



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**September 25, 2023
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

[Public Hearing for Proposed Local Law No. 4 of 2023 Concerning the Proposed Rezoning of 6 Commerce Street](#)

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 102 - Setting a Public Hearing for Proposed Local Law No. 5 of 2023 Concerning Various Corrections to the Zoning Code](#)
2. [Resolution No. 103 - Approving Amendments to the 2023 Budget](#)

Approval of Minutes

1. [September 11, 2023 Minutes](#)

Public Comment - Second Opportunity

Adjournment

City of Beacon City Council Agenda
09/25/2023

Title:

Public Hearing for Proposed Local Law No. 4 of 2023 Concerning the Proposed Rezoning of 6 Commerce Street

ATTACHMENTS

6 Commerce Street - Applicant Letter

6 Commerce Street - City Planner Memorandum

6 Commerce Street - Tax Map

6 Commerce Street - Rezoning Map

Proposed Local Law No. 4 of 2023 Amending the Zoning of the Property at 6 Commerce Street

6 Commerce St - Planning Board Memorandum

6 Commerce Street - Dutchess County Planning Response

6 Commerce Street - Short EAF Part 1

Hudson Todd
4 Cross St, Beacon, NY 12508

March 31, 2023

Mayor and City Council
1 Municipal Plaza
Beacon, NY 12508

Re: Change in Zoning Designation for 6 Commerce St

Dear Mayor Kyriacou, Councilmembers Rhodes, McCray, Longno, Aymar-Blair, Mansfield, and Wake:

We are writing to request a change of zoning for the property located at 6 Commerce St. ... from the current designation of R1-7.5 to designation as Central Main Street (CMS) zone.

6 Commerce St has a varied history and the current R1-7.5 zone reflects only its use in recent years as a single-family residence. Other properties on this (North) side of Commerce St carry the Central Main Street (CMS) zone designation, except for the parcel at 5 Cliff St. property, which is in the Transition (T) zone and used for surface parking. A change to CMS designation for 6 Commerce St would be consistent with adjoining properties, allow compatible and supportive uses, and contribute to the vitality of Beacon's Main St. commercial corridor.

The R1-7.5 residential properties across Commerce Street to the south are not in appreciable dialogue with 6 Commerce, as they are well separated via elevation differences, landscaping, and building orientations. However, the entire immediate neighborhood around 6 Commerce is in the Central Main Street (CMS) zone. The building shares outdoor space, trash and utility services, and parking with its directly adjoining neighbors – all of which are in CMS with their accompanying CMS uses, e.g retail, hospitality, food and bev on the ground floor with rental apartments above

We have been speaking with multiple local individuals and businesses that are interested in renting 6 Commerce. They propose uses that include professional office, café, retail, etc ... all permitted uses in the CMS and are uses these business owners believe would thrive in this location.

Thank you very much for your consideration of this request. We would be very happy to follow with more information and to continue the conversation to whatever extent is helpful and necessary.

Sincerely,

Joe Donovan



To: Mayor Kyriacou and the Beacon City Council
From: John Clarke, City Planner
Date: June 1, 2023
Re: **Rezoning Request for 6 Commerce Street**

In a May 31, 2023 letter to the Mayor and City Council, the property owner of 6 Commerce Street requested a rezoning from R1-7.5 to the Central Main Street (CMS) district. While the Council has no obligation to consider this type of zoning request, in this case the proposed rezoning to CMS has some merit.

The 0.05-acre parcel with an existing 2½-story building does not meet the minimum 7,500 square feet required for a conforming lot in the R1-7.5 district. It was apparently attached to the larger-lot residential district on the south side of Commerce Street because at the time the building was being used as a single-family home. One-family detached dwellings are not a permitted use in the CMS district. All the adjoining parcels on the block north of Commerce Street are in the CMS district.

The property owner has renovated the building and is now interested in renting it out for a commercial use. Permitted uses in the CMS district include retail businesses, restaurants, service uses, professional offices, live-work units, and multi-family residential.

