



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

Mayor Lee Kyriacou
Councilmember Amber J. Grant, At Large
Councilmember George Mansfield, At Large
Councilmember Terry Nelson, Ward 1
Councilmember Air Rhodes, Ward 2
Councilmember Jodi M. McCredo, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Anthony Ruggiero

City Council Workshop Agenda
February 24, 2020
7:00 PM

Workshop Agenda Items:

	Duration (Minutes)
1. Main Street Access Initiative	20
2. City of Beacon Census Participation	10
3. Flea Market Contract	10
4. Green Beacon Initiative	30
5. Sale of Real Property on Melio Bettina Place Tax ID # 30-5954-28-942947-00	15
6. Noticing of Public Hearings	10
7. City Council Meeting Dates	10
8. Tioronda Bridge	

Upcoming Agenda Items and Meetings:

	Duration (Minutes)
1. March 16, 2020 [Building Height] Resolution to Adopt a Proposed Local Law to Amend Chapter 223, Section 41.18(7) Regarding Building Height in the Central Main Street District	
2. March 16, 2020 [Zoning Tables] Resolution to Adopt a Proposed Local Law to Amend Chapters 223 and 210 of the Code of the City of Beacon Regarding the Schedule of Regulations and Permitted Uses	

Upcoming Public Hearings

	Duration (Minutes)
1. March 16, 2020 [HDLO] Continuation of a Public Hearing to Discuss a Proposed Local Law to Amend Chapter 134 of the Code of the City of Beacon Concerning the Historic District Landmark Overlay	
2. March 16, 2020 [1182 North Avenue] Public Hearing to Discuss a Special Use Permit Application for 1182 North Avenue	
3. April 20, 2020 [Historic Designation of Properties] Continuation of a Public Hearing to Discuss the Designation of 35 Properties as Landmarks Pursuant to the City Code of the City of Beacon Chapter 134, Historic Preservation	

**City of Beacon Workshop Agenda
2/24/2020**

Title:

Main Street Access Initiative

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from Mayor Kyriacou and the City Council to the Main Street Access Committee	Cover Memo/Letter
Beacon Parking Analysis	Backup Material



City of Beacon, New York

Office of the Mayor

Lee Kyriacou, Mayor

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M E M O R A N D U M

TO: Main Street Access Committee

FROM: Mayor and City Council

DATE: 24 February 2020

SUBJECT: Overall Direction for Committee

Thank you for agreeing to serve on this committee. We are asking for you to help the City tackle and plan for issues involved in getting to and from Main Street. This is critically important for our residents, and even more so for the success of our Main Street businesses.

This memo covers two broad topics: (1) process issues, including committee organization, timing and resources; and (2) substantive issues, including categories and specific topics you should cover, and specific suggestions you should consider.

1. Process Issues. This is about how you organize yourselves, what tasks you want to undertake, and how you go about them. Most of these are for you to solve early on in your efforts.

- **Committee Membership:** Co-Chair Sara Pasti; the other Co-Chair is open, ideally someone who has a business or property on Main Street.
- **Frequency of Meetings:** Also for you to decide. You may want to meet more regularly at first until you get organized and get a sense of how the work is going. You may want to have some mix of formal meetings and then informal on-the-street sessions.
- **Resources:** Initially, our City Planner John Clarke, can offer you assistance and guidance. Depending on the tasks you decide to undertake, John may suggest additional resources, e.g., a traffic engineer with expertise on all forms of transport/transit, an engineer to help ballpark infrastructure costs, the City's Finance Director to help understand bonding or other potential funding, expertise on laying out parking spaces. The Council is committed to providing you the necessary resources.
- **Timing:** You probably should have a target end date for a final report (e.g., end of the year), and some intermediate dates for read-outs, one for short-term suggestions, and a

couple more for longer-term plans and recommendations. You will likely be able to get a better sense of calendar once you lay out the tasks, working with your resources.

- **Council Direction and Interaction:** We will schedule an early session with the City Council, to go over some general tasks and ideas, and to answer any questions. We assume there will be checkpoints with the Council along the way as well. The Mayor and individual council members will be readily available for input, and may attend your meetings.
- **Data Collection:** You need to collect data on spaces by block, usage by time of day, etc. You will have help with this, though you may want to do your own walking tours.
- **Community Input:** You will want some form of community input, which could be written survey, public session, or both. We can coordinate on how this is best achieved. This is a supplement to, and not a replacement of, factual data collection.
- **Starting Point:** Start by reviewing the relevant parts of the 2017 Comprehensive Plan (on City website) – Section 4 on Main Street (Commercial, Office & Industrial Development) and Section 6 on Transportation. Then read the 2014 Beacon Center City Parking Analysis (attached), which is a specific starting point. The 2014 parking analysis provides a quantitative look at parking at that time, but no forward projection, other than to say there will likely be capacity issues in the future. That analysis comes with a set of recommendations; do not assume them to be correct. They were provided by the county, without community review or input, though that does not make them incorrect either. Rather, take them as potential ideas, along with other ideas, that you need to consider and that the community and council should have input into.

2. Substantive Issues

The overall goal of the Main Street Access Committee is to develop a holistic action plan for sustainable Main Street parking, traffic, public transit, pedestrian and non-vehicular use.

We want your analysis and proposals divided into (a) short-term opportunities or “quick fixes” that can be implemented relatively quickly, and (b) a longer term plan, including items that require more time and resources, along with ideas on how to fund. Below are some examples of each, which you should consider; the list is neither exhaustive, nor even necessarily correct. Use the data you put together, as well as your collective discussion and judgment, to assess. Note that the most obvious Main Street access issues are on weekends, and less so on weekdays. Keep this in mind as you consider analysis, issues and potential solutions.

2a. Short-Term Opportunities or “Quick Fixes”

- **Better Parking Signage:** Could we improve the signs that guide people to public parking lots, e.g., large blue “P” parking signs with arrows? Is there signage that could display highly visible parking maps? For example, the county lot at South Elm does not appear to have any signage regarding use; nor does the City’s municipal lot on Route 9D at the

end of Main. There is no signage in the curve of Main Street, telling drivers that there is a municipal lot just off Main Street on Churchill.

- **Adjust Main St Parking Space Layouts:** Could we review the Main Street parking spaces on each block, and see if there is a way of gaining a space where possible? The current striping was not necessarily done with optimizing on-street parking in mind. We might pick up a space simply by shortening a couple of spaces by a few inches, or shortening the yellow stripe zone by a foot or two. This would be done with the help of city safety staff, with a goal of safety but also an extra spot or two.
- **No Large Vehicle Parking on Main St:** In conjunction with reviewing Main St parking spaces, should we consider no oversize vehicle parking on Main Street, and see if that gets more spaces. We would have to put up very clear signage.
- **Side Street Parking Review:** What about side and back streets? Are the one-ways conducive to parking and traffic? Could we pick up spaces by rethinking the signage (e.g., gain a space end western end of Commerce by moving the “no parking” sign closer to the corner)? Would it help if side/back streets had striping?
- **Relocate Fire Hydrants:** Could we move hydrants currently in the middle of Main Street blocks over to the street corners (which are already yellow-striped), and pick up the spaces in the middle? We would have to explore feasibility and cost, but if it is done gradually using city staff, it might prove cost effective, or even receive grant funded.
- **Sharing Private Lots.** The 2014 analysis recommended encouraging shared parking in currently private lots. What has been done and how has it turned out? Are there other private lots that are have low utilization and could provide parking? What are ideas for incentives, e.g., reduced property tax?

2b. Longer-Term Plan

- **Parking Inventory:** Update the 2014 work to get an inventory of current private and public parking.
- **Parking Analysis / Projection:** Update the 2014 work to get a sense of current capacity utilization. Add to that expected parking usage over the next 5-10 years, trying to take into account expected growth and potential changes in vehicle usage. This will provide a projection capacity analysis. This work should be granular, e.g., block-by-block.
- **Back Street Parking Potential:** Do a slow walk behind Main Street. Look behind each block, on each side of Main Street, and review existing parking behind buildings and on back streets. Look for and record opportunities to obtain new parking areas, or combine areas into a larger more efficient parking, or other options. Record who owns what and how a better arrangement might yield more parking behind Main Street on each block. The 2014 work looked specifically at the block with VanNydeck behind it; read that for an idea of what might work behind Main Street. Another one to look at is Commerce Street. Look systematically.

- **Sidewalk / Pedestrian Review:** Do residents walk to Main Street, or once on Main, do they walk about or keep moving their vehicle? What portion walk; can that share be increased in a reasonable fashion? Look at whether we need additional sidewalks to get to/from Main Street and/or parking. For example, now that we have parking off Churchill Street, is there a sidewalk to walk to and from that lot up to Main Street? What about crossing the tracks between the two bridges over the creek? Disability access is being covered by current efforts, but review those efforts.
- **Transit / Non-Vehicular Review:** What is public transit usage? What about other means of transportation, e.g., bicycle? Do the sharrows work? Given Main Street's width, it may not be possible to dedicate part of Main Street to any one means of transit (except sidewalks for pedestrians), but discussion is relevant. Are there ways of actually achieving increased transit usage (recognizing that people in the end choose)?
- **Traffic Analysis:** How busy is Main Street in terms of traffic on the road? What is average speed? Is lower speed a good thing? Would street changes help? What about stop signs vs. traffic lights, or roundabouts?
- **Pocket Parks:** The Comprehensive Plan calls for small public spaces along Main Street, but no work has been done to achieve that. Take into account where these public spaces were described in the Comp Plan, and consider them in the parking, traffic and transit thinking.
- **Infrastructure:** If there is expected need for additional parking, document it block-by-block, on each side of Main Street. If there are target property acquisitions, e.g., an undeveloped lot behind Main Street, identify it. Consider whether a parking structure might be needed (as opposed to street parking scattered throughout the Main Street area), and if so, identify likely areas, and how much capacity might be needed from such structures. Provide a view on timing for any identified need.
- **Funding:** Review options for funding infrastructure investment. Provide a sense (not a definitive financial plan) of where the funding should come from. The city has created a dedicated fund for parking/transit improvements, but there are no funds there yet. Consider all possibilities – but not general higher taxes – including:
 - Grants for cities, Main Streets, etc., including Downtown Revitalization Initiative;
 - Annual parking assessment for buildings that lack sufficient parking (many buildings had parking requirements waived, while other buildings supply their own parking);
 - Monthly fee for Main Street resident parking stickers;
 - Metering on Main or off Main (this was in the 2014 analysis, but was not tested with residents or with shoppers who can go elsewhere);
 - Dedicating a portion of the existing higher tax rate paid by commercial property, in particular from higher tax revenue from recent Main Street development;
 - Bonding at low rates, if new development is expanding the tax base sufficiently, with a plan for repaying bonds with interest.

Beacon Center City Parking Analysis



*Prepared by the Dutchess County Department of Planning and Development
With assistance from the City of Beacon
November 2014*

Urban problems often become widely recognized only after solutions become available, and now that performance parking prices are available it is easier to recognize all the problems caused by requiring too much parking. Minimum parking requirements maximize the likelihood that everyone will own a car and drive wherever they go. They do provide the free parking we want, but we give up a lot to get it. As Little Richard once sang, "He got what he wanted, but he lost what he had."

- Shoup, Donald, The High Cost of Free Parking. American Planning Association Planner's Press, page 705

Introduction

With the aim of measuring and managing current and projected parking impacts, Beacon City leaders requested that the Dutchess County Department of Planning and Development (“the Planning Department”) lead a Center City Parking Analysis. The Planning Department, which hosts the Poughkeepsie-Dutchess County Transportation Council (PDCTC), has completed numerous transportation and land use analyses for local municipalities. We applaud Beacon’s efforts to proactively address parking concerns and we hope that this Analysis enhances Beacon’s progress as a thriving, diverse, healthy, and multi-modal community.

Several factors propel development in Beacon. The City is served by major highways and a rail station which conveniently connects to New York City and cities throughout the Northeast and beyond. The Hudson River, Fishkill Creek and Hudson Highlands are close at hand. Main Street contains a variety of public and private uses, including government, residential, non-profit, varied services, galleries, offices, restaurants, grocers and entertainment venues. Beacon’s reputation as a desirable place to live, work and play has grown and dovetails with strong demographic and cultural trends favoring mixed-use, vibrant communities that are walkable, bikeable and provide transportation options beyond the single occupancy vehicle. The opening of DIA: Beacon in 2003 helped establish Beacon as “up and coming.” Subsequent projects along Main Street, the waterfront, and the Fishkill Creek have further set the stage for the significant activity currently underway. While it is true that no new buildings have been constructed on Main Street in several decades, many existing structures were rehabilitated in the last ten years. The pace of activity has quickened, particularly in

the West and East Ends. The Roundhouse at Beacon, a very significant East End project, is nearing completion.

Land Use Decisions & Parking Policy

Key City policy directives reflect broad support for center city development. The City’s 2007 Comprehensive Plan promotes infill on vacant parcels and parking lots and establishment of a string of activity nodes/public greens along Main Street (p. 12). Main Street is forwarded as *“the most important civic space... and the City expects to benefit from (increased development) through the physical revitalization of the area, economic revitalization of local businesses where new residents will shop, and increased property tax revenues”* (p. 56). In 2013, the City Council rezoned a large portion of downtown into the Central Main Street (CMS) District. The CMS encourages infill development by raising development potential and lowering parking requirements. The Planning Department supports new development on Beacon’s Main Street and Linkage Districts as a matter of policy.

