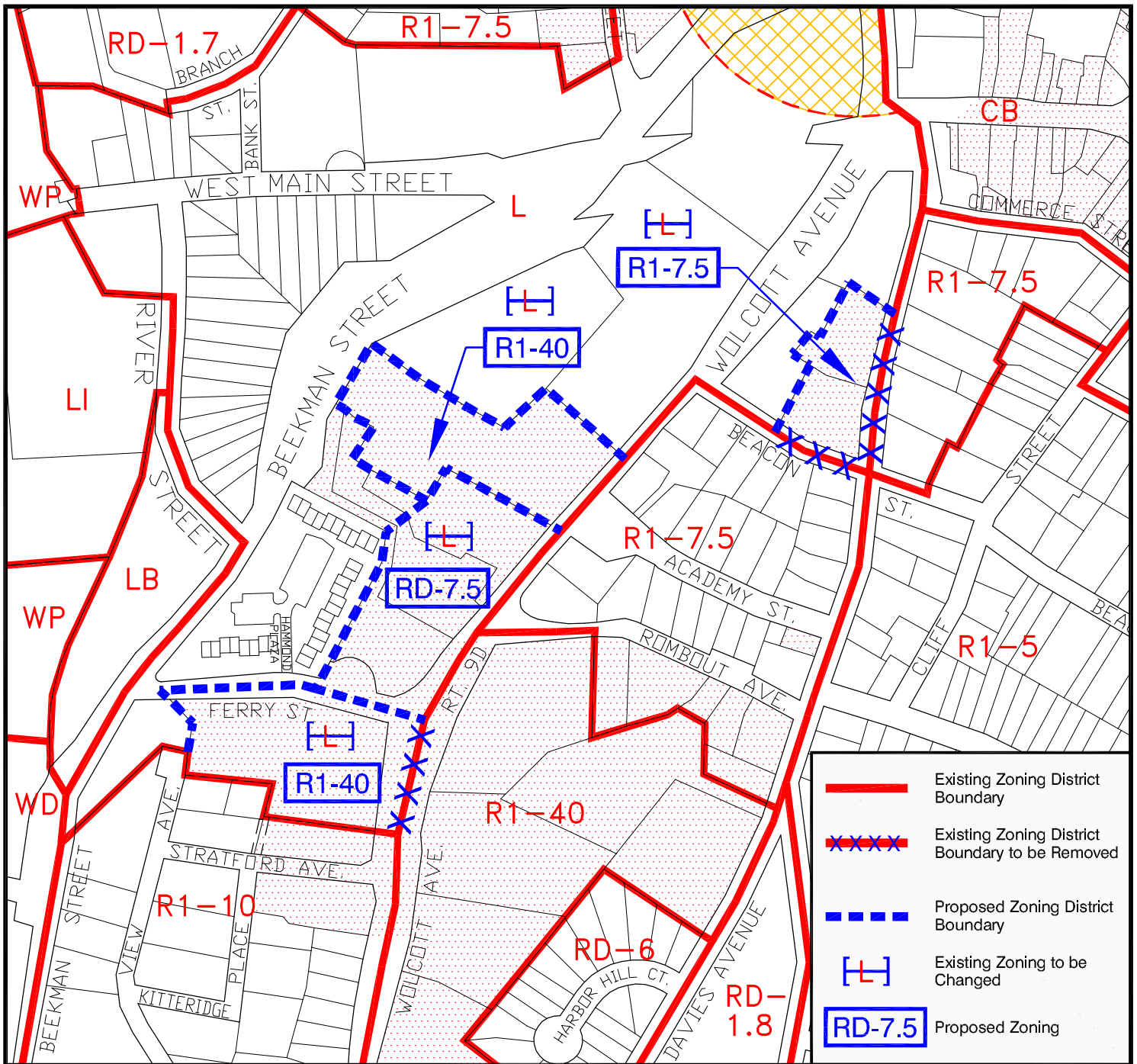
^lIn any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semiattached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreational or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided or developed in the future.

^oAnd each building shall not exceed 150 feet in length.

^pThere shall be no parking in the front yard.

⁴No revision to schedule in this column.