There are several issues related to this parcel if it was in the CMS district:

1. While there are multiple parcels along Main Street that are as small as 0.05 acres in size, most all of them meet the minimum CMS lot depth of 75 feet. This parcel is only 46 feet deep and would thereby be non-conforming in terms of lot depth.
2. There is only one parking space on the parcel. Any commercial use would likely need a parking waiver or variance, although the Planning Board often grants waivers for commercial uses on small existing lots in the CMS district under Section 223-41.18G(3) and (4). Finding parking along Commerce Street can be difficult, but the Municipal Building and County Center parking lots generally have available public parking spaces within 800 feet of this parcel. The planned Tompkins Firehouse public lot will offer a third nearby option.
3. The rezoning could potentially remove one housing unit when the rental market is particularly tight. However, the building could also support a ground floor commercial use and an apartment on the upper floor with the parking space for the residential tenant.

All these concerns seem minor or manageable. If the City Council decides this rezoning is worthy of consideration, the next steps would be to draft a Zoning Map change law and to set a public hearing on the proposal. The applicant will be present at the meeting to answer any questions.



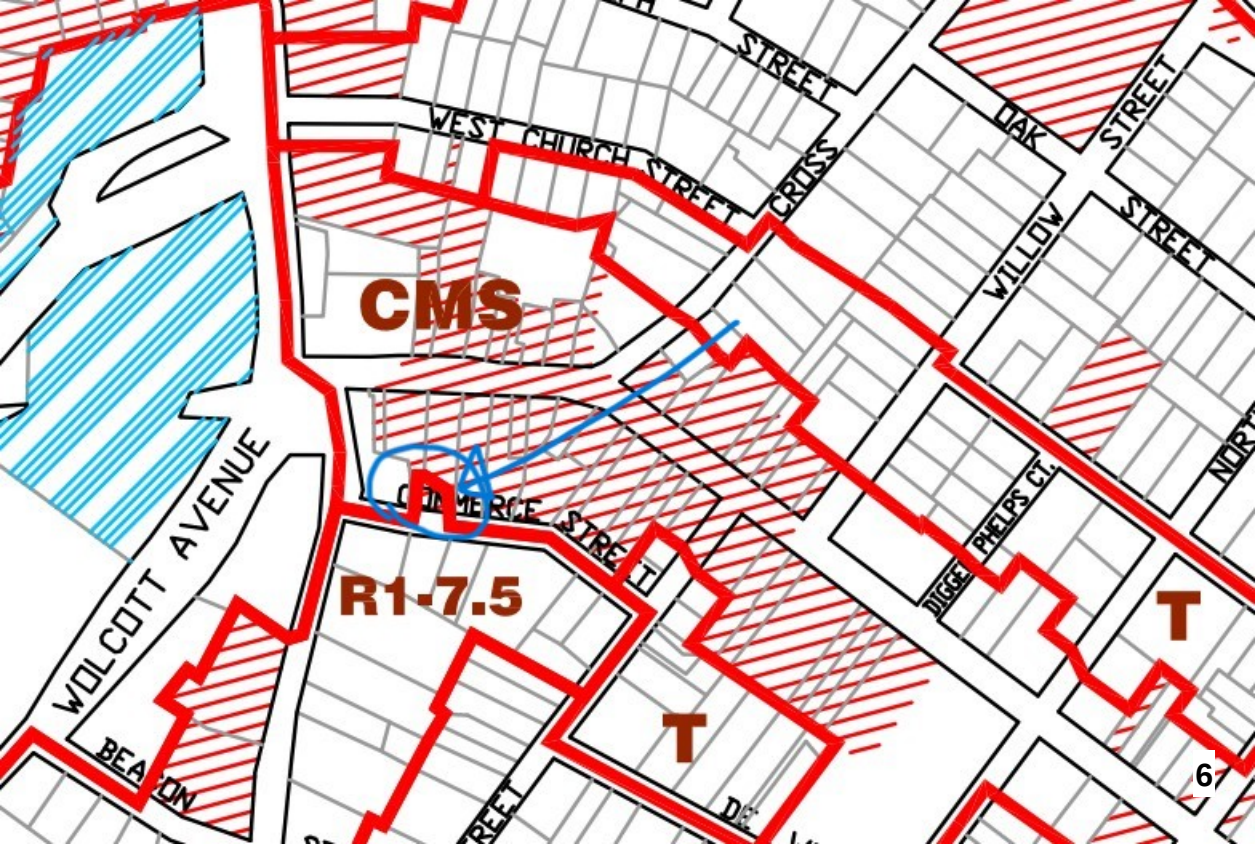
6 Commerce St - CMS
Dutchess County, NY



Printed By:

N

ParcelAccess
5/8/2023



CMS

R1-7.5

T

T

6

PROPOSED LOCAL LAW NO. 4 OF 2023

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW
AMENDING THE ZONING OF
A CERTAIN PROPERTY
FROM R1-7.5 TO CMS**

A LOCAL LAW to amend the zoning of a certain property from R1-7.5 to CMS

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

Section 1. The zoning map established by Section 223-3 of Chapter 223 of the City of Beacon City Code is amended to change the Zoning District designation of the following parcel in the City of Beacon from the R1-7.5 Zoning District to the Central Main Street (“CMS”) Zoning District:

City of Beacon Tax Parcel No.: 130200-5954-27-757950, which is located at 6 Commerce Street.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein the Code of the City of Beacon is 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 filing with the Office of the Secretary of State.



John Gunn
Planning Board Chairman

CITY OF BEACON New York

Planning Board

July 25, 2023

Mayor Lee Kyriacou and
Beacon City Council Members
1 Municipal Plaza
Beacon, New York 12508

Subject: City Council Referral of Local Law to Rezone 6 Commerce Street from R1-7.5 to the CMS District