Land use decisions by the City Council, Zoning Board of Appeals and Planning Board typically accommodate reasonable requests to reduce parking provisions for specific projects below required minimums. Residents, business owners and elected representatives, however, recognize that vehicle parking can be a “limiting factor” to Beacon’s continued revitalization. High parking demand is likely a sign of success, but the costs that it imposes cannot be ignored. Excessive parking provision will undercut Beacon’s potential by keeping buildings widely spaced apart, rendering walking and bicycling unpleasant and unsafe. Greenway Connections states that: “Centers work best when they are close-knit and compact in form, supporting central utilities and having a mixture of uses

within a five to ten minute walk of surrounding residential areas.” (p. 24) Parking facilities generate environmental costs, such as air, noise and water pollution and heat island effects. Despite the high cost to build and maintain, parking in Beacon is free to users; on-street and off-street parking is not charged and time restrictions are not enforced. When parking is provided for free, economically rational consumers use it at a high rate and are less inclined to choose alternative means of transportation. Parking demand is greater in some portions of center city and at certain time periods. Concern about the impact of anticipated development is high, given these projects will increase parking demand. This Analysis quantifies utilization of existing parking resources and seeks to project and plan for growing demand.

Analysis Methodology

The Planning Department and the City jointly developed a methodology that sought to answer the following key questions:

- What is the available supply of downtown parking spaces on city streets and in private and municipal parking lots?
- What are the parking utilization rates at different days and time periods? When and where do they exceed the optimal rate?
- How much will parking demand increase over the next 10 years and how can this increase be effectively accommodated?

The Study Area includes the area within one block of Main Street from Route 9D to just east of the Fishkill Creek. It is one mile long and 0.14 mile across at its widest point (see Overview Map on page 3). A quarter-mile buffer shown on

this map demonstrates the large area of the City that lies within a short walk of Main Street.

Using in-house digital resources and Google Maps, Planning Department staff determined the parking capacity of street segments/parking lots and developed forms and maps which City staff used to record parking counts. Data was then entered into the County’s Geographic Information System (GIS), where utilization rates were generated and displayed.

Department staff reviewed key documents including the Zoning Code, Comprehensive Plan, and prior parking studies. Parking regulations within the City Code were mapped. The City Building Inspector provided data about recently approved and anticipated downtown development projects from which staff projected anticipated parking demand increase. Lastly, the Planning Department developed strategy recommendations to address current and future parking needs.

Previous Studies

In 2007 Frederick Clark Associates completed a *Traffic and Parking Study: Zoning Changes Transportation Study for the Proposed Comprehensive Plan*. The Study identified 250 private lot spaces, 346 municipal lot spaces and 260 on-street spaces along Main Street-facing blocks. A parking count determined that “for each block face along Main Street, the total current parking demand was substantially lower than available parking.” (p. 14). For the entire corridor, observed weekday parking utilization was 61% on-street, 51% within municipal lots and 45% within private lots. The East End, however, revealed a “generally high demand for day, evening and overnight parking with little or no available off-street parking areas.” (p. 14) The Frederick Clark study recommended that

developments along Main Street and other areas should include adequate off-street parking spaces within each development site and that additional municipal/private parking lots and garages should be constructed “within reasonable walking distance of Main Street and each of the developments around Main Street.” (p. 1) The City was encouraged to pursue public/private shared parking arrangements for specified existing off-street lots.

In 2008, BFJ Planning completed the *Beacon Transportation Linkages Program Final Report*. This study did not include parking counts but recommended expanded use of shared parking, off-site parking, structured parking facilities and reduced parking requirements in areas well served by transit. (p. 38) The Study also made recommendations for parking signage which have been implemented to some degree. (p. 58)

Parking Regulations and Enforcement

Beacon’s City Code restricts parking on several downtown streets. During weekdays, parking on Main Street is limited to two hours between 9 AM to 5 PM and along Dewindt, Henry



and Van Nydeck Streets is restricted to two hours between 7 AM to 5 PM. Other than site specific limitations bounding fire hydrants, loading zones and stop signs, parking on side streets is unrestricted. A few side streets prohibit parking at any time. Field observations by Department staff indicate that most street segments are adequately signed. Parking at municipal lots is limited to 24 hours. Parking at private lots is

typically limited to on-site business patrons, but it is not known if or where these rules are enforced or towing occurs. Some private lots, such as at Key Foods, seem to function almost as public lots. Only one private lot is gated.

The City does not enforce parking restrictions but plans to hire enforcement personnel to do so in the near future. Department staff observed low turnover at parking stalls, indicating that lack of enforcement might be impacting functional parking capacity.

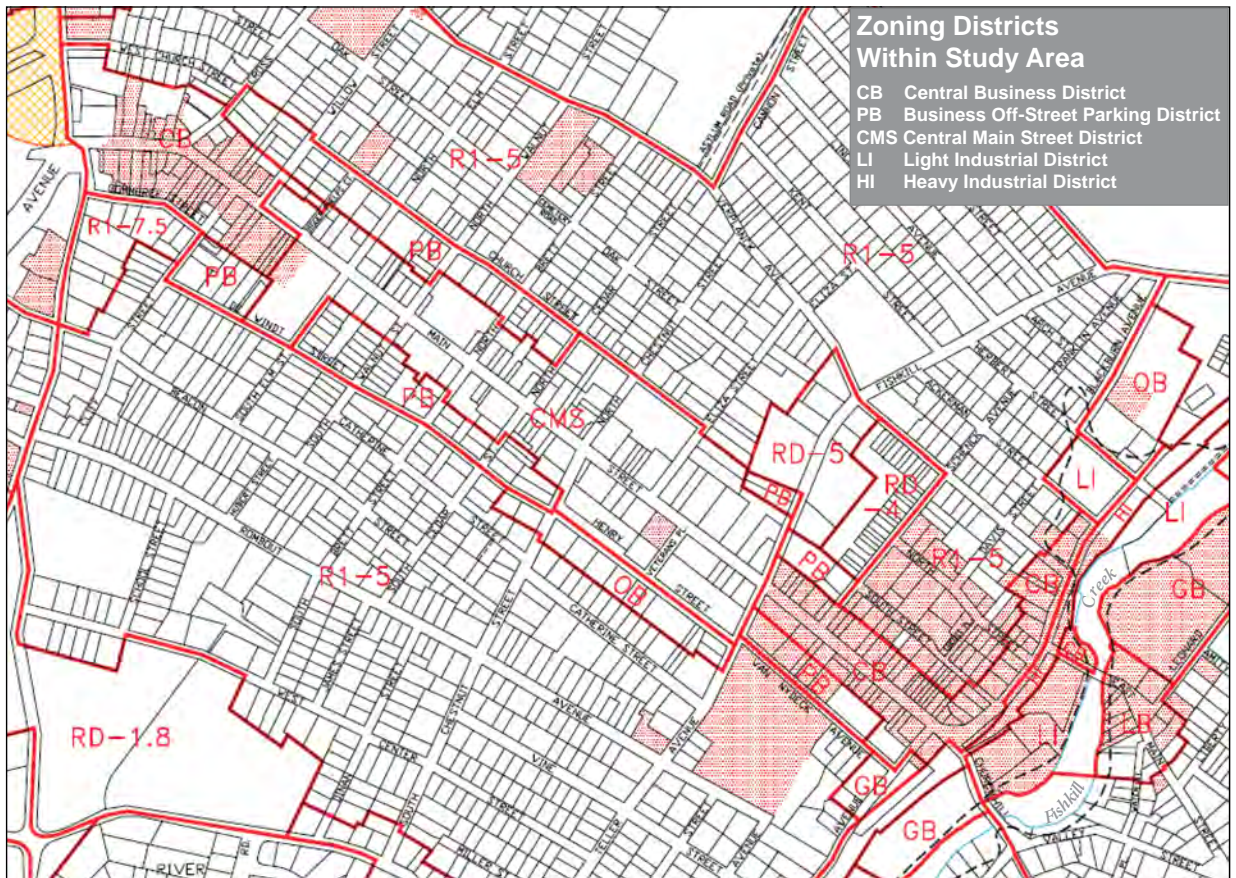
Parking requirements in Zoning Code

Zoning regulations have an important impact upon the amount and type of parking provided in new construction. The Zoning map to the right shows that most of the center city lies within the Central Main Street (CMS) or Central Business (CB) Districts with



lesser amounts in the Business Off-Street Parking (PB), Residential (R1-5) and Light Industry (LI) Districts.

Within the PB and CB Districts, minimum parking requirements can be waived or reduced by the Zoning



consider the findings of a professional parking study for the proposed use and surrounding area to justify the provision of fewer than required parking spaces. For lots of 8,000 square feet or less, where on-site parking is not feasible, the Board may waive all parking requirements, provided that the total floor area of the building is no greater than 5,000 square feet.

The ZBA and Planning Board have provided numerous parking variances and waivers for center city projects. This may reflect a pro-development viewpoint, but also may indicate that parking requirements in the Zoning Code are too high and ill-suited to the development market and/or downtown’s fabric. Parking requirements vary by Zoning District and those in the CB and PB Districts

Board of Appeals. CMS District regulations allow for a parking modification by the Planning Board if the applicant demonstrates that adequate shared off-street parking is available to meet “foreseeable demand.” The alternative shared parking must be within 500 feet of the site and within the CMS or PB Districts. Modest reductions can be justified by providing on-site bicycle parking. Developers may also dedicate land to the City for public parking use. Such dedications can occur either on-site or via purchase/long-term lease of property within 800 feet of the site and within the CMS or PB Districts. The Planning Board may also

resemble suburban standards. Projects in the CB District, for example, must provide one parking space for each 200 sf of floor area for “Retail or service businesses” and “Offices for professional or business” uses. Minimum requirements in the CMS are a better fit with Beacon’s downtown fabric. In the CMS District, “Office and nonretail commercial” uses must provide 1 space per 400 sf floor area while “Retail Commercial and Personal Services” must provide 1 space per 333 sf. The PB Zone appears to, at least indirectly, encourage conversion of homes, businesses and vacant parcels to principal use parking lots. The Fishkill Creek Development District,

south of the Study Area contains minimum and maximum parking requirements. The City might consider application of maximum standards in center city Districts.

Current Conditions

This Analysis quantifies parking supply and demand. Department staff derived capacity figures through a review of aerial photography. Where streets and lots are striped, capacity figures are verifiable. Several lots and side streets, however, are not striped and in these cases, staff generated approximate capacity figures in consideration of parking lot area and geometry, street length, curb cuts and other obstructions. On-site observations helped to verify relative accuracy of these estimates.

The industry-standard 85% utilization (15% vacancy) rate is

Center City Parking Capacity

Type	# Spaces
on-street (Main Street)	326
on-street (other than Main Street)	778
on-street TOTAL =	1,104
Private lots	316
Municipal lots*	478
parking lot TOTAL =	794
Study Area TOTAL=	1,898

*Includes lots owned/operated by the City of Beacon, Dutchess County

the benchmark for this Analysis. 85% occupancy is defined as “optimal” because enough vacant spaces remain to accommodate newly arriving vehicles looking for a space, which facilitates ingress and egress and minimizes the amount of wasteful “cruising.” 85% utilization indicates that the supply of parking is being efficiently maximized. Note: the reader should bear in mind that the varying capacity of lots and blocks results in a different absolute number of vacant

spaces for a given utilization rate. The examples below illustrate this point:

Block #1 example

$$85\% \text{ utilization rate} = \frac{17 \text{ parked cars}}{20 \text{ space capacity}} = 3 \text{ vacant spaces}$$

Block #2 example

$$85\% \text{ utilization rate} = \frac{51 \text{ parked cars}}{60 \text{ space capacity}} = 9 \text{ vacant spaces}$$

Parking count results

City staff and volunteers recorded point-in-time parking counts in the morning (9-11 AM), afternoon (1-3 PM) and evening (5-7 PM) on Tuesday August 5th, Thursday August 14th and Saturday September 6th. For reporting purposes, the two weekday counts for each time period have been averaged into one figure. It is important to acknowledge that the counts are representative. The City may wish to conduct additional counts to refine precision or to capture data from other time periods, such as later in the evening.

Analysis of count data indicates that, outside of specific street segments or lots at specific time periods, utilization rates generally do not exceed the 85% optimal rate. This demonstrates that, generally speaking, capacity is sufficient to meet demand. Utilization is generally low along streets perpendicular and parallel to Main Street and on several private lots. The fairly low number of instances where counts exceeded the 85% optimal utilization rate is reflected in the low values for the entire Study Area in the table at the top of the next page.

The East End and West End contained most of the counts exceeding 85% utilization. In the East End (the area east of Fishkill Avenue), the highest number of these occurred on Saturday evening. In the West end (the area west of Elm

Utilization Rates for entire Study Area

Time Period of count	In Parking Lots	On-street
Weekday morning	53%	38%
Weekday afternoon	59%	47%
Weekday evening	31%	40%
Saturday morning	43%	43%
Saturday afternoon	43%	44%
Saturday evening	38%	40%

that there is underutilized capacity on streets and lots around high utilization clusters on the East and West Ends. Most side streets, portions of Main Street, and numerous lots remained well below the 85% rate. On Saturday evening, the East End’s highest utilization period, 273 cars were counted on- and off-street, yet the sub-area contains approximately 455 total available spaces. During the weekday afternoon, the West End’s highest utilization period, 270 cars were counted where the area contains approximately 491 spaces.