¹⁸[Amended 1-19-2016 by L.L. No. 2-2016]



RESIDENTIAL DISTRICTS

R1-40	One Family 40,000 sq.ft./dwelling
R1-10	One Family 10,000 sq.ft./dwelling
R1-7.5	One Family 7,500 sq.ft./dwelling
R1-5	One Family 5,000 sq.ft./dwelling
RD-7.5	Designed Residence 7,500 sq.ft./dwelling
RD-6	Designed Residence 6,000 sq.ft./dwelling
RD-5	Designed Residence 5,000 sq.ft./dwelling
RD-1.8	Designed Residence 1,800 sq.ft./dwelling
RD-1.7	Designed Residence 1,700 sq.ft./dwelling

FORM BASED DISTRICT

L Linkage

COMMERCIAL DISTRICTS

LB Local Business
CB Central Business

INDUSTRIAL DISTRICT

LI Light Industrial

WATERFRONT DISTRICTS

WP Waterfront Park
WD Waterfront Development



Within 400 Feet of the Rt. 9D/
Beekman Street Intersection



Historic District and
Landmark Overlay Zone

ZONING MAP PROPOSAL 2016



FREDERICK P. CLARK ASSOCIATES, INC.
PLANNING, TRANSPORTATION, ENVIRONMENT AND DEVELOPMENT
RYE, NEW YORK
FAIRFIELD, CONNECTICUT

Scale in Feet
300 200 100 0 300

**Exhibit
B**

9/6/16

City of Beacon Council Agenda
10/17/2016

Title:

Resolution to Adopt a Local Law Amending Chapter 119 of the Code as it Relates to Unmetered Water

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. adopt LL unmetered water	Resolution
LL unmetered water	Local Law



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**RESOLUTION ADOPTING A LOCAL LAW AMENDING CHAPTER 219 OF THE CODE AS IT
RELATES TO UNMETERED WATER**

BE IT RESOLVED, that the City Council of the City of Beacon hereby adopts a local law amending Chapter 219 of the City Code as it relates to unmetered water.

Resolution No. _____ of 2016			Date: _____ 2016				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
Motion Carried							

LOCAL LAW NO. ____ OF 2016

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW AMENDING
CHAPTER 219
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend
Chapter 219 of the Code of the
City of Beacon concerning Water.

A LOCAL LAW to amend Chapter 219 of the Code of the City of Beacon concerning Water.

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

Chapter 219 of the Code of the City of Beacon is hereby amended as follows:

Section 1. § 219-15 Supply and installation of meters; ~~deposit.~~

- A. The city will supply meters at the expense of the builder/owner of each property according to the rate schedule. The City reserves the right to require that a separate meter be installed for each residential unit, including separate dwelling units in mobile home parks and multiple dwellings.
- B. There will be an initial meter ~~deposit~~ charge equal to the cost of the meter to the City. All meters shall remain the property of the City of Beacon.
- C. Any property owner or owners who has/have not allowed the installation of radio read water meter as of the date of passage of this subsection shall be surcharged a penalty of ~~45~~ 25% on each and every water bill until such time as the radio read water meter has actually been installed. This penalty can be appealed for a due process hearing pursuant to Chapter **34**.
- D. The property owner shall be responsible for the maintenance, repair and replacement of all water meters. The consumer shall notify the City within five (5) business days of any defect or problem with the water meter. Failure to notify the City of an issue with the meter within five (5) business days shall constitute a violation, punishable pursuant to § 219-40 of this Chapter. The City reserves the right to inspect water meters.

- E. In any instance where a meter has been removed without authorization from the City, and such removal prevents the City from calculating water usage, the next water bill shall be charged at twice the amount of the highest water bill issued within the last two (2) years.
- F. Any unauthorized bypass of a water meter or unauthorized modification to the service pipe, meter, or meter appurtenances that results in the water meter's failure to register water usage shall constitute a violation, punishable pursuant § 219-40.

Section 2. § 219-16 Pipes to be in proper condition prior to meter installation.

- A. In the event that the pipes of the consumer are not in proper condition for the installation, repair, or replacement of a meter, the customer shall cause said pipes at the point at which said meter is to be installed or repaired to be put in proper condition prior to the installation, repair, or replacement of said meter at the owners expense.
- B. If, due to acts, omissions or negligence on the part of the owner, the meter becomes inoperable, the owner will be charged for the cost of the meter, unless it is determined that the meter is defective.

