

*Official Minutes of the Public Hearing of December 19, 2022 for the purpose of receiving comments
on the proposed Local Law Amending Chapter 18 ½ of the City Code of Ordinances Entitled
“Waterfront Consistency Review”*



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PUBLIC HEARING

Monday, December 19, 2022 6:00 p.m.

Common Council Chambers

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is December 19, 2022 and the time is 6:00 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE the proposed Local Law Amending Chapter 18 ½ of the City Code of Ordinances Entitled “Waterfront Consistency Review”

Chairwoman Brown called the meeting to order at 6:45 p.m.

PUBLIC COMMENT: Five (5) minutes per person public comment.

- 1. Nick Kalogris – Maryland Ave.**
- 2. Laurie Sandow, S. Grand Ave. (submitted written comments)**
- 3. John Mylod – Beechwood Ave. (submitted written comments)**
- 4. Vincent Pedi – South Ave.**

Waterfront Advisory Commissions members present – Europa McGovern, Cornelia Harris and Harvey Flad addressed citizens comments and questions posed by the Common Council.

I absolutely support the adoption of this document, the proposed amendment to the Waterfront Consistency Review Law. I am greatly concerned that members of this Council really don't understand the document, and haven't put their comments on the record. And yet, tonight, we have another public hearing. As one of the few members of the public who ever attends Waterfront Advisory Committee (WAC) meetings, I think it's necessary to clarify the purview of the WAC versus the planning and development items that Mr. Kalogris was speaking to. Those are not within the WAC's purview.

What could have been within the WAC's purview is the monstrosity of a Central Hudson regulator that's now sitting in the back of 505 Main Street. And because the waterfront, the Local Waterfront Revitalization Program (LWRP) and its elements have been obstructed for so long, that's a permanent fixture that would have fallen under their consideration. That's not a good thing for the city.

I actually brought my comments from January of this year (2022) because there was also a public hearing at that time. I'm not going to read through them all, especially because I haven't had a chance to alter the times, dates and tenses of the comments I made at that time. But I think it's worthwhile for people to understand how long this effort has been obstructed by this very Common Council.

The fact is that Sarah Salem, Sarah Brannen and Evan Menist were so opposed to the possibility of the January 2022 public hearing that Salem refused to put the resolution (R-21-94) on the agenda for the December 20, 2021, Common Council meeting. Then, when the Resolution was walked-on, the three puppeteers tried to shut it down with an adjournment stunt. On the occasion of the January 18, 2022 public hearing, not only did we hear from some very well-informed and legitimately concerned members of the public, we also heard from many speakers who had never shown interest or concern for the waterfront, or attended waterfront-related meetings. They attended and spoke only because they received a 40-page talking points memo from former Councilmember Sarah Brannen.

And as it turned out, the public did NOT hear from all registered speakers, because once again, Salem deprived the public of their voice by scheduling the public hearing for termination after only 1/2-hour, introducing yet another delay and forcing the remaining speakers to show up at a February public hearing that was held in a vacuum.

With half the current Council being relatively new to your seats, I'm not sure you'll yet have enough knowledge to distinguish those who have been involved, from those who only rally when Brannen, Salem, and Menist sound the alarm. Oddly—but not really—for someone pretending to be seeking a waterfront solution, Brannen intentionally withheld her memo from members of this City's Waterfront Advisory Committee, while blasting the document to the Common Council as well as to members of the Brannen/Salem/Menist pipeline.

Here's a little actual history. First, in order to destroy the institutional memory of the Waterfront Advisory Committee (the WAC), in May of 2018 the Council replaced the long-time chair of the WAC with a member of the Exempt Fireman's Association—a person with neither knowledge, nor prior interest in the work of the WAC. This new chair was, on more than one occasion, often late or absent from WAC meetings.