Utilization – projected future condition

Indications from the parking counts completed for this project echo those from the 2007 Frederick Clark Associates study; current center city parking supply is adequate to meet demand. Anticipated development projects, however, will significantly increase demand. The City Building Inspector provided a list of downtown projects that have obtained or are seeking

Street) the time period with the most such counts was during the weekday afternoon. The parking counts also indicate

approvals/permits. Some projects are less certain to be developed than others, but herein we assume it is likely that the subject parcels will be developed in some fashion. In the list of “Anticipated Center City Projects with Parking”, the column “# Spaces Required” indicates the minimum number of parking spaces required per the use proposed and Zoning District designation. The column “# Spaces to be Provided (est.)” indicates how many on-site spaces are proposed (or assumed) to be built. As described above, the Planning and Zoning Boards can authorize less on-site parking than is required. The “Shortfall” column = (“# Spaces Required” minus “# Spaces to be Provided”). The Analysis utilizes this shortfall as an indication of potential development induced parking demand that is not provided on-site and thus must be absorbed on streets and lots.

Anticipated Center City projects with parking

Sub-area	Address	Project Type	# Spaces Required	# Spaces to be Provided (est.)	Shortfall
West End	151 Main St.	Long View Hotel	15	--	(15)
West End	Main & Cross St.	Commercial/residential	8	8	
Central	378 Main St.	Office space 3rd floor	14	--	(14)
Central	344 Main St.	Commercial/residential	8	8	--
Central	395 Main St.	Apartments/restaurant	20	--	(20)
East End	416 Main St.	Triplex dinner theater	36	6	(30)
East End	426 Main St.	Mt. Beacon Hotel	30	20	(10)
East End	425 Main St.	Commercial	30	--	(30)
East End	445 Main St.	Theater	125	--	(125)
East End	1 East Main St.	Brewery/restaurant	80	8	(72)
East End	448 Main St.	Apartments	6	6	--
East End	536 Main St.	Commercial/residential	8	5	(3)
		Total West End	54	15	(39)
		Total East End	357	53	(304)
		TOTAL Downtown	411	68	(343)

Beacon Parking Analysis parking utilization rates



Beacon Parking Analysis
parking utilization rates



Beacon Parking Analysis
parking utilization rates



Beacon Parking Analysis
parking utilization rates



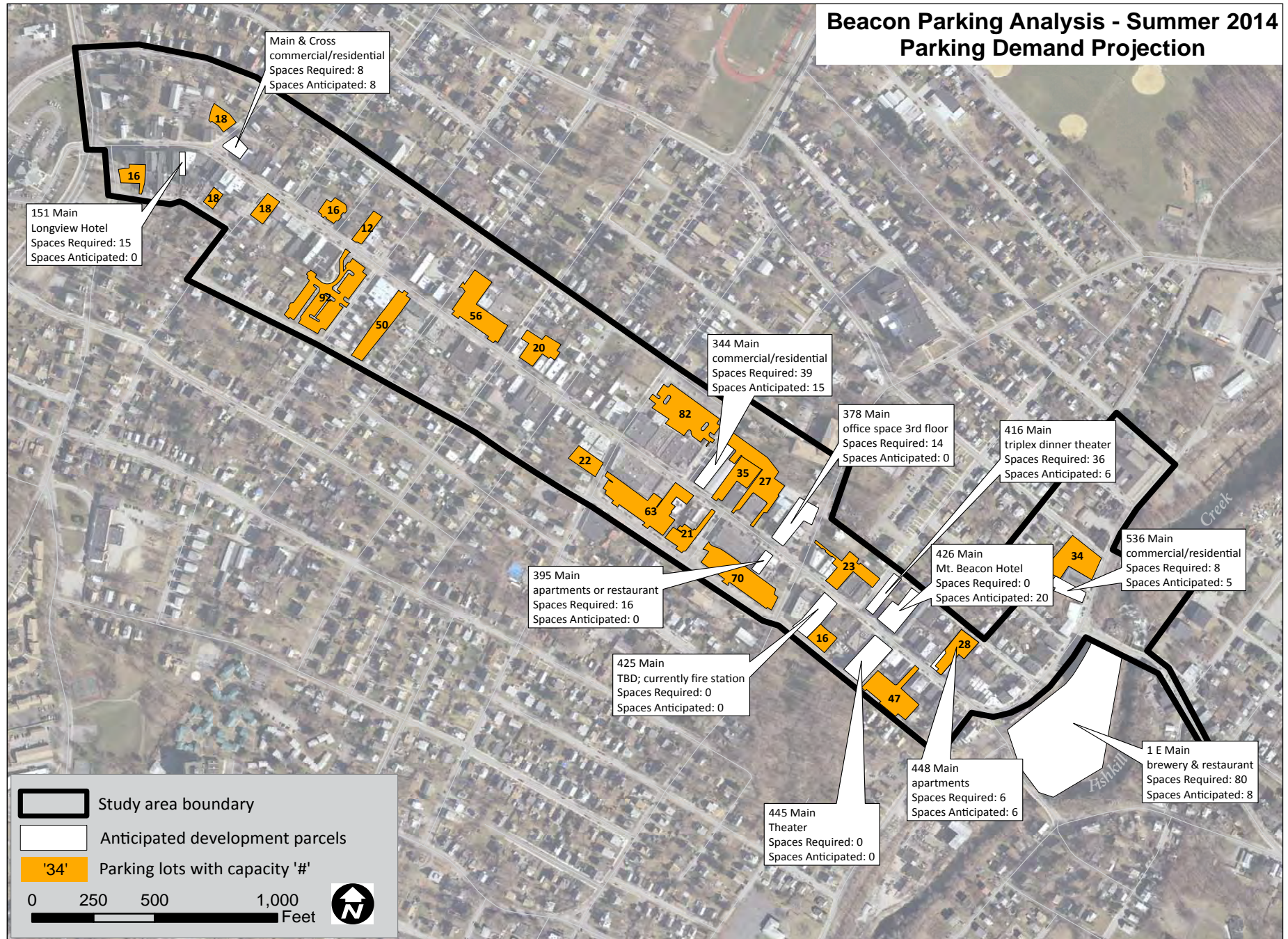
Beacon Parking Analysis
parking utilization rates



Beacon Parking Analysis
parking utilization rates



Beacon Parking Analysis - Summer 2014 Parking Demand Projection



The potential increase in parking demand represented by anticipated projects is large and, in the East End, dramatic. On an existing base of 455 total existing spaces, the projects above would increase demand in the East End by 304 spaces or 75%. The increase in the West End would be more modest at an increase of 39 spaces on a base of 491 for an increase of 8%. The projected increase indicates that, within certain sections of downtown, anticipated development will result in large increases of greater than 85% utilization. The challenge facing City government and stakeholders, is to accommodate this rising demand without degrading the downtown environment and curtailing continued revitalization. In order to achieve this balance, two main goals must be sought 1) efficiently utilize capacity and 2) manage demand.



Recommended Strategies

High parking utilization is an unavoidable effect of revitalization within a compact urban environment. Given that parking demand is projected to increase significantly

in the near future, the Planning Department recommends consideration of several strategies to utilize capacity more efficiently and to manage demand. Implementation involves changes to policy, parking infrastructure and modes of transport and emphasizes flexibility in response to changing conditions. Development of prime properties to their best use is an important goal and, with few exceptions, parking lots do not meet that standard. This Analysis provides a baseline of actual parking conditions. As strategies are implemented amid ever changing conditions, we recommend that the City regularly gather data to gauge strategy impacts.

Recommendation #1: Increase shared use of parking lots

Parking lots typically experience parking associated with office and retail uses during the morning and afternoon periods. Residential, restaurant and entertainment uses account for a greater share of demand in the evening. City-owned lots allow parking for 24 hours and, therefore, accommodate demand generated by many types of uses. The Towne Crier entertainment venue is adjacent to a large municipal lot which experiences high utilization during the morning and afternoon, but typically low utilization in the evening. During its evening and weekend events, Towne Crier employees and guests park in this lot. A different lot, at the corner of Verplanck and East Main contains cross-access easements that permit parking by the public and for private use associated with an adjacent apartment building.

Shared parking at private lots should particularly be encouraged and incentivized. Parking counts indicate that several private lots are poorly utilized at one or all time periods. Two adjacent private lots with high capacity but very low utilization rates all day are located on the northeast

corner of Main and Eliza Street. These lots are close-by the high utilization East End and, if they could be opened up for broader use, available capacity in that area would be significantly increased. Shared parking arrangements typically generate revenue for the property owner. The City could provide incentives for private owners to open up lots for public use by placing parking stations in them and splitting the resulting revenue.



Recommendation #2: Develop additional capacity along the Van Nydeck Street corridor

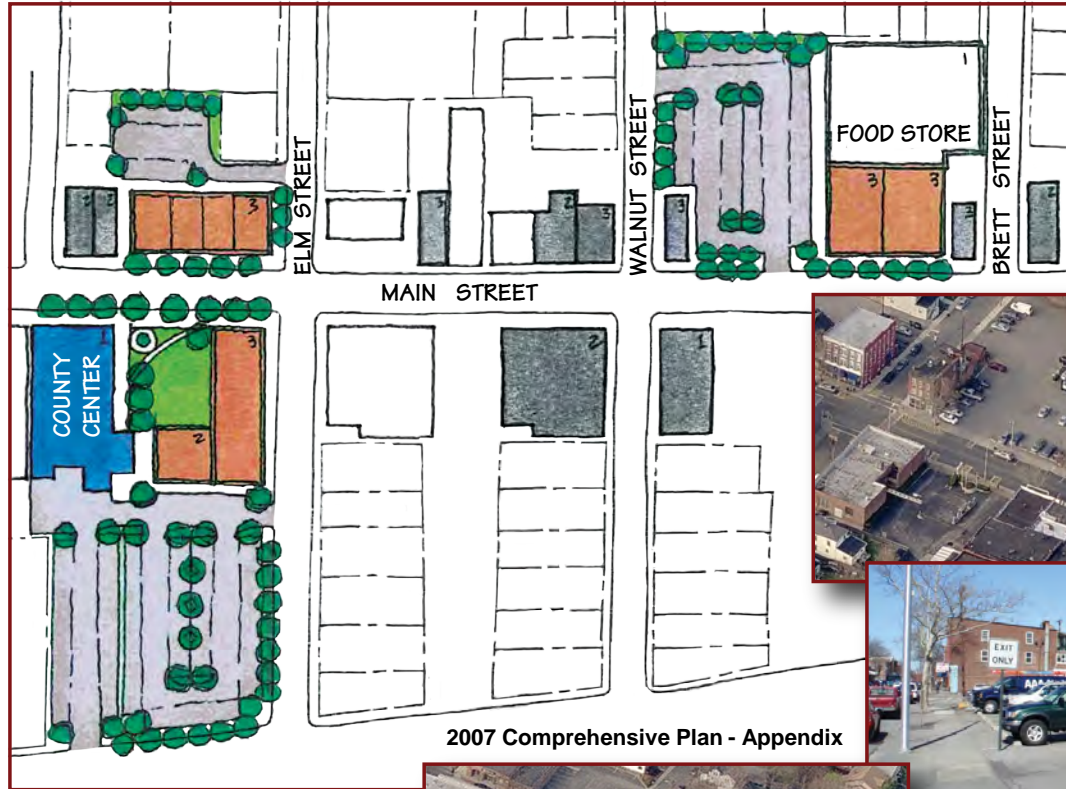
Anticipated development will likely necessitate development of additional parking capacity in the East End. The City is considering purchase of land at Churchill and Main Streets within the 1 East Main Street project site. Development of a large parking lot at this site is perhaps not the best use of this valuable Creek frontage, but including amenities such as a Greenway trail and park features could ameliorate such impact.

It appears that the Van Nydeck Street corridor between Tioranda and Teller Avenues presents a unique opportunity to significantly increase parking capacity within the East End, while also enhancing streetscape, pedestrian access, and infill development opportunities. Current parking capacity within this small corridor consists of approximately 73 off-street and 16 on-street spaces for a total of 89 spaces. Conservative estimates indicate that the corridor could be improved to accommodate a total of 177 spaces which is a net increase of 88 spaces by:

- Increasing capacity at the existing 47 space municipal lot to 52 spaces;
- Developing a parking lot on the east side of the Madam Brett House property. An attractive, well-screened and compatible lot at the site could yield 85 spaces; and
- Organizing on-street parking along the south side of Van Nydeck Street could yield a total of approximately 40 spaces.



A parking lot near the Madam Brett House, the County's oldest extant house, could generate significant revenue for its upkeep and increase visitorship by increasing local foot traffic and improving the streetscape. Infill opportunities at underutilized properties such as the firehouse would also be enhanced.



- Expand food store to street frontage;
- Multi-story buildings face Main Street;
- Relocate parking behind storefronts;
- Add trees and landscape screening.



Recommendation #3: Increase functional capacity on existing lots and streets

- New infill buildings along street;
- Add pocket park with visitor info, art, and bus stop next to civic use;
- Place parking lots behind buildings with trees and landscape screening.

Parking is permitted all-day on most downtown streets perpendicular and parallel to Main Street, but their current utilization is low. Many of these streets are not striped for parking. The City can encourage better parking utilization of roadways by striping parking spaces, closing defunct curb cuts, deploying way-finding and adjusting access to and from Main Street (one-way/two-way

Main Street Infill Strategies Illustrative Sketch Plan

streets). It is recognized that a few side streets are too narrow to accommodate more parked cars. Van Nydeck Street and Tioranda Avenue are notable examples of underutilized East End streets where parking capacity could be far better utilized.

