



The City of Poughkeepsie New York

Common Council Public Hearing Minutes

Tuesday, October 15, 2024

5:30 PM

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie
Common Council the date is October 15, 2024, and the time is 5:34pm

I. ROLL CALL:

9 Present, 0 Absent ()

II. PUBLIC PARTICIPATION:

Five (5) minutes per person

Jeff Aman
Daniel Atonna
John Bartelstone
Laurie Sadow*
Antonia Mauro
Terry Horner*
Darrett Roberts
Melanie Vetter
Donna Levinson*
Jessica Gordineer
Tom O'Neill
Michael de Cordova
Mary Reynolds
Holly Wahlberg*
Ken Stickle
Doug Nobileti*
Penny Dell
Susan Puretz**
Naomi Brooks**

*Submitted written comments

**Submitted written comments ONLY

Laurie Sandow comments, zoning public hearing continuation, October 15, 2024

On October 10, the City posted a document titled “Memorandum Regarding Public Comment on PK4Keeps Proposed Zoning”—posted only two days before a secular 3-day holiday weekend, and less than two days before the most important and solemn day of the Jewish High Holidays. I look forward to the day when the City pulls a similar stunt right before Easter or Christmas. In addition, the Memorandum’s existence was made known not by press release, or by post on the City website landing page, or as part of the City’s Buzz newsletter. No, the only people who received notice were those subscribed to CivicPlus.

Effectively, just like the covert edits and alterations snuck into the so-called “final draft” of the zoning code, the Memorandum’s anonymous “staff” comments may serve to satisfy some City of Poughkeepsie legal defense of public notice, while the few in the public were actually alerted about or reached by the Memorandum, posted under “Other” on the City’s Agenda & Minutes page:

<<https://poughkeepsieny.portal.civicclerk.com/event/1167/files/agenda/2867>>

What do the majority of the anonymous, so-called “staff” comments say? One after another says: “Staff Does Not Recommend”. The not-so-hidden message this Memorandum conveys: “Like it or lump it; in the c/PK you can talk until you’re blue in the face, in the end it’ll be our way or the highway. While we eat at the public trough of your taxes, you’ll eat the crap we shovel in return.” Why didn’t the Memorandum identify the public commenters by name so that the public could review the accuracy of “staff” summaries? Whose public comments were not answered or included at all in the alleged summary of public comments?

Who are the so-called unidentified staff to whom the replies are attributed? Is it possible that these anonymous “staff” are employees on the Mayor’s staff or, alternatively, paid City employees who fear the loss of employment if they don’t march to the Mayor’s (quote, unquote) “discretion“, not to mention the Administration’s backroom deals and corruption?

Thank you to the Council for pulling the Historic District & Landmark Preservation Commission (HDLPC)-related text from the document. I urge people who came to speak about it tonight to still do so. There are a lot of people here that are anxious to speak, while the Council Chair can be predicted as anxious to silence the public and bring this hearing to an end. It is incumbent that this Council keep this public hearing open. I’ll stop here and submit the remainder of my comments to be included in the public record.

Spot zoning. What is it, and why is it illegal. Spot zoning is when a parcel or parcels are zoned a certain way, not for the benefit of the community as a whole, but rather for the benefit of an individual property owner. And that is exactly what has been done in this code for the benefit of one owner. This owner is a landlord whose property had to be condemned, his tenants forced out to protect their health and safety, who racked up a massive accumulation of city building code violations to the tune of 40,000 dollars in fines, all of which has resulted in huge damage to what was once one of the most beautiful houses in Poughkeepsie - this is the owner who gets special spot zoning in the revised code. Meanwhile 12 nearby homeowners are having their single family zoning taken away and are being made two family, in order to benefit this one absentee landlord who screwed up and lost his grandfathered privilege to run a two family rental in a single family zone. These 12 property owners own homes that have historically always been used as single family owner occupied or single family whole house rental. They pay their taxes, they maintain their homes, they do not have any lapsed grandfathering privileges, and they have never even needed any grandfathering privileges. Those innocent people are now being penalized by a zoning scheme that benefits only one owner, and this is spot zoning. What makes it even worse is that half of those 12 innocent owners have houses on lots so small that their houses couldn't even be legal two family homes without getting variances even if they wanted to convert their homes to two family. If this one owner of this one house needs his two family grandfathered status restored, he can simply go to the zba and apply for a variance. There is no need to make 12 innocent property owners suffer because one person screwed up and let his two family grandfathering lapse.