Section 3. § 219-18 Failure of meter to register.

If a meter is out of order and fails to register, the consumer will be charged at the average consumption as shown by the meter when in order. If after 45 days of written notice from the City the water meter remains out of order and continues to fail to register, the consumer will be surcharged a penalty of 25% on each and every water bill until the meter is repaired and the property owner grants the City access to inspect the water meter or the City obtains a valid search warrant to be issued by a judge pursuant to § 219-35. The property owner shall provide the City with proof of repair to the meter.

Section 4. § 219-29 Establishment of schedule.

- A. The City Administrator, subject to the approval of the City Council, shall establish, and may amend from time to time by resolution, a schedule of rates, including the following rents and charges:
 - (1) The minimum water rents and schedule of water rents.
 - (2) Service charges, such as for discontinuance of service, restoration of service, special meter readings and meter test.
 - (3) Meter installation charge, in addition to the deposit specified in § 219-15B.

(4) A penalty of ~~15~~ 25% on each and every water bill on property without radio read water meters until such time as the radio read water meters are actually installed.

B. The City Clerk shall assess any unpaid water billings, including interest and penalties, on the water consumer's upcoming tax bill as a lien against any City property owned by the water consumer. The City Clerk shall then accept payment of unpaid water billings in quarterly increments.

City of Beacon Council Agenda
10/17/2016

Title:

Resolution to Adopt the Local Law Amending Chapter 211 of the Code of the City of Beacon as it Relates to Parking on Van NyDeck Avenue

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. adopt LL van nydeck parking	Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**RESOLUTION ADOPTING THE LOCAL LAW AMENDING CHAPTER 211 OF THE CODE
OF THE CITY OF BEACON AS IT RELATES TO PARKING ON VAN NYDECK AVENUE**

BE IT RESOLVED, that the City Council of the City of Beacon hereby adopts the local law amending Chapter 211 of the Code of the City as it relates to parking on Van NyDeck Avenue.

Resolution No. ____ of 2016			Date: _____				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Council Agenda
10/17/2016

Title:

Resolution Adopting a Local Law Amending Chapter 211 of the Code as it Relates to Parking on Beekman Street

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. adopt LL Beekman Parking	Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**RESOLUTION ADOPTING THE LOCAL LAW AMENDING CHAPTER 211 OF THE CODE
OF THE CITY OF BEACON AS IT RELATES TO PARKING ON BEEKMAN STREET**

BE IT RESOLVED, that the City Council of the City of Beacon hereby adopts the local law amending Chapter 211 of the Code of the City as it relates to parking on Beekman Street.

Resolution No. ____ of 2016			Date: _____				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Council Agenda
10/17/2016

Title:

Resolution Adopting a Policy Relating to the Sale of Residential In Rem Properties

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. adopt policy sale of property	Resolution
Policy Sale of In Rem Properties	Backup Material



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2016

**RESOLUTION ADOPTING A POLICY RELATING TO THE SALE OF RESIDENTIAL
IN REM PROPERTIES**

BE IT RESOLVED, that the City Council of the City of Beacon hereby adopts a policy relating to the sale of city-owned in rem residential properties.

Resolution No. ____ of 2016			Date: _____				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

**POLICY REGARDING PREFERENCE FOR SALE
OF RESIDENTIAL IN REM PROPERTIES
TO BE CONDITIONED ON HOME BEING
OWNER OCCUPIED**

WHEREAS, from time to time, the City of Beacon obtains title to improved residential properties pursuant to an In Rem tax foreclosure proceeding and thereafter offer such properties for sale; and

WHEREAS, the City of Beacon City Council has determined and hereby affirms the City's policy of maintaining a stabilized housing stock and promoting homeownership.