Publicly accessible parking lots should provide the maximum number of parking spaces feasible. Opportunities to increase the number of parking spaces in municipal lots should be examined. The County Government Center, for example, is currently striped for 92 parking spaces. The site layout is inefficient, and the Illustrative Sketch Design by Department staff, completed for the Beacon Comprehensive Plan, shows how parking capacity could be increased to 107 spaces while also adding Main Street liner buildings and a small public green. This site could possibly accommodate a parking garage.

Recommendation #4: Charge for parking & enforce regulations

Parking in Beacon is currently free to users, but is expensive to build and maintain. Excluding land costs, nationwide parking construction costs in 2012 averaged to \$4,000-\$8,000 per space¹. Because downtown parking is free to the user, taxpayers pay for construction and maintenance. Free parking subsidizes and, hence, encourages use of single occupancy vehicles. Where parking is free and restrictions not enforced, drivers are encouraged to park their cars in the most valuable on-street spaces and leave them there for hours. Their good fortune in securing a convenient parking space on a given day is a misfortune for others who are then unable to park. Lower turnover means foregone consumer spending. Free parking perversely discourages infill development.

The countermeasure to free parking is paid parking. Professor Donald Shoup has famously documented the beneficial changes that can accrue when communities charge for parking, increased municipal revenue being only one. The truly transformative effect is that parking demand becomes more

¹ Shoup, Donald, The High Cost of Free Parking. American Planning Association Planner's Press, page 185.

evenly distributed, creating availability in the most desirable center city locations.² Pricing drives parking behavior. Where utilization exceeds the optimal 85% utilization rate, parking prices should be raised until the utilization rate falls below that threshold. Where utilization is well below 85%, pricing is too high. Modern electronic stations facilitate discrete price toggling. Pricing has strong potential to maximize efficient use of capacity in Beacon's center. In the West and East Ends, at times when curb parking is over-utilized, pricing will cause some portion of drivers to make use of slightly more distant but "free" side streets and parking lots, thus stalling needless and expensive expansion of parking facilities. There are a range of detailed decision points to consider before implementing paid parking in the city center (payment station type, financing options, maintenance, etc.) that are best addressed by vendors. Start-up costs can be significant. Old-style meters have been supplanted by better looking and functioning electronic pay stations that collect data and facilitates management of the parking system. We suggest that in concert with charging for parking, the City seriously consider implementing a parking benefit district (see Recommendation #5 below). The City can also consider implementing paid parking in phases. Phase One, for example, could include pay stations just at on-street parking along Main Street (approximately 326 spaces). Later phases could expand to municipal lots, side streets and even private lots.

It is important to emphasize that business owners and center city residents stand to gain the most from paid parking in Beacon's center city, yet revenue generation can also be significant. An initial estimate of projected income from a

² Shoup (p. 205)

Phase One implementation (326 spaces along Main Street) could generate between \$612,000 to \$867,000 gross annual revenue. Subsequent Phases would increase gross revenue (as well as marginal costs).

Effective implementation of paid parking in Beacon will require enforcement. The City is reportedly already hiring such personnel. Enforcement will ensure that meters achieve the desired parking turnover crucial to center city business and also meet revenue potential. Enforcement will also generate revenue from issuance of violations.

Recommendation #5: Develop a Center City Benefit Fund

Maintaining, expanding or improving center city parking requires money. We recommend creation of a Center City Benefit Fund to implement parking strategies and other center city transportation improvements. Expensive structured parking could even be contemplated if the fund grows large enough and/or the garage is developed in partnership with a private development project.

This Fund would be maintained via two main sources:

The experience of other communities suggests that paid parking is more readily embraced when the resulting funds are reinvested into parking and target area needs. The City should consider reserving funds generated at parking stations for improvements within the center city. Beacon decision-makers have provided generous relief to developers seeking to build less parking than is required by Code. It can be argued that such relief is a (justifiable) public subsidy to new development, where the newly generated off-site parking impact is absorbed on-street or in municipal lots. Parking variances or waivers, however, allow development to proceed without providing the

money necessary for construction and upkeep of the actually needed parking facilities. The City should consider instituting a ‘payment-in-lieu of parking’ system that captures the costs of parking provision. Such a system facilitates infill development particularly on parcels that cannot provide required spaces on-site, pooling funds from multiple small developments to invest in facilities available to all. The City may find that spreading payments over time via quarterly billing may ease resistance from property owners and establish a larger ongoing revenue stream.

Recommendation #6: Adjust parking regulations in Zoning Code

Some parking requirements for the Central Business (CB) and Business Off Street Parking (PB) Districts resemble suburban standards. The frequency with which the Planning and Zoning Boards issue waivers and variances for parking requirements seems to indicate that the requirements are not in line with the development market or what the center city can to accommodate. We recommend that the City consider the following changes:

Apply Central Main Street (CMS) parking standards, which better serve downtown’s needs, to the CB and PB Districts. In addition, consider that the Fishkill Creek Development District established minimum and maximum parking requirements and that maximum standards may also be advantageously applied along Main Street.

Extend the Planning Board parking waiver process used in the CMS throughout downtown. This process is streamlined in comparison to a Zoning Board of Appeals variance process and is supportive of affordable infill development.

The PB Zone appears to, at least indirectly, encourage conversion of homes, businesses and vacant parcels to principal use parking lots. Consider eliminating the District. Concurrent adjustments to the Planning Board parking waiver process would be necessary.

Recommendation #7: Wayfinding

The City should facilitate use of existing parking capacity. We recommend improving municipal lot signage by ensuring that they are all of the same design and are correctly situated.



Several of the existing municipal lot signs along Main Street are pointing in the wrong direction or are absent. A sign in front of the Beacon Center is of a different design and difficult to read. The City may consider installing all new signs with a more visible dark background and white letter design. The City should create an

easily located webpage on its website. This page should include a map of municipal and (perhaps) private lots, indicate parking limits on streets and contain information on meters if and when these are installed. The map should also be placed along Main Street at lots, kiosks or other streetside gathering areas.

Recommendation #8: Improve the biking and walking environment

The goal of a balanced transportation system is to offer community residents a variety of travel choices. Beacon is already well suited to alternative transportation, exhibiting the County's highest percentage of zero car and one-car households.(p. 112) Ample opportunity exists to provide

meaningful, relatively inexpensive improvement to the City's walking and bicycling environment. The Overview Map on page 3 demonstrates the large area of the City that lies within a quarter-mile buffer of Main Street. Parking demand can be reduced by encouraging and equipping shifts from single occupancy vehicles to other travel modes.

Adopted in 2014, *Walk-Bike Dutchess* is a County-wide transportation planning tool that includes recommendations specific to Beacon:

- Install bicycle parking at key locations such as City Hall, the Beacon Welcome Center, Post Office, Library, Dutchess County Building, DIA-Beacon, Beacon High School, Riverfront Park, and along Main Street, and provide bicycle lockers at the Beacon train station;
- Mark sharrows on Beekman Street and Red Flynn Drive between Route 9D and the Beacon train station and ferry dock. Sharrows were recently added to Main Street and should be regularly painted;
- Provide a sidewalk on the northwest side of Beekman Street to complete the gap between West Main Street and the existing sidewalk south of River Street;
- Create a new sidewalk or path south of City Hall between Beekman Street and Wolcott Avenue/Route 9D to connect the train station and Main Street; and
- Consider a formal path or sidewalk connection between Ferry Street and Wolcott Avenue/Route 9D.

Very recently the City was awarded \$958,064 to construct pedestrian improvements at intersections along Main Street in the City Center.



Recommendation #9: Enhance Main Street bus service

Beacon is served by intercity and County bus service. We recommend that the City confer with County officials to develop convenient and frequent service along Main Street in order to reduce parking demand by supporting zero- or one-car households, indeed, those households most likely to choose to live in Beacon's Center City. The transit experience could be further enhanced by establishing a small number of Main Street "transit activity centers" complete with benches, route signage, shelters, retail kiosks and landscaping. These could be developed as part of scheduled projects and one potential location would be in front of the County-owned Beacon Center.

**City of Beacon Workshop Agenda
2/24/2020**

Title:

City of Beacon Census Participation

Subject:

Background:

ATTACHMENTS:

Description	Type
Census 2020 Presentation	Presentation

The 2020 Census



&

The Howland Public Library

Key dates

March 12 - 20: Households will begin receiving official Census Bureau mail with detailed information on how to respond to the 2020 Census online, by phone, or by mail.

March 30 - April 1: The Census Bureau will count people who are experiencing homelessness over these three days.

April 1: Census Day is observed nationwide. By this date, every home will receive an invitation to participate in the 2020 Census.

May - July: Census takers will begin visiting homes that haven't responded to the 2020 Census to help make sure everyone is counted.

Why the libraries?

“Libraries are uniquely positioned to help ensure that communities across the country are accurately counted. Our institutions are trusted and welcoming hubs of public life, and Librarians are respected members of their communities.”

“Libraries are great places for people to fill out the census form online- especially those who lack internet access at home or on their phones- and get accurate information about the census.”

What is Howland Library doing?

Internet and computer access

Staff training

Bilingual (Spanish) staff assistance

Census information

Social media campaign

Library space for the census

Internet & Computer Access

Patrons can access free Wi-Fi

A dedicated terminal (laptop) will be available solely for patrons filling out the census

Librarians and staff will be available to assist patrons onto the census website. Staff will NOT be filling out the census for patrons. Anyone who can not navigate the technology will be given the contact number to report by phone.

Wi-Fi and laptop are secure

Census Support

- Census information sheets (English & Spanish) will be available at the library
- Staff will be given information sheets including frequently asked questions, definitions of census terms, and information on avoiding scams
- Provide information to any community group that has questions
- Bilingual (Spanish/English) staff member will be available Tuesday and Thursdays from 9:30am-1:30pm to assist Spanish speaking patrons

Social Media

- Social media will be used to get accurate information to the public.
- Videos will be posted on different topics
- [Sample video](#)
- Reminders to complete the census will be posted
- Our website beaconlibrary.org will have a special section with census 2020 information including links and phone numbers

Library as a Meeting Space

- On Thursday March 5th at 6pm, Assembly member Jonathan Jacobson's office will hold a joint Census forum with the Dutchess Complete Count committee to discuss the importance of the census.

Questions?

**City of Beacon Workshop Agenda
2/24/2020**

Title:

Flea Market Contract

Subject:

Background:

ATTACHMENTS:

Description	Type
2019 Agreement with Things You Love Events, LLC	Agreement

LICENSE AGREEMENT

This LICENSE AGREEMENT (the "Agreement"), is made and entered into as of March 04, 2019, between the City of Beacon, a municipal corporation, duly organized and existing under the laws of the State of New York, having its principal office at One Municipal Center, Beacon, New York 12508 (hereinafter "Licensor" or the "City") and Things You Love Events, LLC, duly organized and existing under the laws of the State of New York, having its principal place of business at 35 North Elm Street, Beacon, New York 12508 (hereinafter "Licensee").

RECITALS

A. The City is the owner of certain real property known as the Henry Street Parking Lot #1, located at the intersection of Henry Street and South Chestnut Street, Beacon, New York (the "Property").

B. Licensee has requested a license to enter upon and use the Property for the purpose of operating a flea market on the Property on Sundays during the months April through November, from 7:00 a.m. to 4:00 p.m.

C. Licensor is willing to grant the requested permission subject to and upon the following terms and conditions:

AGREEMENT

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

(1) **GRANT**: Subject to the terms and conditions of this Agreement and upon representation from Licensor that it is the owner of the Property the Licensor hereby grants to Licensee a non-exclusive license (the "License") to enter upon and use the Property solely for the purpose of the Permitted Use as defined in Paragraph Four (4) below.

(2) **TERM**: Subject to the terms of this Agreement, the term of the License shall commence upon the date of execution of this Agreement by the parties hereto and continue until November 30, 2019. The Property shall not be used by Licensee on the Spirit of Beacon day. The City further reserves the right, upon two (2) weeks prior notice, to make the Property unavailable for Licensee's use in the event it is required for use by the City for a City event or a third party event the City has authorized to use the Property. Either party, without cause, may terminate this Agreement on thirty (30) days written notice.

have owners remove vehicles from the Property starting Saturday evening before the flea market is scheduled to operate. The City shall have no obligation to ensure that vehicles are removed from the Property. Any vehicles remaining on the Property after 8:00 p.m. on a Saturday shall be roped off in a manner to protect them from damage and a notice placed on the car with a phone number for the owner to call in the event the owner wishes to remove the vehicle. Licensee shall cooperate with the car owner so the car may leave the Property.

- g. During the period the flea market is in operation, the entrance into the Property from South Chestnut Street and the Southeast exit from the Property onto Henry Street will remain open. The Southwest exit onto Henry Street shall be closed during the operation of the flea market;
- h. The Licensee shall maintain four to six trash barrels distributed throughout the Property during the operation of the flea market. All trash barrels shall be maintained by Licensee and emptied and removed each Sunday at the time the flea market operations conclude;
- i. The Licensee shall offer at least one stall to the City of Beacon School District during any week the flea market is in operation, at no charge; and
- j. No food or beverage vendors will be allowed to operate on the Property.
- k. The installation, at Licensor's discretion, during the term of this Agreement, at Licensee's cost, of the following signs (to be provided by Licensee) within the public right of way in the following locations: (i) Two signs back to back at Teller and Henry on an existing aluminum lamp pole; (ii) One sign on an existing pole on Wolcott and Teller; (iii) Two signs on opposite sides of Wolcott, approaching Main Street, on existing posts.

(5) **MAINTENANCE:** The Licensee shall be responsible for maintaining the Property at all times the Property is being used for the Permitted Use. Licensee shall ensure that the Property is clean, that all garbage is disposed of properly and that all vendor's equipment and barriers are removed by 4:00 p.m. each Sunday following the operation of the flea market.