This other last minute attempt to kneecap the preservation ordinance is just as hurtful and wrong. A lot of people will tell you that urban renewal in the 1970s destroyed Poughkeepsie and that all of us who still live here have just been rearranging the deck chairs on the Titanic since then. That it's just been a long slow downward death spiral of a once a great city, the queen city, whose primary function now is to be the repository of all the problems the rest of the county doesn't want to deal with. But me? In the 28 years I've lived here, I always saw the glass as half full. I saw a city with a complex and fascinating history and enough good bones to make it all work. And that with a best practices preservation ordinance and a commission with really well-qualified people on it, we could protect at least that tiny, little sliver of buildings we've managed to get landmarked which amounts to only about 1.8 percent of all the properties in the city - about 122 properties out of 6,000. And maybe we could even improve on that tiny number by designating some properties that never got the recognition they deserved, whose stories never got told and should be told now. I remain proud of democrats on past common councils who never gave up on the common council's crucial role in protecting our landmarks and they led with real courage - Council members Brian Doyle, Gwen Johnson, Bob Mallory, Ann Perry, Sarah Brannen and now Evan Menist in whose ward (Ward 2) are found 60 percent of our local landmarks with no other ward anywhere near that number. I know Council member Menist will be helping explain further (beyond the five minutes I have) as to why our current law is a good one, actually only recently updated in 2022. That we already had an update so recently helps explain why no one, **NO ONE**, in the community during two years of zoning discussions ever asked for these changes to the preservation ordinance, changes which would be so hurtful to our precious small collection of fragile historic landmarks and the Commission that protects them.

Holly Wahlberg, 35 Garfield Place

Public Hearing, zoning code revision October 15, 2024

October 13, 2024

RE: Historic District Zoning

Dear Mayor Yvonne Flowers and Common Council Members:

I have lived at 24 Garfield Place since 1986 and purchased this home because of its national, state and local historic district designation. I well knew that I needed permission from the historic district to make any exterior changes to the property. I knew that division of the house, ADUs and other embellishments were not permitted. These strict historic designations attracted my wife and I to this neighborhood. For over 50 years (since 1972) the City of Poughkeepsie has done one thing right; the historic designation for Garfield Place and Academy Street has preserved this housing stock, made it a draw for visitors to the City of Poughkeepsie, and provides a legacy of historic homes for future generations to cherish. I hope that the Mayor and the Common Council will not go on record for destroying our neighborhood. Garfield Place consist of only 20 homes; 25% have African American ownership. We love the diversity of the City of Poughkeepsie, any of us could have purchased in Rhinebeck or Millbrook if we wanted otherwise.

Our desire is to preserve the historic beauty of our neighborhood for our generation and generations to come. The following items on the new zoning plans are concerns for us and we wish our historic neighborhood to be a separately designated district and exempt from these proposals:

1. We disagree with changing the Barclay Street section that runs from Academy to Garfield Place (and currently has 3 houses and one garage) from single family to zoning of RA4-allowing 4 +units or more on the properties.
2. We disagree with changing the zoning of the section of Academy Street Between Montgomery and Barclay from single family to RA4 . These single-family homes ech reside on less than 1/10 acres across from Christ Church. This will deteriorate our already small historic district, and there is no acreage left for more units.
3. We OPPOSE allowing ADU's onto our historic district, both external and internal. A petition (dated February 21, 2023, and signed by 21 residents (over 90% of the Garfield place residents) opposing ADU's of any kind in our historic district.
4. We OPPOSE gutting the historic Committee in 3 ways:
 - a. Reducing requirements of members, allowing non historic district residents to serve on the committee, allowing one member to cover multiple requirement hats, and no repercussions for members who miss 4 or more annual meetings. By reducing the knowledge and abilities of the historic committee members, this in effect destroys what the committee is supposed to protect.
 - b. Allowing the historic homes to get building permits to make exterior changes without prior historic committee approval. This changes the character of the niighborhood.

- c. Allowing a historic property owner to “opt out” of being in the historic district. The very essence of a historic grouping of houses is that the sum of the houses makes a unique architectural and historic treasure. If various houses “opt out” that destroys the very nature of the district.

The city has repeatedly told its citizens the purpose of workshop sessions for the proposed Zoning plan is to gather opinions and incorporate the voter’s desires into the new zoning plan. We are asking the city of Poughkeepsie to listen to us and hear us by allowing our historic neighborhood to REMAIN protected; by historic designation, no ADUs, and no more density.

Our councilmember, Evan Menist, supports our efforts, is a very conscientious person, and I know listens to his colleagues and supports your requests. Now it is time for the rest of the common council to honor his requests and his district’s voters desires to keep our national historic district intact

Our neighborhood is vastly different from most of the 4th and 8th wards. They are surrounded by single family houses on manicured lawns. Our neighborhood is surrounded by mostly run-down rental housing. We are bounded by Montgomery Street, South Avenue, Franklin Street and Carrol Street. The City of Poughkeepsie police department refers to our neighborhood as the “Alamo”. In history, the Alamo was one last fortress in San Antonio, Texas that fought to survive against insurgents until it was finally taken over and destroyed. Please do not let this happen to us. We are begging you. Please listen to our requests for the good of all of Poughkeepsie.