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law to rezone 6 Commerce Street from R1-7.5 to the CMS District during the July 11, 2023 Planning Board meeting. The Board discussed the current zoning of 6 Commerce Street within the R1-7.5 zone. Board members explored whether there was any reason to retain the parcel's R1-7.5 designation rather than rezone it to the CMS District, with particular attention to possible reasons the City Council retained the parcel's single family zoning when it created the CMS District. At that time, the parcel was likely used as a single family home. City Planner John Clarke noted that the property owners requested the change in zoning because they are anticipating a commercial use. The Board members further discussed that it appears based on signage that a commercial use may have already commenced at the property and referred that issue to the Building Inspector.

After concluding its discussion of the proposed local law, upon a motion by Mr. Williams, seconded by Ms. Quiana, the Board unanimously voted to issue a positive recommendation that the City Council adopt the proposed Local Law.

Very truly yours,

John Gunn, Chairman

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
		Co./Dept.	From		
		Fax #	Phone #		

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s): **7579500000**

Project Name: **6 Commerce Street Rezoning Proposal**

Applicant: **Hudson Todd LLC**

Address of Property: **6 Commerce St, Beacon, NY 12508**

Exempt Actions:*
239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☒ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

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

Date Response Requested: **9/8/2023**

Entered By: **Swanson, Benjamin**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes: Electronic submission		☐ Major Project
Date Received: 8/17/2023			Referral #: ZR23-248
Date Requested: 9/8/2023			
Date Required: 9/15/2023			
Date Transmitted: 8/18/2023	☐ Also mailed hard copy	Reviewer:	

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:		Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			☐	☐
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☐ Residential (suburban)
☐ Forest	☐ Agriculture	☐ Aquatic	Other(Specify):	
Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest Agricultural/grasslands Early mid-successional ☐ Wetland ☐ Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO ☐	YES ☐

49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☐	YES ☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☐	YES ☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Christian A.L. Gates</u> Title: _____		

City of Beacon City Council Agenda
09/25/2023

Title:

Resolution No. 102 - Setting a Public Hearing for Proposed Local Law No. 5 of 2023 Concerning Various Corrections to the Zoning Code