(6) **SUPERVISION:** Licensee shall be responsible for and take all precautions for the protection of all persons and of real and personal property using the Property for the Permitted Use.

promptly comply with all insurance underwriters, rules, orders, regulations, or requirements relating to such insurance policies, and shall not do or permit anything to be done in or about the Property which shall increase the rate of insurance on the Property.

(10) **INDEMNIFICATION**: Licensee shall defend, indemnify, protect, and hold harmless Licensor and its respective elected officials, officers, employees, agents, contractors, subcontractors or legal representatives, (the "Licensor Parties") from and against any and all claims, actions, suits, damages, liabilities, costs, and expenses, including, without limitation, reasonable attorneys' fees and disbursements, that: (i) arise from or are in any way connected with the License granted hereunder for the Property or any portion thereof or any of Licensee's activities on the Property, unless caused by the acts or omissions of Licensor; (ii) arise from or are in any way connected with any act or omission of Licensee or Licensee's invitees; (iii) result from any default of this Agreement or any provision hereof by Licensee; (iv) result from the presence of Licensee's or the Licensee's invitees' property or equipment on the Property; or (v) result from injury to any person or property or loss of life sustained in or about the Property caused by or arising out of Licensee or Licensee's acts or omissions, all regardless of whether such claims are asserted or incurred before, during, or after the term of this Agreement. Licensee's obligations under this paragraph shall survive the revocation or termination of this Agreement.

(11) **WAIVER OF RESPONSIBILITY**: Neither Licensor nor the Licensor Parties shall be liable for, and Licensee waives, all claims for loss or damage, economic or otherwise, to persons or property sustained by Licensee or any person claiming by, through or under Licensee resulting from any accident or occurrence in, on or about the Property, or any part of the Property, including, without limitation, claims for loss, theft or damage, resulting from any cause whatsoever, except for willful misconduct by Licensor. To the maximum extent permitted by law, Licensee shall use and occupy the Property and such other portions of the Property as Licensee is herein given the right to use, at Licensee's own risk.

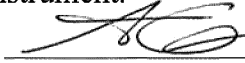
(12) **VACATION OF PREMISES**: Upon termination of this Agreement, Licensee shall promptly (i) refrain from accessing and/or using the Property, and (ii) return the Property to its original condition prior to the Permitted Use. Licensee shall repair any damage to the Property caused by Licensee's use thereof.

(13) **GOVERNING LAW**: This Agreement shall be governed and construed in accordance with the laws of the state in which the Property is located and shall not be modified, altered, or amended except in writing as agreed to by the parties hereto.

(14) **NOTICES**: All notices or other communications provided for under this Agreement shall be in writing, signed by the party giving the same, and shall be deemed properly given and received (i) when actually delivered and received, if personally delivered; or (ii) three (3) business days after being mailed, if sent by certified mail, postage prepaid, return receipt requested; or (iii) one (1) business day after being sent by overnight delivery service, all to the following addresses:

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

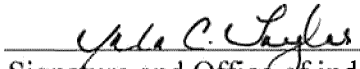
On the 2 day of April in the year 2019 before me, the undersigned, personally appeared Emma Dewing, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Signature and Office of individual
taking acknowledgement

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

AMANDA C CAPUTO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CA6385252
Qualified in Dutchess County
Commission Expires Dec. 31, 2022

On the 6th day of March in the year 2019 before me, the undersigned, personally appeared Anthony Ruggiero, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Signature and Office of individual
taking acknowledgement

IOLA C TAYLOR
Notary Public - State of New York
NO. 017A6154600
Qualified In Dutchess County
My Commission Expires 10.23.2022

City of Beacon Workshop Agenda
2/24/2020

Title:

Green Beacon Initiative

Subject:

Background:

ATTACHMENTS:

Description	Type
Sustainable Beacon Initiative Program Summary	Backup Material
Sustainability Initiative Legislative and Policy Items	Cover Memo/Letter

Overview:

The City of Beacon has made great strides in sustainability. Over the past few years, we have seen installation of LED lights, the implementation of a solar farm and Community Choice Aggregation program, appointment of a Climate Smart Community Coordinator (CSCC), appointed the Conservation Advisory Committee as the Climate Smart Communities Task Force, completion of a Natural Resources Inventory, completion of a Greenhouse Gas (GHG) Emission inventory and we are on track to earn Climate Smart Community Certification in 2020. Our community is eager to further our impact and, in the face of a looming climate crisis and inaction at multiple levels of government, we recognize the need to establish an initiative moving Beacon towards leadership in our area as the “greenest” community in the Hudson Valley.

Program Objective:

This initiative will establish working groups and partnerships among our boards, city employees and community. The program will consist of a series of specific goals/projects, to be determined by participants and prioritized for development. Initiatives that may be evaluated include, but are not limited to:

- Effective recycling and evaluation of single vs dual stream systems
- Community composting programs
- Encouraging green energy installation/usage
- Seeking zero carbon footprint for municipal buildings
- Water source protection
- Resiliency studies/impact assessment
- Open space identifications and protection; public use plans/recommendations
- Street tree maintenance and planting

Participant Roles and Responsibilities






We propose that the Conservation Advisory Committee (CAC) as the Cities Climate Smart Communities Task Force, lead the initiative. Council resources will be provided, as well as support from the Climate Smart Community Coordinator. Additionally, participation and advice from Planning Board, Zoning Board, and the Tree Committee may be required, as well city departments such as the Recreation, Highway and the Building Department.


The City Council shall provide guidance, receive periodic updates, determine appropriate support (e.g., legislation, funding, communications) and approve needed actions.

Next Steps:

- Meetings with key partners to confirm goals, priorities, timing and working relationships
 - Introduced to council (1/27 workshop); met with CAC (2/4) and Green Beacon Coalition (2/12)
- Refine projects and priorities
 - Initial prioritization of waste, compost and trees validated via straw poll
 - Community input into additional priorities/ideas will be solicited via survey
 - Determine best fit for public transit/walking/biking improvements (Sustainable Beacon Initiative or Main St Access initiative)
- Leverage Earth Day celebration as a community launch point
- Define and align necessary resources
- Establish checkpoints for reporting and progress updates

We look forward to working together to ensure Beacon leads the area in sustainability and serves as a model to other communities.

#	Name	Status	Description	Note/Comments	Supporting Doc
1	Sustainable and Resilient Fleet Policy		Policy intended to direct city departments to procure sustainable vehicles	From the Electrification Coalition (via Climate Mayors) Ann Arbor's is one of the most robust in the nation - gives priority to PH/EVs where appropriate, taking into account factors like price and application.	 Charlotte_Sustainable and Resilient Fleet P  AA Green Fleets Policy Update FINAL.p
2	Environmentally friendly purchasing policy		Modify CoB's policy to ensure purchasing takes into account more environmentally friendly options	For instance, the City of Albany requires the purchase of recycled paper. See attached. The Town of Bedford has a more all encompassing purchasing policy (see page 8)	 Bedford Green Purchasing.pdf  Recycled Paper.pdf
3a	NRI Adoption	In progress	Formally adopt NRI	Nick/John reviewing LL	
3b	NRI Review Process		Require projects before the planning board to refer to the NRI as part of their approval process	LL Drafted, review needed	
4	NYSERDA Stretch Code	Preso scheduled 3/8	Adopt NYSERDA Stretch Code		 NYSERDA Stretch Code Preso.pdf
5	Natural Gas Use		Resolution to the state asking that municipalities be permitted to disallow use of natural gas in new projects		

6	Recycling Education		Distribute Green Beacon Coalition Flyer to residents; re-sticker recycling cans		 GBC_Recycling Flyer.jpg
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City of Beacon Workshop Agenda
2/24/2020

Title:

Sale of Real Property on Melio Bettina Place Tax ID # 30-5954-28-942947-00

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from the City Administrator Regarding a Recommendation of an Award for a Vacant Parcel on Melio Bettina Place	Cover Memo/Letter
Memorandum from the City Attorney Regarding the Vacant Parcel on Melio Bettina Place	Cover Memo/Letter
Request for Qualifications and Proposals Melio Bettina Vacant Parcel	Backup Material
Proposal from Neighboring Property Owner for Vacant Lot on Melio Bettina Place	Cover Memo/Letter
Proposal from Seven & One Development for Vacant Lot of Melio Bettina Place	Cover Memo/Letter
City of Beacon Code Chapter 223 Article III Sections 10 and 12	Local Law



CITY OF BEACON New York

ANTHONY RUGGIERO

OFFICE OF THE CITY ADMINISTRATOR

845-838-5009

To: Mayor and City Council

From: Anthony Ruggiero, MPA, City Administrator

Re: Recommendation of an Award for Vacant Parcel on Melio Bettina Place, Tax ID # 30-5954-28-942947-00

Date: February 10, 2020

On January 3, 2020 the City of Beacon published a Request for Qualifications and Proposals from a qualified individual or company for the construction of a new single-family home on a vacant parcel on Melio Bettina Place. Responses were due by 3:00 pm on Friday, January 24, 2020.

Two proposals were received:

1. Seven & One Developments LLC: \$95,000.00
2. Jeremy Suckow: \$40,000.00

Staff recommends to the City Council to accept the bid from Seven & One Developments LLC because it exceeds the next available bid by \$55,000.00. Further, Seven & One Developments meets all of the qualifications, demonstrates a good track record, has sound financial backing, and a commitment to implement a creative, high quality project in a timely manner.

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

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

■ **New York City Office**
505 Park Avenue
New York, NY 10022
Phone 646.794.5747

MEMORANDUM

**TO: Mayor Kyriacou and Members of the City Council
of the City of Beacon**

FROM: Keane & Beane, P.C.

RE: Melio Bettina Place

DATE: February 21, 2020

On Tuesday, February 18, 2020, the City Council considered adopting a resolution to sell a vacant parcel on Melio Bettina Place, known and designated as Parcel No. 5954-28-942947 (the “Property”), to Seven and One Developments, LLC for \$95,000. This memorandum provides clarification to address the questions and concerns raised by Mr. Jeremy Suckow, the property owner of 27 Melio Bettina Place. This memorandum was reviewed and approved by the Building Inspector, Dave Buckley.

The Property is located in the R1-5 Zoning District. It is 4,700 square feet (0.10 acres), with a lot width of 50 feet by a lot depth of 94 feet. This parcel is considered a legal nonconforming use as it was created before the City adopted the current dimensional requirements for the R1-5 Zoning District. In the R1-5 Zoning District, the minimum lot size is 5,000 square feet, with a lot width of 50 feet and a lot depth of 100 feet.

A nonconforming use is defined as a “use of a building or of land that does not conform to the regulations as to use in the district in which it is situated, which use existed and was lawful under this chapter [Chapter 223] at the time the use was established.” City Code § 223-63. The Property is nonconforming with respect to lot area, which does not conform to the minimum lot area required in the district in which it is situated but was lawful at the time the lot was established. The nonconforming use of the land may be continued pursuant to City Code § 223-10.B, provided that:

- (1) Such nonconforming use shall not be enlarged or increased, nor shall it be extended to occupy a greater area of land than occupied by such use at the time of the adoption of this chapter.
- (2) Such nonconforming use shall not be moved in whole or in part to any other portion of the lot or parcel of land occupied by such nonconforming use at the time of the adoption of this chapter.

- (3) If such nonconforming use of land, or any portion thereof, ceases for any reason whatsoever for a continuous period of more than six months, or is changed to a conforming use, any future use of such land shall be in conformity with all provisions of this chapter.
- (4) No nonconforming use of land shall be changed to another nonconforming use.

The lot area will not change in any way as a result of the construction of a single-family home on the lot. There are also other nonconforming lots located in the neighborhood, specifically along Verplank Avenue.

Section 223-12.I further provides:

A permit may be issued for the erection of a building on a lot for which a valid conveyance has been recorded or contract of sale has been signed and the conveyance recorded prior to the adoption of this chapter, **notwithstanding that the area or dimensions of such lot is less than that required for the district in which such lot lies**, provided that all yard setbacks and other requirements which are in effect at the time of the obtaining of the building permit are complied with and provided that the owner of such lot does not own other lots contiguous thereto. If this is the case, such other lots or so much thereof as might be necessary shall be combined with the first named lot to make a single conforming lot, or a lot that conforms to the fullest extent possible, whereupon a permit may be issued, but only for such combined lots.

Under this provision, it is clear that a new building may be constructed on a lot less than the minimum area, provided that construction of the building conforms with all applicable setback requirements and other dimensional requirements set forth in the City Code. Adjacent lots are only required to be merged if each lot is owned by the same individual or corporation and where merging such lots would minimize or eliminate an existing nonconformity.

The City issued a Request For Proposals (“RFP”) to obtain proposals from potential purchasers for the Property. Specifically, the purpose of the RFP was to receive proposals from a qualified company or individual to construct a new single-family home on the existing vacant parcel. The RFP referenced the existing dimensions of the Property and the minimum dimensions required for the R1-5 Zoning District, set forth in City Code § 223-17.C and which establishes setback requirements, minimum building height requirements, and maximum building coverage requirements. As previously discussed, the Property is a legal nonconforming parcel with respect to lot

area. This nonconformity does not prevent an individual from erecting a building on the lot.

The City received two proposals for the Property, one proposal from Seven and One Developments, LLC for \$95,000, and another proposal from Mr. Jeremy Suckow for \$40,000. The City has a fiduciary duty to its residents to sell the Property to the respondent who has demonstrated a good track record, sound financial backing and a commitment to implement a creative, high-quality project in a timely manner. The City must also consider the amount of each proposal.