NOW THEREFORE BE IT RESOLVED, that the City Council adopts the following policy for the sale of In Rem residential properties for the preference of sales to purchasers who will occupy the house as follows:

For the first thirty (30) days after a residential property that was obtained by the City of Beacon pursuant to an In Rem tax foreclosure proceeding is offered for sale, the City Council will only entertain offers from prospective purchasers who agree to the condition that the Property will be occupied by Purchaser or an Approved Transferee (as hereinafter defined) within three (3) months of the Closing and such occupancy shall continue for a period of five (5) years from the date of Closing (the "Occupancy Period"). The Purchaser shall be required to file an Annual Statement and such other proof that the City may reasonably require to establish that the Property remains owner occupied. During the Occupancy Period, the Property shall not be permitted to be sold or transferred except to an Approved Transferee and the Property, either in whole or in part, shall not be permitted to be leased other than for the non-owner occupied dwelling units in a 2 or 3 family residential property. An "Approved Transferee" is an individual or individuals who have provided adequate assurances to the City Administrator that they intend to utilize the Property as an owner-occupied residence for such individual or individuals themselves and the City

Administrator has granted its written approval designating such individual or individuals as Approved Transferees, such approval not to be unreasonably withheld. Any real estate listing, the Contract of Sale and the deed shall contain language to this effect.

City of Beacon Council Agenda
10/17/2016

Title:

Resolution to Authorize the Release of Funds Representing the Maintenance Bond for Project Known as Union Street Subdivision Project

Subject:

Background:

ATTACHMENTS:

Description	Type
L&T memo re maint bond union street	Cover Memo/Letter
Res. Maint Bond Release	Resolution

LANC & TULLY
ENGINEERING AND SURVEYING, P.C.

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

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

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

October 3, 2016

Mr. Anthony Ruggiero
City Administrator
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

RE: 171 Union Street Subdivision
City of Beacon
Tax Map No. 6054-47-283524 & 283513
Maintenance Bond Release


Dear Mr. Ruggiero:

As part of the 171 Union Street Subdivision project, the applicant had to establish a performance bond/guarantee in the amount of \$82,090.00 for the proposed storm drainage public improvements that were approved as part of the subdivision. Upon completion of and acceptance of the work, the applicant posted a maintenance bond/guarantee, in the amount of 10% of the original performance bond/guarantee (\$8,209.00) to cover the 1-year warranty period for the work completed. At this time, we would recommend the release of the maintenance bond, as the warranty period has expired on the project.

If you have any questions, or require any additional information, please do not hesitate in contacting our office.

Very truly,

LANC & TULLY, P.C.


John Russo, P.E.

Cc: Etha Grogan, City of Beacon
Nick Ward-Willis, Esq.
Tim Dexter, Building Inspector
Anthony Thomaselli, Highway Superintendent



**CITY OF BEACON
CITY COUNCIL**

Resolution No. ____ of 2016

**RESOLUTION TO AUTHORIZE THE RELEASE OF FUNDS
REPRESENTING A MAINTENANCE BOND
POSTED IN ACCORDANCE WITH CITY REGULATIONS RELATING TO THE PUBLIC
IMPROVEMENTS PROJECT KNOWN AS
THE UNION STREET SUBDIVISION PROJECT**

WHEREAS, the City of Beacon requires that a maintenance bond be posted by the contractor when working on certain public infrastructure improvement projects; and

WHEREAS, funds were secured in an account at M&T Bank representing a maintenance bond in accordance with City of Beacon regulations regarding public improvement projects; and

WHEREAS, Lanc & Tully Engineering and Surveying, P.C. has verified that the public improvements have been found to be acceptable; and

WHEREAS, as a result of the engineer's finding, the \$8,209.00 held in the account may be released.

NOW, THEREFORE, BE IT RESOLVED, that funds in the amount of \$8,209.00, in an account held by M&T Bank in a joint account of Gary Joseph and Lori Joseph is hereby released.