ATTACHMENTS

Draft Zoning Code Corrections

Proposed Local Law No. 5 of 2023 Concerning Various Corrections to the Zoning Code

Resolution Setting a Public Hearing for Proposed Local Law No. 5 of 2023 Concerning Various Corrections to the Zoning Code

Draft Zoning Corrections:

[See § 223-17 Use and Dimensional Table corrections in conjunction with the Fishkill Avenue District]

§ 223-3 Zoning Map

The Parking Overlay District does not seem to have any purpose or cross-reference in the Code and perhaps should be removed from the Zoning Map. Also, the Building Department's online link to the Zoning Map shows an outdated version of the Map. The website links at the Planning and Zoning Boards shows the latest 9.14.21 map version with Main Street HDLO additions.

§ 223-41.13 I(15)(b) The protective creekside buffer dimension in § 223-14 I(15)(a) of this chapter is a minimum and may be increased if necessary to mitigate the impact of proposed development.

§ 223-41.18 E [CMS] Dimensional regulations

(4) Rear setbacks: minimum ~~25~~ 20 feet for parcels 100 feet deep or more... **[to be consistent with adopted Schedule of Dimensional Regulations]**

§ 223-41.18 E Dimensional regulations

(6) Building height: minimum two stories, maximum three stories and 38 feet, as determined from the average street front level. One-story accessory buildings to the rear of the principal building are permitted and one-story secondary sections set back at least 50 feet from the principal building façade are permitted. Stories built below the grade...

§ 223-41.18 E Dimensional regulations

(7)(b) All such building height special permits in the CMS District shall require a finding that there are no substantial detrimental effects on shadows, parking, traffic, or specific views adopted as important by the City Council or in the Comprehensive Plan Update, that the new building will be compatible with the historic character of adjacent buildings, and that conditions and standards in § 223-18B(1)(a) through ~~(d)~~ (f) have been met.

§ 223-41.18 G Parking location and quantity

(3)(b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or ~~PB I~~ District.

(3)(d) That there is sufficient public parking available within 800 feet of the site and within the CMS or ~~PB I~~ District to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.

(3)(e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and within the CMS or ~~PB I~~ District and voluntarily dedicate such land to the City for public parking.

§ 223-41.18 J Design Standards

(16) **[In the eCode version, only the first page of the 3-page set of Design Illustrations is shown in Figure 18-7; See 3-page set in L District's Figures 21-18, 19, and 20]**

PROPOSED LOCAL LAW NO. 5 OF 2023

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW AMENDING CHAPTER 223 OF THE
ZONING CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend the zoning code, Chapter 223 of the Beacon City Code, concerning various corrections.

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

Section 1. Chapter 223 of the City Code of the City of Beacon, Article II, Establishment of Districts; Map; Boundaries, Section 223-2, entitled “Establishment of Districts,” Subsection D is hereby amended to strike reference to the “Parking Overlay District” as follows:

§ 223-2 Establishment of districts.

The City of Beacon is hereby divided into the following classes of districts:

...

~~D. — POD Parking Overlay District.~~

~~E.D.~~ WP Waterfront Park Zone.

~~F.E.~~ WD Waterfront Development Zone.

~~G.F.~~ FCD Fishkill Creek Development District.

Section 2. The zoning map established by Section 223-3 of Chapter 223 of the City of Beacon City Code is hereby amended to strike all references to the “Parking Overlay District.”

Section 3. Chapter 223 of the City Code of the City of Beacon, Article IVC, Fishkill Creek Development (FCD) District, Section 223-41.13, entitled “Uses; plan review; design standards,” Subsection I(15)(b) is hereby amended as follows:

§ 223-41.13 Uses; plan review; design standards.

...

I. Fishkill Creek development design standards.

...

(15) Fishkill Creek vegetative buffer.

...

- (b) The protective creekside buffer dimension in § 223-41.14I(15)(a) of this chapter is a minimum and may be increased if necessary to mitigate the impact of the proposed development.

...