DRAFT



**City of Beacon
One Municipal Plaza
Beacon, New York 12508**

Mayor
Lee Kyriacou

City Council
George Mansfield
Amber Grant
Air Rhodes
John Rembert
Jodi McCredo
Dan Aymar-Blair

City Administrator
Anthony J. Ruggiero

Request for Qualifications and Proposals:

Melio Bettina Place – Vacant Parcel Beacon, New York 12508

Released: January 3, 2020 Responses Due By 3:00 p.m. on Friday, January 24, 2020



Description

Location: Melio Bettina Place Vacant Lot, Beacon, New York
Tax ID #: 30-5954-28-942947-00
Property: .10 acre parcel, approximately 50' x 94' lot
Current Assessment: \$24,000

Zoning

R1-5 Residential Zoning District

One Family, 5,000 sq. ft. per dwelling unit

The following utility and other service is available to the site:

- Water service from City of Beacon
- Sanitary sewer service from City of Beacon
- Electric and gas service from Central Hudson Gas & Electric
- Cable, TV, telephone, and data service from Cablevision
- Telephone and data service from Verizon
- Solid waste pick up by Royal Carting (included in taxes)

The City of Beacon is seeking a qualified company or individual to construct a new single family home. The successful respondent needs to demonstrate a good track record, sound financial backing, and a commitment to implement a creative, high quality project in a timely manner. The subject property is a vacant 50 ft. x 94 ft. vacant lot.

In addition to your purchase price offer, all responses must be accompanied with a detailed description of your development plan for the property. Provide a projected time frame for the project from plan submission to projected date of Certificate of Occupancy.

Providing sketch floor plans and samples of finish materials is desirable. All new decks, porches, additions, and accessory buildings proposed shall be shown.

All work must be done in accordance with the applicable sections of the NYS Uniform Fire Prevention and Building Codes.

Contracts of sale will have conditions that bind the purchaser to the development plan submitted. The successful respondent to this offer will be expected to demonstrate the ability to finance the project and the City will expect the development window to be no longer than 180 days.

Site inspection and additional documentation

The property will be sold "as is". All respondents are urged to visit the site to inspect it before submitting a response. Contact the Building Inspector at 845-838-5020.

Additional information available

Prior to submission of a response, the City recommends respondents review the following documents, all of which are available online or in the City of Beacon Building Department/Planning Office:

City of Beacon Zoning Code

Chapter 223-17(c)

Submission information:

Submission format and address

Respondents should submit the requested information in digital form via email attachment, download link, or on a CD-ROM, in either Adobe PDF or Microsoft Word DOC format. The maximum file size for a submission shall be 20 MB. Proposals should be submitted on letter size page format and may be submitted in hard copy form as well, if the Respondent so chooses. The complete package of material shall be submitted to the following agency and contact person:

David Buckley, Building Inspector

City of Beacon

One Municipal Plaza, Suite One

Beacon, New York 12508

dbuckley@cityofbeacon.org

Phone: 845.838.5020

Fax: 845.838.5026

Due date

All responses must be received by 3:00 p.m., Friday, January 24, 2020

Disclaimers

The City of Beacon RFP does not guarantee that a respondent will be selected. The City is not responsible to any respondent for the cost of their proposal preparation. The information in this Request for Qualifications and Proposals is being provided to assist with the proposal but is not guaranteed.

Melio Bettina Proposal

Jeremy Suckow

16 Reilly Road
Chester, NY 10918

(845) 248-8752

jeremy.suckow@gmail.com

January 23, 2020

To Whom it May Concern,

I am writing in regard to my proposal for the property located on Melio Bettina Place. My family is currently renovating the only adjoining property at 27 Melio Bettina Place. My wife and I have been lifelong residents of Orange County NY, where we live with our two young daughters. My general contracting business is located in Monroe, and has been servicing the tri-state area for the past 8 years. My wife, is a speech language therapist and provides services for children with special needs. We are looking forward to joining the community of Beacon in June 2020.

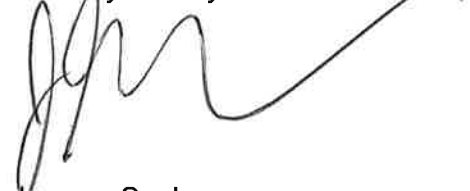
My wife, Ruth, has a connective tissue disorder that causes debilitating chronic joint and muscle pain. Ruth's mother, who is a tremendous source of help and support, lives in Beacon. We are hoping that living in a walking community, close to family will improve our quality of life. We are fully embracing Beacon, and plan to raise our family here. Our commitment to this area is demonstrated in the quality and care that I am putting into renovating our home at 27 Melio Bettina Place. Enclosed is the rendering and plans for this project.

After purchasing our home, we met a Beacon resident who had grown up there and was the executor of the adjacent property. He was under the impression that the lot was unbuildable under current zoning. We offered to purchase the lot prior to foreclosure, but his lawyer advised him that the cost involved would not be justified for the sale price of an unbuildable lot. The lot then passed to the city in tax foreclosure. I am asking you to consider my bid with the knowledge that my plan for the property will benefit the street, our new neighbors and the city.

Our intent is to build an approximately 1600 sq ft accessible home for my aging parents. In addition, recent events have made us aware that we may need an accessible home in the future, depending on the course of my wife's health. We would plant street trees and maintain property at this time. As we are currently renovating 27 Melio at significant cost, our plan would be to build adjacent house in a year or so.

I am making an offer that I think is fair with the hopes that you will consider our intentions in moving to Beacon. I am hoping to build a full life where we will connect and find community, raise our daughters Fiona (6) and Isla (3), as well as care for my wife. I have chosen to make a large monetary and personal investment in this community and I hope that you will invest in our family as well. Should you feel that this offer is not sufficient, I ask that you allow me another chance as I may be able to raise additional funds through family support. Please contact me with any questions.

Thank you for your consideration,



Jeremy Suckow

Proposal for Melio Bettina Place

By

Jeremy Suckow

Purchase offer of \$40,000.00 for buildable lot located at Melio Bettina Place



Phase 1 (0-6 months)

- Clean up and begin to maintain lot
- Install 2-3 street trees. Maples

Phase 2 (1+ year)

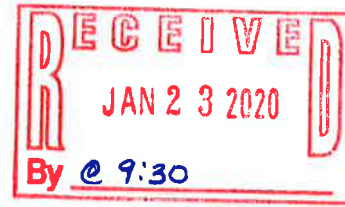
- Build a 1900 square foot accessible home finished in Hardie Siding.
- Home to be slab on grade with entrances at grade.
- Plan would include a master suite on the first floor and 2 bedrooms on second floor.
- The house proposed would be a craftsman inspired side hall colonial similar to the house I am renovating at 27 Melio Bettina Place.
- Plan would include elements to differentiate 27 from adjacent property.
- Install new drop curb and driveway apron as well as extend sidewalk to end of property.

Qualifications

- I have been in the construction industry for 25 years starting in high school.
- The last 8 years in construction have been as a general contractor in both commercial and residential fields.
- As a commercial contractor we are a preferred Vendor to McDonalds, Wendy's, Mount Saint Vincent College, and Northeast Community Bank.
- As a residential contractor we have completed numerous new construction and renovation projects.
- References can be provided at your request.
- I have enclosed images of some recently completed projects as well as the plans, rendering, and before and current photo for 27 Melio Bettina.

January 19, 2020

Seven & One Developments LLC
268 Main St.
Beacon, NY 12508



RE: Melio Bettina Place Vacant Lot Tax ID #: 30-5954-28-942947-00

David Buckley, Building Inspector
City of Beacon
One Municipal Plaza, Suite One
Beacon, NY 12508

Mr. David Buckley,

This is the RFP for the lot on Melio Bettina plan. I am submitting an offer of \$95,000.00. Please see below for detailed description of development plan.

For the proposed lot I am projecting a 6 month time frame for the development plan. As soon as I receive an acceptance for my offer I would immediately work with my architect/ engineer to get a plan together before closing.

When the architect/ engineer has completed the plans I would submit for approval. I would get an excavator to dig out the hole for new foundation according to plan and submit for all utilities immediately. A foundation trade would be brought in to pour the foundation walls and once approved the frame up construction would begin. Windows will be ordered in advance ready for installation once the framing is completed. Footings will be dug out and poured for a porch and exterior deck. After the deck and porch are framed out the siding, roofing, soffits, aluminum wrap and gutters will be installed. I would also bring in my plumber, electrician, and HVAC trades all simultaneously so they can finish the rough in. After rough ins are all complete with mechanical trades then the insulation, sheet rocking, taping and compound would begin. We would primer and paint after. The hardwood flooring, tiling, and base/ case molding would be completed. Central Hudson will be contacted for gas/ electric install and the City of Beacon for water/ sewer to follow up. The kitchen cabinets, quartz counter tops, stainless steel appliances, lighting fixtures, plumbing fixtures and HVAC units would be finalized.. The house would be landscaped and the final inspection (after foundation, footings, framing, insulation, plumbing, and electrical) for C.O. would be scheduled. This will be 5-6 months to complete this project upon closing. The home would then be listed for sale!

Please review attached schematic plans for proposal.

Thank you for your time and consideration!

Best Regards,

A handwritten signature in black ink, appearing to read 'Nidal Hassen', with a stylized flourish at the end.

Nidal Hassen
Seven & One Developments, LLC

City of Beacon, NY
Monday, December 9, 2019

Chapter 223. Zoning

Article III. General Regulations

§ 223-10. Nonconforming uses and structures.

- A. Continuing existing nonconforming uses. Except as provided in § **223-10H** herein, any lawful use of a structure or of land existing on the effective date of this chapter may be continued even though such use does not conform to the use provisions of this chapter. Such uses shall be deemed nonconforming uses.
[Amended 12-29-1997 by L.L. No. 14-1997]
- B. Nonconforming use of land. Where no structure is involved, the lawful nonconforming use of land may be continued, provided that:
- (1) Such nonconforming use shall not be enlarged or increased, nor shall it be extended to occupy a greater area of land than occupied by such use at the time of the adoption of this chapter.
 - (2) Such nonconforming use shall not be moved in whole or in part to any other portion of the lot or parcel of land occupied by such nonconforming use at the time of the adoption of this chapter.
 - (3) If such nonconforming use of land, or any portion thereof, ceases for any reason whatsoever for a continuous period of more than six months, or is changed to a conforming use, any future use of such land shall be in conformity with all provisions of this chapter.
 - (4) No nonconforming use of land shall be changed to another nonconforming use.
- C. Nonconforming use of structures. The nonconforming use of a building or structure may be continued, provided that:
- (1) Such building or structure shall not be enlarged or extended unless the use therein is changed to a conforming use. (See Subsection **E**.)
 - (2) Such nonconforming building shall not be structurally altered during its life to an extent greater than 25% of its fair market value, as determined by the City Tax Assessor, unless such alterations are required by law or by the provisions of Subsection **H** herein; provided, however, that such maintenance and repair work as is required to keep a nonconforming building or structure in sound condition shall be permitted and provided further that any such nonconforming use may be extended throughout any parts of the building which were manifestly arranged or designed for such use at the time of the adoption of this chapter.

- (3) A nonconforming use of a building may be changed only to a use of less nonconformity, as determined by the Board of Appeals.
 - (4) If any nonconforming use of a building ceases for any reason for a continuous period of more than one year or is changed to a conforming use or if the building in or on which such use is conducted or maintained is moved for any distance whatever for any reason, then any future use of such building shall be in conformity with the standards specified by this chapter for the district in which such building is located.
 - (5) If any building in which any nonconforming use is conducted or maintained is hereafter removed, the subsequent use of any land on which such building was located, and the subsequent use of any building thereon, shall be in conformity with the standards specified by this chapter for the district in which such land or building is located.
- D. Restoration of damaged buildings. If any nonconforming building shall be destroyed by any means to an extent of more than 50%, no repairs or reconstruction shall be made unless every portion of such building is made to conform to all the regulations of this chapter for the district in which it is located. Where the destruction of such nonconforming building is less than 50%, it may be restored and the nonconforming use continued, provided that the total cost of such restoration does not exceed the replacement value of the destroyed portion of the building at the time of its destruction and further provided that such restoration is started within a period of six months of such destruction and is diligently prosecuted to completion. Nothing in this chapter shall prevent the strengthening or restoring to a safe condition of any wall declared unsafe by the Building Inspector.
- E. Nonconformity other than use. A building that is conforming in use but does not conform to the height, yard, lot area, lot dimension, land coverage, off-street parking, loading, minimum house size or similar dimensional requirements of this chapter shall not be considered to be nonconforming within the meaning of Subsections C, F and H. No permit shall be issued that will result in the increase of any such nonconformities, except that each side yard of the aforementioned lots may be reduced by one inch for every foot that such lot is less than the minimum width required by this chapter.
- F. Registration of nonconforming uses. During the first three complete calendar months following the effective date of this chapter or of any amendment thereto, the owner or owners of property on which there is a nonconforming use of land or buildings (within the definition of this chapter or which may be made so by an amendment thereto) shall register such nonconforming use by filing, with the Board of Appeals, a statement of such nonconforming use. The acceptance of such statements shall not constitute an authorization to operate an unlawful use. The filing of a false registration statement shall constitute a violation of this chapter. If the owner of a nonconforming use shall not so register it, such use shall be presumed to have been discontinued unless the owner submits proof that the use existed legally prior to the effective date of the regulation that made it nonconforming. Annually, the Board of Appeals may send a questionnaire to the persons who have registered a nonconforming use, inquiring as to the status of such use. Such questionnaire shall be sent by certified mail, return receipt requested, to the last addresses available from the filed registration statements. If such questionnaire is not returned within 90 days, the Board of Appeals shall so record this fact and send a notice to the last address of the owner, to the effect that the nonconforming use is presumed to have been abandoned or discontinued unless the

owner establishes, to the satisfaction of the Board of Appeals, proof that the use has continued.