Dated: _____

Resolution No. ____ of 2016			Date: _____				
<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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Weatherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
Motion Carried							

City of Beacon Council Agenda
10/17/2016

Title:

Resolution to Schedule a Public Hearing for Nov. 7, 2016 to Receive Comments on the Revised Local Law Amending Chapter 174 of the Code as it Relates to the Safe Storage and Display of Firearms

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Sched. PH Safe Gun Storage	Resolution
LL Safe Gun Storage	Amendment
LL Safe Gun Storage Comparison	Local Law



CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. _____ OF 2016

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER 7, 2016 TO
RECEIVE PUBLIC COMMENT ON THE REVISED LOCAL LAW TO AMEND CHAPTER 174
OF THE CODE AS IT RELATES TO THE SAFE STORAGE AND DISPLAY OF FIREARMS**

BE IT RESOLVED that the City of Beacon hereby schedules a public hearing for November 7, 2016 at 7:00 p.m. at City Hall, One Municipal Plaza, Beacon, New York 12508 to receive public comment on the proposed local law amending Chapter 174 of the Code as it relates to the safe storage and display of firearms.

Resolution No. _____ of 2016			Date: _____ 2016				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON
PROPOSED LOCAL LAW CREATING
CHAPTER 174 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to create
Chapter 174 of the City Code
concerning Safe Storage and
Display of Firearms

A LOCAL LAW to create Chapter 174 of the Code of the City of Beacon concerning Safe Storage and Display of Firearms.

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

Chapter 174, Safe Storage and Display of Firearms is hereby added as follows:

174-1 Purpose.

The City Council hereby finds that the storage, possession and display of firearms in the City of Beacon require the regulation thereof in the public interest, convenience and necessity. In addition, the presence of an unsecured, easily accessible loaded firearm in the home increases the likelihood of death or injury from accidents or impulsive acts. Guns left unattended in the home should be kept locked or stored securely to prevent access by children and others who should not have access to them. Gun owners are responsible for keeping their firearms from falling into the hands of children and other unauthorized individuals.

174-2 Definitions.

Unless otherwise expressly stated, whenever used in this article, the following words shall have the meaning given to them by this section when used herein:

FIREARM

Any weapon from which a shot is discharged by force of an explosive, or a weapon which acts by force of gunpowder, and shall include any weapon capable of being

loaded with powder, ball or ammunition, and shall include any weapon which is otherwise capable of being loaded with powder, ball or ammunition, whether completed, assembled or from which any part or piece has been removed therefrom.

PERSON

Any person, firm, partnership, association, corporation, company or organization of any kind.

SAFE STORAGE DEPOSITORY

A safe or other secure container which, when locked, is incapable of being opened without the key, combination or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to and possession of the firearm contained therein.

174-3 Storage.

- A. Firearms for sale shall be kept secured at all times when the place in which they are held for sale is not open for business.
- B. A person who stores or leaves on premises under his or her control a loaded firearm and who knows or reasonably should know that person who may not legally have possession of a weapon is likely to gain access to a loaded firearm at a premises under the person's control must keep the firearm in a safe storage depository and store the safe storage depository in a location which a reasonable person would believe to be secure.

174-4 Report of theft or loss to Police Department.

Any theft or loss of firearms from a storage vault, safe storage depository, or otherwise shall be reported immediately to the Police Department of the City of Beacon.

174-5 Declaration of state of emergency by Mayor.

In the event of disaster, riots, catastrophe, insurrection, war or acts of war and at which time the Mayor of the City of Beacon or the Acting Mayor shall declare a state of emergency, then and in that event the Mayor or Acting Mayor may order such additional security measures as he may deem advisable.

174-6 Penalties for offenses.

Any person who shall violate or shall neglect or refuse to comply with this article or any provisions thereof, upon a first offense, shall be guilty of a violation and, upon conviction thereof, shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days. Upon a second offense or when a first offense results in injury or death, the

offender shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment, and each day of violation shall constitute a separate offense and be subject to punishment.

DRAFT

LOCAL LAW NO. ____ OF 2016

CITY COUNCIL
CITY OF BEACON
PROPOSED LOCAL LAW CREATING
CHAPTER 174 OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to create
Chapter 174 of the City Code
concerning Safe Storage and
Display of Firearms

A LOCAL LAW to create Chapter 174 of the Code of the City of Beacon concerning
Safe Storage and Display of Firearms.

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

Chapter 174, Safe Storage and Display of Firearms is hereby added as follows:

174-1 Purpose.