Section 4. Chapter 223 of the City Code of the City of Beacon, Article IVD, Central Main Street (CMS) District, Section 223-41.18, entitled "Regulations," Subsections E(4), E(6), E(7)(b) G(3)(b), G(3)(d), G(3)(e), and J(16) are hereby amended as follows:

§ 223-41.18 Regulations.

...

E. Dimensional Regulations. All new construction or enlargement of existing structures in the CMS District shall be subject to the following minimum and maximum dimensional regulations. These may be modified as provided in Subsection J(15).

...

- (4) Rear setbacks: minimum ~~25-20~~ feet for parcels 100 feet deep or more and minimum 10 feet for parcels under 100 feet deep, except that if the rear yard is voluntarily dedicated to the City of Beacon as all or part of a public parking lot or parking structure, the minimum setback shall be 10 feet with landscaping to screen adjacent uses.

...

- (6) Building height: minimum two stories, maximum three stories and 38 feet, as determined from the average street front level. One-story accessory buildings to the rear of the principal building are permitted and one-story secondary sections set back at least 50 feet from the principal building façade are permitted. Stories built below the grade of the street shall not be counted toward building height. The second story of a two-story building shall be built in a manner that allows actual occupancy for one or more permitted uses and does not create the mere

appearance of a second story. Chimneys, vent pipes, mechanical systems, elevator shafts, antennas, wireless communications facilities, roof gardens, fences, greenhouses, solar collectors, wind energy systems, and other rooftop accessory structures may project up to 15 feet above the maximum permitted height. With the exception of roof gardens and solar collectors, such projections may occupy no more than 20% of the roof area and must be set back at least 15 feet from the edge of the roof along any street frontage.

- (7) Except for parcels facing East Main Street, a special permit may be granted by the Planning Board for a fourth story only if the proposed fourth story contains a stepback of at least 15 feet behind the facade along any street frontage. A fifteen-foot building stepback above 38 feet shall also be required for any side of a four-story building within 40 feet of a lot line abutting another zoning district. Except for parcels facing East Main Street, a special permit may also be granted for a four-story tower without a stepback at a corner facing an intersection and occupying no more than 25 feet of the corner frontage of the building. The City Council may waive or reduce the stepback requirements set forth herein upon a finding by the City Council that such a waiver is warranted due to the special conditions of a site or the particular character or limited nature of the proposed development, and such a waiver is consistent with the goals of promoting the public health, safety and general welfare of the community.

...

- (b) All such building height special permits in the CMS District shall require a finding that there are no substantial detrimental effects on shadows, parking, traffic, or specific views adopted as important by the City Council or in the Comprehensive Plan update, that the new building will be compatible with the historic character of adjacent buildings, and that the conditions and standards in § 223-18B(1)(a) through ~~(d)-(f)~~ have been met. The City Council or Planning Board shall have the right to require an applicant to provide alternative plans or renderings in sufficient detail as requested.

...

G. Parking location and quantity.

...

- (3) The requirements in Subsection G(2) above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available in the public record, demonstrating one or more of the following:

...

- (b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or **PB-T** District.

...