When the Waterfront Advisory Committee's (WAC) draft Local Waterfront Revitalization Program (LWRP) was issued in December 2019, rather than work in partnership with the WAC, the Council instead created their own secretive committee, which never met in public and never released a report. Reading an excerpt from the August 24, 2020 letter that Sarah Salem wrote to the WAC (attached): "Despite some good work to draft the LWRP, we identified a number of deficiencies...To address these shortcomings, we have taken a number of steps. First, we formed an advisory group consisting of two WAC members, Europa McGovern and Lia Harris; Nathan Shook of the zoning board of appeals and industrial development agency; Randall Johnson, County legislator and member of the industrial development agency; and Jen Benson and Dan Shapley of Riverkeeper. All Council members were invited to join this group and two—Evan Menist and Sarah Brannen—volunteered....Our aspiration is to complete the draft within existing resources, appropriated in the 2020 Council budget, and within the coming few months."

At the time my comments were originally written, nearly 17 months had passed since Salem's letter to the WAC. Did the Council's secret committee ever open their meetings to the public, release meeting minutes, and most importantly, release THEIR complete draft before the end of 2020? No, of course not. And to worsen an already bad situation, the Council's backroom conniving not only obstructed protection for a much larger, expanded waterfront boundary that included the Fallkill, the Council's obstruction also allowed the City to pretend that they couldn't produce a Comprehensive Plan until the Council's LWRP committee had completed its work.

When the glow had worn off the Council's failure to produce their own LWRP draft, they instead moved onto a new obstructive process at the southern waterfront. The Councilmembers who are always first to proclaim themselves as lifelong Hudson Valley and/or Poughkeepsie residents—where were they when Delaval was originally alienated through an 11th hour high-speed ride to Albany? Nowhere. Where were they when Bonura's project was first approved. Nowhere. Where were they when One Dutchess was discussed and approved? Nowhere.

My comments then, as they are now, were not at all made in defense or support of Bonura's projects at the waterfront. But don't kid yourselves that Brannen's interest or her 40-page memo was about, as she claimed, "protecting our precious waterfront". If the LWRP issue had not been forced through a walk-on resolution at a December 2021 council meeting, the LWRP would still remain obstructed, sitting in the Council's circular file, and the January 2022 public hearing would not have taken place at all.

See page 4 for an excerpt from Sarah Salem's the August 24, 2020 letter, written to the WAC (attached).

THE CITY OF POUGHKEEPSIE NEW YORK



Sarah Salem, Chairperson
Common Councilmember At-Large
City of Poughkeepsie
ssalem@cityofpoughkeepsie.com

August 24, 2020

Dear Waterfront Advisory Committee members,

We are deeply grateful for your voluntary service on the city's Waterfront Advisory Committee, an important vehicle for ensuring our shared waterfront will continue to be a vibrant place for generations to come. Additionally, we appreciate your contributions to the draft Local Waterfront Revitalization Plan (LWRP) over the past year and a half.

The Common Council is undertaking our review of the draft LWRP and is committed to having a document that reflects the priorities of the community and will offer clear guidelines for development and waterfront improvements for years to come. The previous LWRP was drafted in 1998 and, although it was never adopted by the state and therefore is not a recognized policy framework, it nonetheless has been used by the city for more than 20 years. One of our other main goals is therefore to ensure the LWRP is approved by the state.

We recognize the WAC's eagerness to have a new set of guidelines, especially given the ongoing development in the waterfront revitalization area. We too are eager to have an LWRP that establishes a clear vision for the city's development, priorities, and policies. There are also a number of exciting projects in the draft LWRP that would enhance the waterfront.

Despite some good work to draft the LWRP, we identified a number of deficiencies in the document that we aim to address. These include the need for a clear vision and goals; a more readable, data-driven, and cogent inventory and analysis; an intentional balance of environmental conservation and economic development; updated maps and visual aids; and community engagement that reflects the diversity of our community.

To address these shortcomings, we have taken a number of steps. First, we formed an advisory group consisting of two WAC members, Europa McGovern and Lia Harris; Nathan Shook of the zoning board of appeals and industrial development agency; Randall Johnson, County legislator and member of the industrial development agency; and Jen Benson and Dan Shapley of Riverkeeper. All Council members were invited to join this group and two- Evan Menist and Sarah Brannen- volunteered.