The City Council hereby finds that the storage, possession and display of firearms ~~and the storage, possession, and display of ammunition~~ in the City of Beacon require the regulation thereof in the public interest, convenience and necessity. In addition, the presence of an unsecured, easily accessible loaded firearm in the home increases the likelihood of death or injury from accidents or impulsive acts. Guns left unattended in the home should be kept locked or stored securely to prevent access by children and others who should not have access to them. Gun owners are responsible for keeping their firearms from falling into the hands of children and other unauthorized individuals.

174-2 Definitions.

Unless otherwise expressly stated, whenever used in this article, the following words shall have the meaning given to them by this section when used herein:

AMMUNITION

~~Any projectile or explosive suitable to be fired from a firearm. Commonly known as a "bullet" or "shell."~~

FIREARM

Any weapon from which a shot is discharged by force of an explosive, or a weapon which acts by force of gunpowder, and shall include any weapon capable of being loaded with powder, ball or ammunition, and shall include any weapon which is otherwise capable of being loaded with powder, ball or ammunition, whether completed, assembled or from which any part or piece has been removed therefrom.

PERSON

Any person, firm, partnership, association, corporation, company or organization of any kind.

SAFE STORAGE DEPOSITORY

A safe or other secure container which, when locked, is incapable of being opened without the key, combination or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to and possession of the firearm contained therein.

174-3 Storage.

- A. Firearms ~~and ammunition~~ for sale shall be kept secured at all times when the place in which they are held for sale is not open for business. ~~The manner in which the firearms and ammunition are to be secured must be approved by the Chief of Police upon receipt of appropriate application for such approval. Such approval shall in no case be unreasonably withheld.~~
- B. ~~No person who owns or is custodian of a firearm shall store or otherwise leave such firearm out of his or her immediate possession or control without having first securely locked such firearm in an appropriate safe storage depository, which when locked is incapable of being opened without the key, combination or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to and possession of the firearm contained therein, or rendered it incapable of being fired by use of a gun locking device appropriate to that firearm.~~ A person who stores or leaves on premises under his or her control a loaded firearm and who knows or reasonably should know that person who may not legally have possession of a weapon is likely to gain access to a loaded firearm at a premises under the person's control must keep the firearm in a safe storage depository and store the safe storage depository in a location which a reasonable person would believe to be secure.

174-4 ~~Sale of ammunition and firearms.~~

- A. ~~Ammunition shall only be sold to persons possessing a valid firearms license, when a license is required for the type of firearm for which the ammunition is used. When purchasing any other type of ammunition, where a firearms license would not be~~

~~required for the type of ammunition being purchased, a driver's license shall be required. A record shall be kept by the dealer of each sale of ammunition which shall show the type, caliber and quantity of ammunition sold, the name and address of the person receiving the same, the caliber, make, model, manufacturer's name and serial number of the firearm for which the purchaser is purchasing ammunition, the date and time of the transaction, and the identifying number of the firearms or driver's license. Such record shall be maintained for 10 years and shall be made available to state and local enforcement agencies upon request.~~

~~B. Every person engaged in the retail business of selling firearms shall post a notice in the place where such firearms are displayed or delivered to the purchaser conspicuously stating, in no smaller than 24 point type and on no smaller than 8 1/2 x 11 paper, stating in bold print the following warning:~~

~~WARNING: RESPONSIBLE FIREARM STORAGE IS THE LAW IN THE CITY OF BEACON. FIREARMS MUST BE STORED IN A SAFE OR OTHER SECURE CONTAINER WHICH, WHEN LOCKED, IS INCAPABLE OF BEING OPENED WITHOUT THE KEY, COMBINATION OR OTHER UNLOCKING MECHANISM AND IS CAPABLE OF PREVENTING AN UNAUTHORIZED PERSON FROM OBTAINING ACCESS TO AND POSSESSION OF THE FIREARM CONTAINED THEREIN, OR IS RENDERED INCAPABLE OF BEING FIRED BY USE OF A GUN LOCKING DEVICE APPROPRIATE TO THAT FIREARM. LEAVING FIREARMS ACCESSIBLE TO A CHILD OR UNAUTHORIZED PERSON MAY SUBJECT YOU TO IMPRISONMENT, FINE, OR BOTH. YOU MAY ALSO FACE ADDITIONAL CRIMINAL PENALTIES IF THE FIREARM IS USED BY ANOTHER NEGLIGENTLY AND CIVIL LIABILITY.~~**174-5 Report of theft or loss to Police Department.**

Any theft or loss of ~~ammunition or~~ firearms from a storage vault, safe storage depository, or otherwise shall be reported immediately to the Police Department of the City of Beacon.