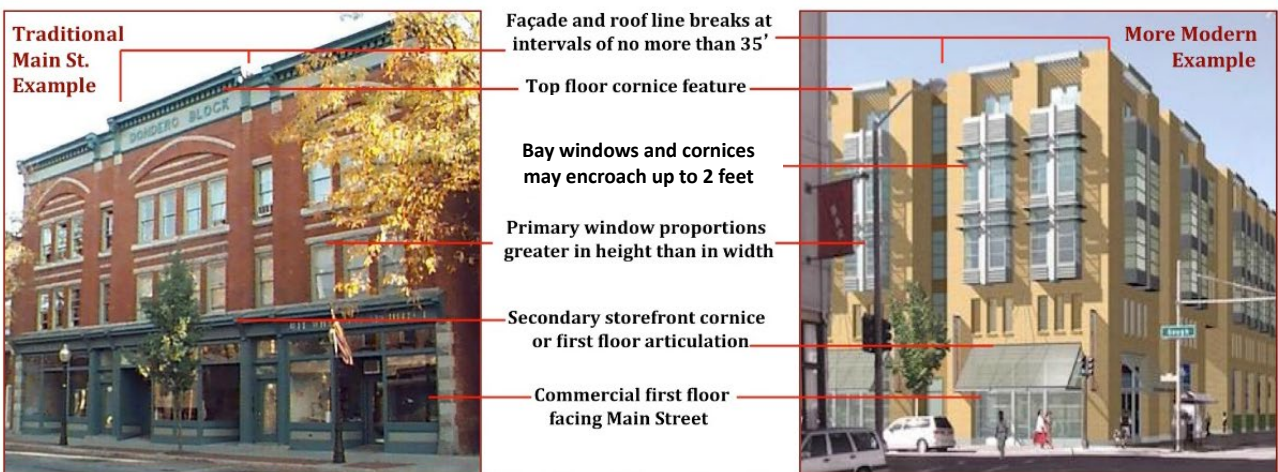
- (d) That there is sufficient public parking available within 800 feet of the site and within the CMS or **PB-T** District to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use
- (e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and within the CMS or **PB-T** District and voluntarily dedicate such land to the City for public parking.

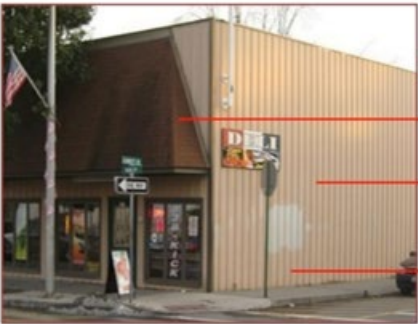
...

J. Design standards

...

- (16) The following Figure 18-7 provides annotated photographs to illustrate design standards in this section:





Design Standards
Inconsistent Examples

- Two-story minimum required, allowing second floor occupancy
- Architectural features and windows should be continued on all sides, avoiding any blank walls
- Vinyl, aluminum, or sheet metal siding or sheet trim shall not be permitted



- Buildings should have a top floor cornice feature
- Primary window proportions shall be greater in height than in width
- Commercial buildings shall have at least 70% glass on the first floor facade



- Vinyl awnings are discouraged, but metal, glass, and canvas-type awnings are encouraged



Figure 18-7: Design Illustrations

Section 5. Chapter 223 of the City Code of the City of Beacon, Article IVE, Linkage (L) District, Section 223-41.21, entitled "Regulations," Subsection K, "Figure 21-19: Design Standards Examples B" is hereby amended as follows:

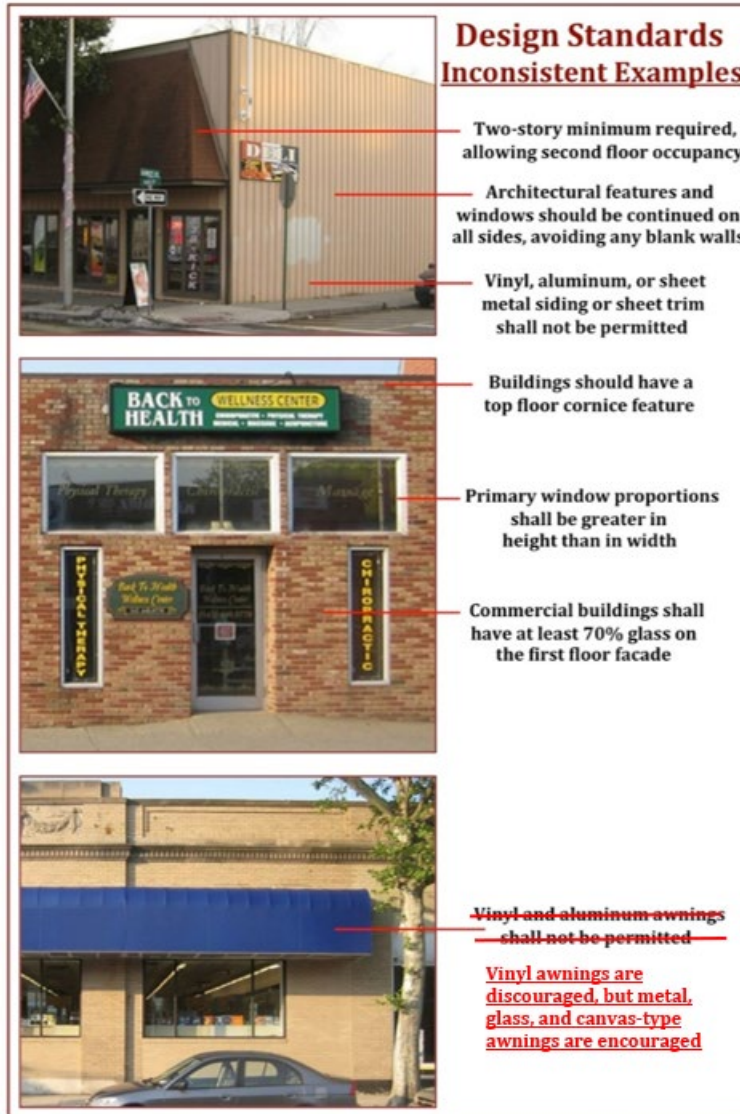
§ 223-41.21 Regulations.

...

K. Design Standards.

...

Figure 21-19: Design Standards Examples B



...

Section 6 Ratification, Readoption and Confirmation

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

Section 7. 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 8. 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 9. Effective Date

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



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 102 OF 2023

**SETTING A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 5 OF 2023 TO AMEND
THE ZONING CODE, CHAPTER 223 OF THE BEACON CITY CODE, CONCERNING
VARIOUS CORRECTIONS**

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for October 23, 2023 at 7:00 pm for Proposed Local Law No. 5 of 2023 to Amend the Zoning Code, Chapter 223 of the Beacon City Code, concerning various corrections.

BE IT FURTHER RESOLVED THAT, the City Council refers the above proposed local law to the Dutchess County and City of Beacon Planning Boards for a report and recommendation.

Resolution No. 102 of 2023			Date: September 11, 2023				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
09/25/2023

Title:

Resolution No. 103 - Approving Amendments to the 2023 Budget

ATTACHMENTS

[Proposed Amendments to the 2023 Budget](#)

[Resolution Authorizing Amendments to the City of Beacon 2023 Budget](#)

City of Beacon
Council Budget Amendments
September 25, 2023 Meeting

1. Amend the 2023 Sewer Fund Budget to cover the costs of additional overtime. Overages are due to additional weather events and replacement of retirement and staff transfers. Amounts are estimated to cover costs through the end of the year. Below is the proposed budget amendment:

TRANSFER TO:

G -08-8130-105000- OVERTIME	<u>\$ 35,000</u>
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TRANSFER FROM:

G -01-1990-400001- CONTINGENCY FUND	<u>\$ 35,000</u>
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2. Amend the 2023 General Fund Highway Budget for the unforeseen repairs to the leaf vacuum truck and back hoe. Below is the proposed budget amendment:

TRANSFER TO:

A -05-5110-447200- REPAIR OF EQUIPMENT	<u>\$ 20,000</u>
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TRANSFER FROM:

A -01-1990-400001- CONTINGENCY FUND	<u>\$ 20,000</u>
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3. Amend the 2023 General Fund Sanitation Budget for the additional and rising costs of Recycling. Amounts are estimated to cover costs through the end of the year. Below is the proposed budget amendment:

TRANSFER TO:

A -08-8160-449301- RECYCLE CHARGES - REPUBLIC	<u>\$ 61,000</u>
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TRANSFER FROM:

A -01-1990-400001- CONTINGENCY FUND	<u>\$ 61,000</u>
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City of Beacon
Council Budget Amendments
September 25, 2023 Meeting