In addition to this advisory group, the Common Council is endeavoring to hire a consultant to assist in editorial, administrative, and analytical tasks. This consultant will be critical to moving the project forward in an expeditious manner. We have also engaged a graduate student intern who has been working to summarize community engagement findings and best practices, as well as gather supplemental data to improve on the existing draft. The Council members will also be exploring the possibility of some time-bound additional community engagement in the coming weeks to address the lack of diversity in the engagement process thus far.

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December 19, 2022 Public Hearing
Comments on the
Draft Local Waterfront Revitalization Program
Before the Poughkeepsie Common Council

Chair Brown and Members of the Common Council

My name is John Mylod. I live on Beechwood Avenue and I am here tonight in support of advancing the draft Local Waterfront Revitalization Program (LWRP) to final approval by the council.

I come to you with over fifty years of experience advocating for protection of the Hudson River's natural and scenic resources and for the significant increase in public access to the river's coastal zone.

I served on the original Waterfront Advisory Committee (WAC) established in the mid-1980s by Mayor Aposperous and, more recently, was appointed by the Common Council to the Southern Waterfront Task Force. In addition, I was executive director of the Clearwater organization for eighteen years and am Poughkeepsie's last shad and blue crab fisher.

It is critical that the Poughkeepsie Common Council adopt the LWRP that can be approved by the New York State Department of State (DOS) which can provide guidance to the City on coastal issues and problems, such as climate change and sea level rise which are already having impacts on the estuary and will require close attention by City planners going forward.

Department of State approval of the LWRP will also make the City eligible for and enhance grant application success from such agencies as the DOS, the Hudson River Estuary Management Program and the HR Greenway.

It is shocking to me that the City's draft LWRP has taken thirty-plus years to reach a point where the DOS is likely to approve the plan. Over time, the WAC has struggled to provide appropriate review of development in its boundary area even when not all individual projects were referred to the advisory committee for consideration.

But now is the time to view the LWRP seriously and the WAC with commitment and respect. Previous mayors and councils have not always done so.

The City's coastal area is intertwined with other City natural and built resources which impact the river and the waterfront and it is appropriate to extend the LWRP boundary to include the Fallkill Creek and, as included in the original draft LWRP, distinct areas East of the Route 9.

Like the original draft, this iteration of the LWRP includes consideration of important community views of the river, its view shed, view corridors, views of the West shore areas and views down the river. View consideration was also a critical section of the SW Task Force report, particularly the views down the river from Rinaldi Blvd.

Every Hudson River waterfront is different. Each community has to approach the use of its shoreline with the particular physical, social and community needs of the individual town. What works in Kingston on the Rondout won't necessarily work in Poughkeepsie or Beacon or Newburgh or Nyack. But a common denominator in all of these towns is the public's urge to get to and use the river. The most river for thee most people is not a bad thing.

For generations the river here was walled off by industry and private property, but with the foresight of Mayor Waryas who bought the DeLaval site, and the land for Kaal Rock Park and, fittingly, Waryas Park allows the City now to plan wisely with a framework for decision making. The LWRP is that framework.

Poughkeepsie's waterfront offers great opportunities for increased recreation and education and such programs have long been underway. The "glass eel" project on the Fallkill, a collaboration between the Dept. of Environmental Conservation and the Poughkeepsie Board of Education has received notice far and wide and engaged scores of students, teachers and park users with hands on learning and the wonder of these animals. And of course, Poughkeepsie is the Rowing Capital of the Hudson. Right now, seven high schools, two colleges, and two adult rowing clubs use miles of the waterfront and near-shore waters in season from north of Quiet Cove Park to the Pirate Canoe Club on the South.

New and exciting opportunities to enhance water dependent uses of the waterfront and to build upon acknowledged successes are just around the corner. And as daunting as it may seem, these steps forward need the review structure and guidance of the LWRP process. I again urge the Council to approve the draft document before you.

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At 7:14 pm the Public Hearing was adjourned.

Dated: December 29, 2022

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on December 19, 2022.

Respectfully submitted,

**Jasmin N. Davis
City Chamberlain**