G. Nonconforming signs. Regardless of any other provisions of this chapter, every sign which, after the adoption of this chapter, may exist as a nonconforming use in any district shall be discontinued and removed or changed to conform to the standards of said district within a period of 120 days from the date of the adoption of this chapter.

H. Residential uses on Main Street.

[Added 12-29-1997 by L.L. No. 14-1997]

(1) Legislative intent. The Central Business (CB) and General Business (GB) Districts along Main Street have traditionally been and will continue in the future to essentially be retail/service in nature. In order for the Main Street business district to be healthy and vital, it must compete successfully with other business districts. One of the essential characteristics of a healthy downtown business district is a high degree of continuity between adjacent retail and service uses, so that consumers can conveniently walk from one storefront to the next without frequently being interrupted by gaps between the retail and service uses. These gaps are the result of uses which are not open to the general public such as, in this case, residential uses. Residences which are located at the front of the ground floor of the buildings on Main Street are believed to be more injurious to the health and vitality of this business district than residences located at the rear of the ground floor of said buildings because the shopping portion of the business district is primarily, but not exclusively, at the front of said buildings. It is recognized, however, that there are currently several vacant storefronts on Main Street. The City Council has determined that the residential units affected by this subsection should not be converted to retail space unless the vacancy rate for such retail space has declined to an acceptable level in the discretion of the City Council. As a result, the special permit procedure outlined herein will specifically take into consideration the vacancy rate on Main Street at the time this subsection is implemented.

(2) Discontinuance. The following provisions pertain to buildings located on Main Street in the Central Business and General Business Zoning Districts: residential uses which are neither located on the upper floors nor in the rear of the first floor of said buildings shall be discontinued effective October 1, 2002. The City of Beacon shall notify all affected property owners no later than October 1, 2001, that all residential units so situated in the Central Business (CB) and General Business (GB) Zoning Districts must be converted no later than October 1, 2002, pursuant to the terms of this subsection.

(3) Special use permit. Any property owner affected by this section shall be eligible to apply to the City Council for a special use permit to continue said residential occupancy for a period of two years. There shall be no further permits issued after the aforementioned permit has expired. Such application must be made no later than April 1, 2002, in order to maintain eligibility for the special use permit. The general provisions regarding the issuance of special use permits set forth in this chapter shall also apply to this application. In addition, the City Council shall take the vacancy rate for storefronts on Main Street into consideration when determining whether to issue such a permit.

[Amended 10-7-2002 by L.L. No. 27-2002]

I.

Variance procedure. Any person or persons jointly or severally aggrieved by the terms of this chapter shall have the right to review a special permit determination by the City Council by a public hearing before the Zoning Board of Appeals and by a proceeding under Article 78 of the Civil Practice Law and Rules, which proceedings must be commenced within 30 days of the filing of such determination with the City Clerk.

[Added 12-29-1997 by L.L. No. 14-1997]

- J. Exemption. This local law shall not apply to the residence located at 317 Main Street. This use as a single-family dwelling shall be continued as a nonconforming use notwithstanding the remaining provisions of this local law. However, the existing commercial portion of these premises which front on Main Street, may not be converted to a residential use.

[Added 12-29-1997 by L.L. No. 14-1997]

- K. (Reserved)^[1]

[1] *Editor's Note: Former Subsection K, Discontinuance of existing tattoo and body-piercing parlors, added 12-4-2000 by L.L. No. 18-2000, was repealed 6-18-2012 by L.L. No. 12-2012.*

- L. General nuisances. Upon a complaint registered by the Building Inspector or 50% of the property owners within 250 feet of a nonconforming use which is considered to be a general nuisance or hazard to the health, safety, welfare and morals of uses or structures within 250 feet of such nonconforming use or uses, the Zoning Board of Appeals shall hold a public hearing and make a finding with respect to the nuisance or hazardous condition which exists and shall determine the necessity of terminating such nonconforming use. Such uses shall be terminated within such reasonable time as shall be determined by the Zoning Board of Appeals as related to the reasonable amortization of the capital investment in such uses.

[Added 7-7-2003 by L.L. No. 7-2003]

§ 223-12. Buildings, uses and lots.

- A. Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and, except as herein provided, there shall be not more than one main building and its accessory buildings on one lot, except for multifamily or nonresidential buildings in districts where such uses are permitted.
- B. Yard and open space for every building. No yard or other open space provided about any building for the purpose of complying with the provisions of these regulations shall be included as any part of the yard or open space for any other building: no yard or any other open space on one lot shall be considered as a yard or open space for a building on any other lot.
- C. Subdivision of a lot. Where a lot is formed hereafter from the part of a lot already occupied by a building, such separation shall be affected in such a manner as not to impair conformity with any of the requirements of this chapter with respect to the existing building and all yards and other required spaces in connection therewith, and no permit shall be issued for the erection of a building on the new lot thus created unless it complies with all the provisions of this chapter.
- D. Irregularly shaped lots. Where a question exists as to the proper application of any of the requirements of this chapter to a particular lot or parcel because of the peculiar or

irregular shape of the lot or parcel, the Board of Appeals shall determine how the requirements of the chapter shall be applied.

- E. Oversize lots. A lot which does not conform to one or more of the minimum dimensional requirements of this chapter for the district in which it is located, but contains within its boundaries the potential outlines for a lot which would conform to all of the applicable requirements of this chapter, shall be deemed to be a conforming lot within the meaning of this chapter.
- F. Lots under water or within the one-hundred-year floodplain ("area of special flood hazard"). No more than 10% of the minimum area requirement of a lot may be fulfilled by land which is under water or within the one-hundred-year floodplain ("area of special flood hazard"). All minimum front, side and rear yard requirements must be satisfied by measurement on dry land.
[Amended 10-21-1991 by L.L. No. 12-1991]
- G. Required street frontage. No building permit shall be issued for any structure unless the lot upon which that structure is to be built has the required frontage on a street, private road or highway, as defined herein, which frontage, except in the case of a common driveway, provides the actual access to such structure, and which street, private road or highway shall have been suitably improved to the satisfaction of the Planning Board or a performance bond posted therefor as provided in § 36 of the General City Law (Chapter 21 of the Consolidated Laws) of New York State.
[Amended 6-20-2005 by L.L. No. 4-2005]
- H. Lot width required, Within any residence district, no part of any dwelling or other structure housing a main use and, within any business district, no part of any residence structure shall be erected on that part of a lot where the lot width is less than the minimum requirements for the district in which it is located.
- I. New buildings on lots less than the minimum area. A permit may be issued for the erection of a building on a lot for which a valid conveyance has been recorded or contract of sale has been signed and the conveyance recorded prior to the adoption of this chapter, notwithstanding that the area or dimensions of such lot is less than that required for the district in which such lot lies, provided that all yard setbacks and other requirements which are in effect at the time of the obtaining of the building permit are complied with and provided that the owner of such lot does not own other lots contiguous thereto. If this is the case, such other lots or so much thereof as might be necessary shall be combined with the first named lot to make a single conforming lot, or a lot that conforms to the fullest extent possible, whereupon a permit may be issued, but only for such combined lots.
- J. Modification of lot requirements. For the purposes set forth earlier in this chapter, and to promote the most appropriate use of land, to preserve the natural and scenic qualities of open lands, to promote natural resource preservation and conservation, and to facilitate the adequate and economical construction of community facilities and utilities, all directed towards the objective of fostering and obtaining land development of good quality and design at reasonable economic cost, the Planning Board is hereby authorized to review and act upon all subdivisions in accordance with the following provisions. In all cases, the Planning Board shall have the full power of subdivision approval, approval with conditions or denial, as authorized by the General City Law. These provisions may be utilized:
[Amended 3-1-2004 by L.L. No. 3-2004; 4-5-2004 by L.L. No. 6-2004]

- (1) When applied for by the applicant of the land to be subdivided if, in the judgment and discretion of the Planning Board, their application would benefit the City by satisfying one or more of the purposes set forth in Subsection J above; or
- (2) Where the Planning Board determines that their application would benefit the City by satisfying one or more of the purposes set forth in Subsection J above and where the Planning Board determines that one or more of the criteria as set forth in subsections (a) through (d) below would be achieved. In this case the Planning Board shall seek authorization from the City Council, on a case-by-case basis, to require the applicant to submit an application which reflects such modifications of applicable provisions of this chapter.
 - (a) The preservation of a unique or significant natural feature of the site, including but not limited to a vegetative feature, wildlife habitat, surface water supply, underground aquifer, endangered species, rock formation, steep slope area, etc.
 - (b) The protection of a unique or significant feature of the man-made environment of the site, including but not limited to a building, structure or artifact of architectural, historical or archaeological value.
 - (c) The preservation of any unique or significant aesthetic feature of the site, including but not limited to a community vista, ridgeline, historic setting, etc.
 - (d) The protection of any other unique or significant feature of the site which the Planning Board determines to be important for historic, recreational, educational, open space or similar purposes.
- (3) Provisions.
 - (a) Average density subdivisions. Simultaneously with the approval of a subdivision plat and pursuant to § 37 of the General City Law, the Planning Board may modify the zoning regulations with respect to lot area and dimensions, provided that the average size of all lots shown on the subdivision plat shall be equal to or greater than the permitted minimum lot area in such district and that there shall not be a greater average density of population or cover of the land with buildings than is permitted in such district and further provided that no lot shall have less than the minimum lot area and dimensions required for lots in the next less restrictive residential zoning district to the one in which the property is located. For the purpose of this section, "average density" shall be determined by the number of single-family residences which could be built under the zoning district standards in full conformity with the City's Subdivision Regulations^[1] and all other applicable requirements. The basis for this determination by the Planning Board shall be a conventional subdivision sketch layout for the subject property.

[1] *Editor's Note: See Ch. 195, Subdivision of Land.*
 - (b) Conservation subdivisions. Simultaneously with the approval of a subdivision plat and pursuant to § 37 of the General City Law, the Planning Board may modify the zoning regulations in R1 and RD Residence Districts with respect to layout, configuration and design of lots, including minimum lot area, width, depth and frontage, minimum front, side and rear yards, and other similar requirements, buildings and structures, roads, utility lines and other infrastructure, parks or landscaping, provided that:

- [1] The permitted number of dwelling units in no case exceeds the number which could be permitted, in the Planning Board's judgment, if the land were subdivided into lots conforming to all the normally applicable requirements of this chapter, the Land Subdivision Regulations,^[2] the Dutchess County Department of Health regulations and all other applicable standards. The basis for this determination by the Planning Board shall be the conventional subdivision sketch layout information as may be required by said Board.
[2] *Editor's Note: See Ch. 195, Subdivision of Land.*
- [2] The maximum permitted building height requirements shall be the same as those normally applicable to other dwellings in the zoning district in which the property is located.
- [3] In both the R1 and RD Residence Districts, the dwelling units permitted may, at the discretion of the Planning Board, be in detached, semidetached, attached or multistory structures.
- [4] In the event that some part of said subdivision plat includes land to be devoted to park, recreation or open space, the Planning Board, as a condition of plat approval, may establish such conditions as shall be approved by the City Council.
- [5] In addition to compliance with any special standards, requirements and procedures as set forth in this Subsection **J(3)(b)**, conservation developments shall also be subject to review and public hearing by the Planning Board in accordance with the same procedures as would otherwise be applicable to conventional subdivision plats. Upon the filing of the plat in the office of the County Clerk, a copy shall also be required to be filed with the City Clerk, who shall make the appropriate notations and references thereto on the official copy of the City Zoning Map.

K. Business entrances on residential streets extending into districts. Where any street extends through a residential district and into a business district, any block with frontage on said street, which frontage is partly in the residential district and partly in the business district, shall not be used for any business purpose except as herein set forth. Any business structure erected in said business district shall face and open upon a street which, for its entire extent adjacent to said block, is within the business district, except that show windows in such business structure may be built and exposed upon another street within the area set aside as a part of such business district. All other entrances to the business structures must face on the street which for its entire extent adjacent to the block is within the business district, except that entrances may be made from the other street to the upper stories of such business structures, a single entrance may be made at the corner of such other street and any second means of egress required by law and access to the structure from off-street parking facilities shall be permitted.

L. Transition between residential and nonresidential districts. Where a lot in a commercial or industrial district abuts a lot in a residential district, there shall be provided along such abutting lines a yard equal in width or depth to that required in the residential district.

M.

Premature subdivision. No building permit shall be issued for any construction, other than that required for the maintenance of minimum health and safety standards, within the area of a subdivision designated by the City Council as being premature, as defined herein, until such time as a revised plat has been filed in the office of the Dutchess County Clerk, nor shall any such building permit be issued within a period of 60 days from the date a report on a premature subdivision has been sent to the City Council by the City Planning Board.

- N. Front of new dwellings. The front of any new one-family dwelling shall face the front lot line. In the case of a lot fronting on more than one street, the new dwelling shall face the street frontage which will make it most consistent with the front of other dwellings in the block in which it is located. For purposes of this section, the front of the dwelling shall be as determined by the Building Inspector based upon such factors as the location of the front door, the interior floor plan and the exterior appearance of the building.