174-65 Declaration of state of emergency by Mayor.

In the event of disaster, riots, catastrophe, insurrection, war or acts of war and at which time the Mayor of the City of Beacon or the Acting Mayor shall declare a state of emergency, then and in that event the Mayor or Acting Mayor may order such additional security measures as he may deem advisable.

174-76 Penalties for offenses.

Any person who shall violate or shall neglect or refuse to comply with this article or any provisions thereof, upon a first offense, shall be guilty of a violation and, upon conviction thereof, shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days. Upon a second offense or when a first offense results in injury or death, the offender shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable

by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment, and each day of violation shall constitute a separate offense and be subject to punishment.

**City of Beacon Council Agenda
10/17/2016**

Title:

Resolution Ratifying the Memorandum of Agreement Between the CSEA and the City of Beacon

Subject:

Background:

ATTACHMENTS:

Description

Res. CSEA Agreement

Type

Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2016

**RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN THE CSEA
AND THE CITY OF BEACON**

WHEREAS, negotiations have been ongoing between the Bargaining Team for the City of Beacon (the “City”) and the Bargaining Team for the City of Beacon Unit, Dutchess County Local 814, Civil Service Employees Association, Inc., Local 1000, American Federation of State, County and Municipal Employees Union, AFL-CIO (the “CSEA”) for a successor to the January 1, 2010 – December 31, 2015 Agreement between the parties; and

WHEREAS, those negotiations have resulted in a tentative agreement contained in a Memorandum of Agreement dated September 23, 2016 for an Agreement from January 1, 2016 to December 31, 2019, which has been ratified by the membership of the CSEA; and

WHEREAS, the City Council of the City of Beacon has reviewed the terms of the Memorandum of Agreement and finds that a settlement consistent with the terms contained therein is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves and ratifies the terms of the aforementioned Memorandum of Agreement and hereby authorizes the Mayor or the City Administrator to execute a Collective Bargaining Agreement consistent with the terms thereof.

Resolution No. ____ of 2016			Date: _____ 2016				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
Motion Carried							

City of Beacon Council Agenda
10/17/2016

Title:

2016-10-17 Amendments

Subject:

Background:

ATTACHMENTS:

Description	Type
2016-10-17 budget amendments	Budget Amendment

Council Budget Amendments
October 10, 2016 Meeting

1. Amend the 2016 General Fund Law budget to fund the proposal for August legal fees. Below is the proposed budget amendment:

Transfer to:

A1420-450433- TAX SETTLEMENT MATTERS	\$ 2,425
A1420-450436 IN REM	8,004
A1420-450440 FIRE/IAFF UNION MATTERS	6,187
A1420-450442 PBA/POLICE UNION MATTERS	4,894
TOTAL	<u>\$ 21,510</u>

Transfer from:

A1990-400001- CONTINGENCY FUND	<u>\$ 21,510</u>
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2. Amend the 2016 General Fund Police budget to purchase software to keep our Police policies and procedures current and in compliance with NYS accreditation standards. As laws change the system will provide training bulletins for officers. Below is the proposed budget amendment:

Transfer to:

A3120-443200 TRAINING	<u>\$ 5,400</u>
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Transfer from:

A3120-413000 GAS & DIESEL	<u>\$ 5,400</u>
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3. Amend the 2016 General and Sewer Fund budgets for severance payments of unused/accumulated time. Below is the proposed budget amendment:

Transfer to:

A5110-190000 SEVERANCE/RETIREMENT PAY	\$ 4,682
A7110-190000 SEVERANCE/RETIREMENT PAY	1,470
G8130-190000 SEVERANCE/RETIREMENT PAY	2,986
	<u>9,138</u>

Transfer from:

A1990-400004 CONTINGENCY-RETIREMENT	\$ 6,152
G1990-400004 CONTINGENCY-RETIREMENT	2,986
	<u>\$ 9,138</u>

Respectfully submitted,
Susan K. Tucker CPA