4. Amend the 2023 General Fund Recreation Budget for the Child Care Workers Bonus which is a retention pass thru bonus from New York State. Below is the proposed budget amendment:

INCREASE EXPENSE:

A -07-7140-103702-	CHILD CARE WORKERS BONUS	\$ 10,350
A -07-7140-820000-	SOCIAL SECURITY	<u>792</u>
	TOTAL	<u>\$ 11,142</u>

INCREASE REVENUE:

A -07-7140-388900-	STATE AID OTHER CULTURE & REC	<u>\$ 11,142</u>
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Respectfully submitted,
Susan K. Tucker CPA



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 103 OF 2023

**APPROVING AMENDMENTS TO THE
2023 CITY OF BEACON BUDGET**

BE IT RESOLVED, that the City of Beacon City Council hereby authorizes the attached amendments to the 2023 Budget.

Resolution No. 103 of 2023			Date: September 25, 2023				
☐ Amendments			☐ On roll call			☐ 2/3 Required	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon
Council Budget Amendments
September 25, 2023 Meeting

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Respectfully submitted,
Susan K. Tucker CPA

City of Beacon City Council Agenda
09/25/2023

Title:

September 11, 2023 Minutes

ATTACHMENTS

[September 11, 2023 Minutes](#)



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**September 11, 2023
7:00 PM
City Council
Draft
Minutes**

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council. The City Council Meeting was held through video conference and in the Courtroom at 1 Municipal Plaza, Beacon NY 12508. A video recording of the meeting is available at

<https://vimeo.com/user1296488>. The public was able to attend in-person or through video or telephone and were made aware via the City of Beacon website, beaconny.gov. Please take notice that the full transcript of this meeting is available upon request at City Hall Suite 1, 1 Municipal Plaza, Beacon NY 12508, or by calling (845) 838 – 5010, or by emailing cityofbeacon@beaconny.gov.

Councilmembers Present

Mayor Lee Kyriacou

Councilmember George Mansfield, At Large

Councilmember Paloma Wake, At Large

Councilmember Molly Rhodes, Ward One

Councilmember Justice McCray, Ward Two

Councilmember Wren Longno, Ward Three

Councilmember Dan Aymar-Blair, Ward Four

Also Present

Christopher White, City Administrator

Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

[Spirit of Beacon Day Update](#)

Public Comment

Public Hearings

[Public Hearing for the HIP Lofts and Studios Development Concept Plan \(Adjourned\)](#)

Reports: Mayor, City Council, and City Administrator

1. [Proclamation in Honor of Patriot Day](#)

Local Laws and Resolutions

1. [Resolution No. 95 - Appointing Andrew Bell to the Tree Advisory Committee](#)

Motion to pass the resolution by Councilmember McCray.

Second by Councilmember Wake.

Motion passes 7 – 0.

2. [Resolution No. 96 - Appointing Ethan Skuches to the Tree Advisory Committee](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 – 0.

3. [Resolution No. 97 - Rejecting the Bids Received for the Beacon Pool Fiberglass Rehabilitation Project](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

4. [Resolution No. 98 - Accepting a Sight Line, Utility, and Water Easement at 16 West Main Street](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Mansfield.

Motion passes 7 – 0.

5. [Resolution No. 99 - Accepting an offer of Cession and Dedication of Parcel B at 16 West Main Street](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

6. [Resolution No. 100 - Accepting a Drainage Easement at 44 Kent Street](#)

Motion to pass the resolution by Councilmember Mansfield.

Second by Councilmember Wake.

Motion passes 7 – 0.

7. [Resolution No. 101 - Setting a Public Hearing for the Proposed Rezoning of 6 Commerce Street](#)

Motion to pass the resolution by Councilmember McCray.

Second by Councilmember Mansfield.

Motion passes 7 – 0.

Approval of Minutes

1. [August 21, 2023 Minutes](#)

Motion to approve the minutes by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

Public Comment - Second Opportunity

Adjournment

Motion to adjourn by Councilmember McCray.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.