[Added 6-20-1988]

**City of Beacon Workshop Agenda
2/24/2020**

Title:

Noticing of Public Hearings

Subject:

Background:

ATTACHMENTS:

Description	Type
Proposed Local Law to Amend Chapter 223, Section 61.3C of the Code of the City of Beacon Regarding Public Hearing Notices	Local Law
Memorandum from the City Attorney Regarding Public Hearing Notices	Cover Memo/Letter

DRAFT LOCAL LAW NO. ____ OF 2020

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND
CHAPTER 223, SECTION 61.3C OF THE CODE OF THE CITY OF
BEACON**

A LOCAL LAW to amend Chapter 223, Section 61.3C of the Code of the City of Beacon concerning the posting requirements for public notice signs.

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

Section 1. Chapter 223, Section 61.3, Subsection C of the Code of the City of Beacon entitled “Public notice signs” is hereby amended as follows:

§ 223-61.3 Hearing notice requirements.

....

C. Public notice signs.

- (1) The applicant shall post one notification sign on the subject property, or in the case of a corner lot post a notification sign on all abutting streets, no later than 14 days prior to the initial public hearing and any continued public hearing thereafter. The applicant shall update said sign at least 14 days prior to every public hearing at which the applicant's matter will be heard. For matters before the City Council, the applicant shall post the required sign(s) no later than 10 days prior to the public hearing and shall update said sign at least 10 prior to every public hearing before the City Council in which the applicant's matter will be heard. The Building Inspector may require, in his or her discretion, the applicant to post an additional public notice sign, based on topography of the surrounding land, parcel size and shape, or any other factors the Building Inspector, in his or her discretion, feels may impact effective public notice.

- (2) Such sign shall be at least two feet by three feet in size, consist of sturdy and serviceable material containing a white background with black letters and be placed in a location visible from the most commonly traveled street or highway upon which the property fronts, or in the case of a corner lot on all streets, but in no case more than 20 feet back from the front lot line. Such sign shall read as follows, in legible lettering with the heading at least five inches in height and the content at least two inches in height:

PUBLIC NOTICE A PUBLIC HEARING FOR A [application type]
APPLICATION WILL BE HELD BY THE CITY OF BEACON [City Council,
Planning Board, or Zoning Board of Appeals] ON [insert date] AT [insert time] P.M.
AT THE CITY OF BEACON CITY HALL, 1 MUNICIPAL PLAZA, BEACON,
NY ADDITIONAL INFORMATION IS AVAILABLE AT THE BEACON
BUILDING DEPARTMENT (845) 838-5020

- (3) In the event that the applicant shall appear before more than one board, the sign shall be appropriately revised to reflect the time and place of each board's meeting. At least two working days before the public hearing, the applicant shall also submit to the secretary of the applicable board a signed affidavit certifying to the fact and date of said posting.
- (4) The applicant shall, in good faith, maintain the public notice sign in good condition throughout the posting period.
- (5) The applicant shall remove the notification sign within five days of the adoption of any resolution concerning the application.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223 Section 61.3 of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. 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 subsections 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 4. Severability

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

Section 5. Effective Date

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

- **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868
- **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120
- **New York City Office**
505 Park Avenue
New York, NY 10022
Phone 646.794.5747

MEMORANDUM

TO: Mayor Kyriacou and Members of the City Council
of the City of Beacon

FROM: Keane & Beane, P.C.

RE: Melio Bettina Place

DATE: February 21, 2020

On Tuesday, February 18, 2020, the City Council considered adopting a resolution to sell a vacant parcel on Melio Bettina Place, known and designated as Parcel No. 5954-28-942947 (the “Property”), to Seven and One Developments, LLC for \$95,000. This memorandum provides clarification to address the questions and concerns raised by Mr. Jeremy Suckow, the property owner of 27 Melio Bettina Place. This memorandum was reviewed and approved by the Building Inspector, Dave Buckley.

The Property is located in the R1-5 Zoning District. It is 4,700 square feet (0.10 acres), with a lot width of 50 feet by a lot depth of 94 feet. This parcel is considered a legal nonconforming lot as it was created before the City adopted the current dimensional requirements for the R1-5 Zoning District. In the R1-5 Zoning District, the minimum lot size is 5,000 square feet, with a lot width of 50 feet and a lot depth of 100 feet.

Under City Code § 223-12.I:

A permit may be issued for the erection of a building on a lot for which a valid conveyance has been recorded or contract of sale has been signed and the conveyance recorded prior to the adoption of this chapter, **notwithstanding that the area or dimensions of such lot is less than that required for the district in which such lot lies**, provided that all yard setbacks and other requirements which are in effect at the time of the obtaining of the building permit are complied with and provided that the owner of such lot does not own other lots contiguous thereto. If this is the case, such other lots or so much thereof as might be necessary shall be combined with the first named lot to make a single conforming lot, or a lot that conforms to the fullest

extent possible, whereupon a permit may be issued, but only for such combined lots.

Under this provision, it is clear that a new building may be constructed on a lot less than the minimum area, provided that construction of the building conforms with all applicable setback requirements and other dimensional requirements set forth in the City Code. Adjacent lots are only required to be merged if each lot is owned by the same individual or corporation and where merging such lots would minimize or eliminate an existing nonconformity.

The City issued a Request For Proposals (“RFP”) to obtain proposals from potential purchasers for the Property. Specifically, the purpose of the RFP was to receive proposals from a qualified company or individual to construct a new single-family home on the existing vacant parcel. The RFP referenced the existing dimensions of the Property and the minimum dimensions required for the R1-5 Zoning District, set forth in City Code § 223-17.C and which establishes setback requirements, minimum building height requirements, and maximum building coverage requirements. As previously discussed, the Property is a legal nonconforming parcel with respect to lot area. This nonconformity does not prevent an individual from erecting a building on the lot.

The City received two proposals for the Property, one proposal from Seven and One Developments, LLC for \$95,000, and another proposal from Mr. Jeremy Suckow for \$40,000. The City has a fiduciary duty to its residents to sell the Property to the respondent who has demonstrated a good track record, sound financial backing and a commitment to implement a creative, high-quality project in a timely manner. The City must also consider the amount of each proposal.

**City of Beacon Workshop Agenda
2/24/2020**

Title:

City Council Meeting Dates

Subject:

Background:

ATTACHMENTS:

Description	Type
Memorandum from the City Administrator Regarding Council Meeting Dates	Cover Memo/Letter




CITY OF BEACON New York

ANTHONY RUGGIERO

OFFICE OF THE CITY ADMINISTRATOR

845-838-5009

To: Mayor and City Council
From: Anthony Ruggiero, MPA, City Administrator 
Re: City Council Meeting Dates
Date: February 24, 2020

In order to allow residents to take part in Earth Day activities on April 18th, staff recommends to move the City Council Meeting on Saturday, April 18th back to Monday, April 20th. Further, to accommodate residents and who cannot attend meetings on Monday evenings, staff recommends to move the City Council Meeting on Monday, May 18th to Saturday, May 16th. If this date is not practicable, consider instead moving the City Council Meeting on Monday, May 4th to Saturday, May 2nd.

**City of Beacon Workshop Agenda
2/24/2020**

Title:

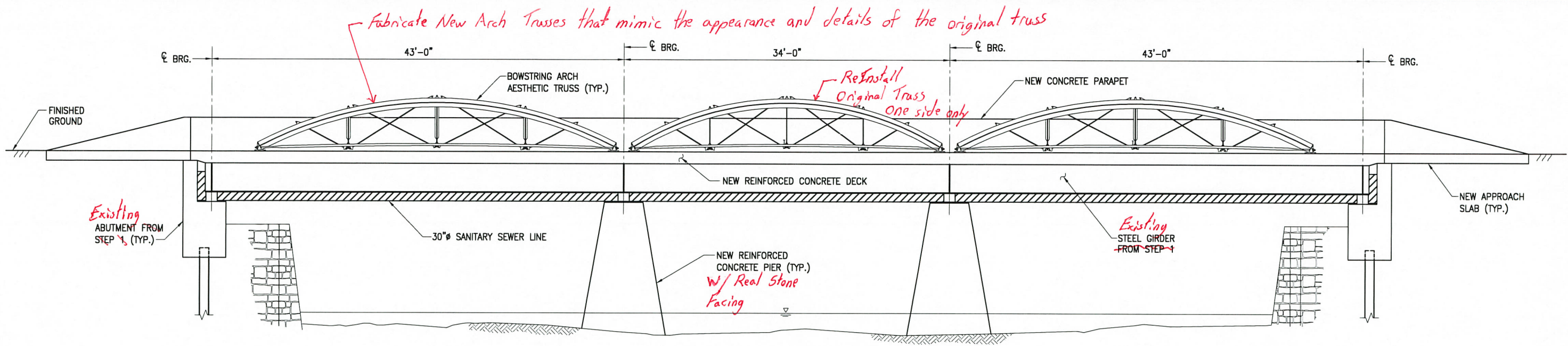
Tioronda Bridge

Subject:

Background:

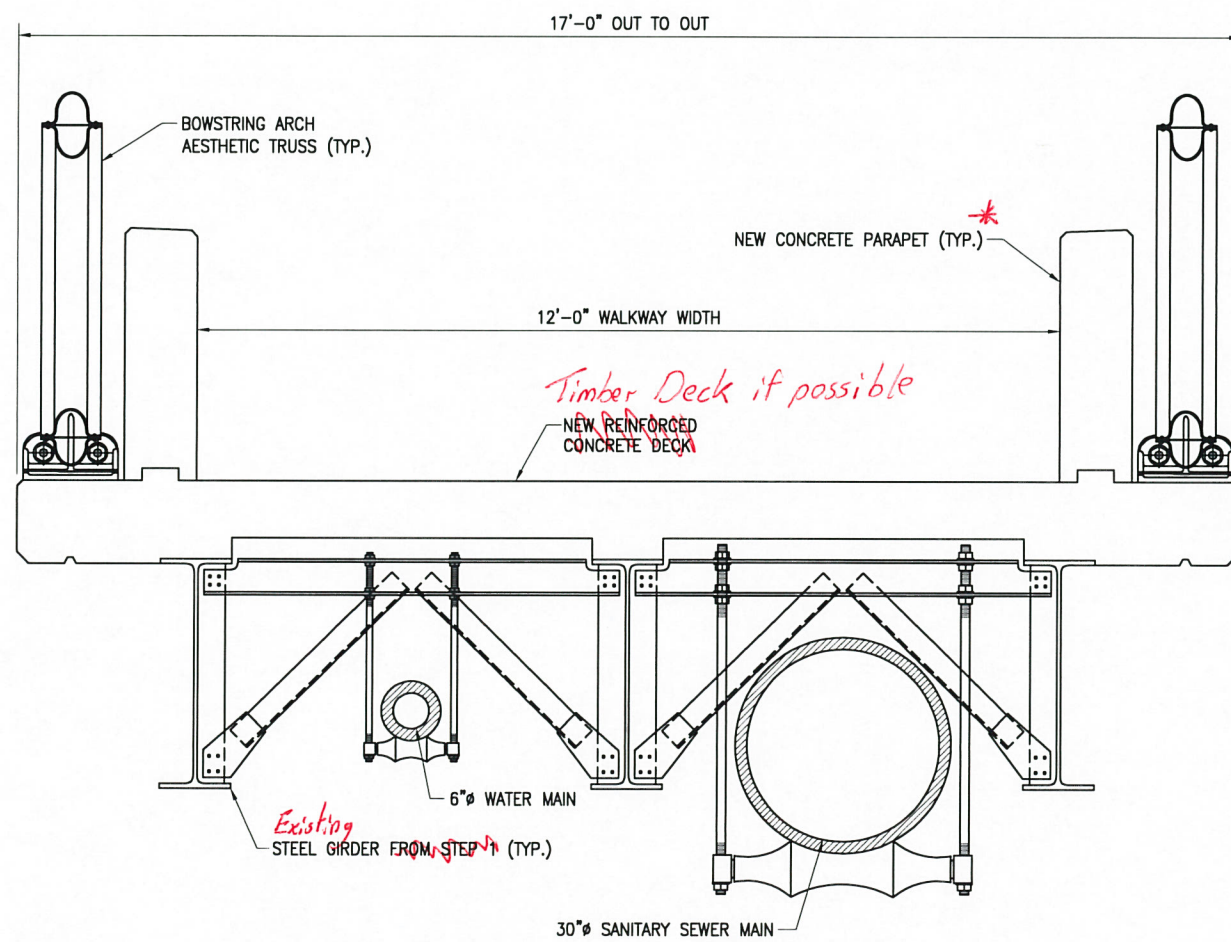
ATTACHMENTS:

Description	Type
3 Span Pedestrian Bridge Concept from 2010	Backup Material



EAST ELEVATION
 (HANGER SUPPORTS NOT SHOWN)
 SCALE: 1/8"=1'

** Coordination required w/ NYSDOT, OSHA, etc...
 Regarding installation of pedestrian/walkway railing
 in-lieu of crashworthy vehicular barriers.*



TRANSVERSE SECTION
 (SHOWN AT INTERMEDIATE DIAPHRAGM LOCATION)
 SCALE: 3/8"=1'

TIORANDA UTILITY BRIDGE-THREE SPAN PEDESTRIAN BRIDGE R/W 1-21-10

REVISION	BY	CK.	DATE
DES. JPS	DR. LAJ	CK.	

CITY OF BEACON
**TIORANDA UTILITY BRIDGE
 OVER FISHKILL CREEK**
 STEP 2A - THREE SPAN
 PEDESTRIAN BRIDGE



SCALE: AS NOTED
 DATE: JANUARY 2010
 SHEET 3 OF 4