Thank you for your support,

Kenneth & Donna Levinson
24 Garfield Place
Poughkeepsie, NY. 12601
845-473-4536

Good Evening. My name is Terry Horner, 81 S. Hamilton Street. I am here tonight to speak on behalf of 13 current and former Historic District and Landmark Preservation Commissioners who are hereby requesting that City Council ***make no changes to the existing preservation ordinance*** for the following reasons:

1. **The proposed changes to the preservation ordinance were inserted into the “final draft” of the zoning code by unknown persons without the input or knowledge of the historic property owners who are regulated by this law and also without the input of the preservation commission who is responsible for carrying out this law.**
2. **No one asked for this.** In the two years that the zoning code revisions have been under discussion, no citizens have requested these changes to the preservation ordinance, which was only recently revised in 2022.
3. **There is a proposed change that 3 members could be appointed just because they live within 250 feet of a district or landmark:** At present, our law requires three members of the Commission to be residents of historic districts or landmarks. These members bring valuable, real life, historic preservation experience to the Commission. There is no experience, expertise or knowledge brought to the Commission by someone whose main qualification is that they reside up to 250 feet away from a historic district or landmark.
4. **There is a change that all the required qualifications could be carried by just a few appointees:** The City proposes allowing a single person to count toward fulfilling multiple, different qualification requirements. This makes no sense. If the person carrying multiple qualifications left the commission, it would be very difficult or impossible to find another person with exactly those same multiple qualifications. The brunt of the work would also fall on the shoulders of a few people, or maybe just one person. If any of these “super commissioners” had to unexpectedly miss a meeting, the Commission would find itself without some or all of the skills needed to make defensible decisions.
5. **There is a change to add a real estate professional to the Commission and this needs much more discussion.** In Poughkeepsie’s case, our local landmarks are overwhelmingly (almost 90 percent) residential rather than commercial - which seems to suggest a stronger need for commissioners who have expertise in actually maintaining historic homes rather than in selling them. Slavishly following the state’s model law on this particular clause may not fit with Poughkeepsie’s individual needs.
6. **There is a change that the Mayor can excuse excessive absences at his/her discretion:** Currently, our law effectively prevents excessive commissioner absences. That ensures that applicants can count on having their application heard in a timely way by a full Commission without sudden cancellations and/or failure to meet quorum. Our current law allows 3 consecutive absences or 4 absences in a calendar year. More absences than that can be forgiven for major illness. This provision has proven its effectiveness over the last 10 years and should be retained as fair to everyone with no playing of favorites.
7. **These revisions were not vetted by the State Historic Preservation Office.** The City has an agreement with the State Historic Preservation Office (SHPO) that as a Certified Local Government (or “CLG” community), Poughkeepsie must submit any proposed ordinance changes to SHPO for their review in order to ensure that the best practices standard is maintained. These changes were inserted without that review.
8. **There is a change that would put private interests above the public good by requiring a Supermajority vote whenever an owner does not consent to a landmark designation.** This major hurdle would significantly impede or even bar the

community's right to protect its heritage in the event that a hostile owner wants to demolish or severely alter a treasured community landmark.

9. **There is change to allow an owner to get demolition permits or building permits while a proposed designation is still under review, and this would be inserting a major loophole into the law:** Using this loophole, an owner could seriously alter or even demolish his property before the Commission even had a chance to finish its review of the landmark nomination.

For these reasons, we ask that these changes to the preservation ordinance be removed and the ***current ordinance be retained as written.***

SIGNED,

Terry Horner, former commissioner	81 S. Hamilton St. nyappealslawyer@gmail.com
Bob Mortell, former commissioner	31 Garfield Place rmortell31@gmail.com
John Fischer (former Chair)	149 Academy St. jpapapok@gmail.com
Gary Privratsky (former Chair)	83 Worrall Ave. gprivratsky423@gmail.com
Holly Wahlberg, former commissioner	35 Garfield Place hwahlberg@verizon.net
Doug Nobiletti, former commissioner	145 Academy St. jdnobil@gmail.com
Werner Steger, former commissioner	14 Parkwood Blvd. steger@sunydutchess.edu
Toni Mauro, former commissioner	3 Willow Ave. antonia.mauro@aol.com
Alyson Pomerantz (former Chair)	2 Dwight St. alysonpomerantz@gmail.com
Brian Hooper (current Vice-Chair)	128 Academy St. brian.c.hooper@gmail.com
John Bartelstone, current commissioner	96 Academy St. jbartelstone@gmail.com
Elisa Li, current commissioner	115 Academy St. elisa.li.123@gmail.com
Kyle Neiswender, current commissioner	8 Garfield Place kneiswen@gmail.com

Let me start off by saying I truly don't understand the purpose of these public hearings since they seem to produce directives quite the opposite of what the general public has asked for. For many, these hearings have proven to be an exercise in futility.

For those of you less versed in the value of historic preservation, I give you one perfect example on our Main Street, the Lucky Platt building.

Mayor LaFuenta & the sitting council had earmarked \$750,000 for its demolition and conversion to a parking lot had we not stalled it by bringing developers to the table.

Unfortunately, the Council made some backdoor maneuvers to a prominent developer, which caused our most promising development to fail.

Thankfully, the building found its way into the hands of the Alma group to become 143 well needed apartments.

Fortunately, it still stands.

Intact historic properties add interest and value to our city, a city that has been decimated by urban renewal.

Change of use to multi-family as a matter of right will only encourage absentee landlords and the eventual demise of these properties that people have lovingly put their life savings into

The zoning plan was sold to us with the idea that it was going to simplify and streamline zoning.

Instead, we have seen proposed spot-zoning of properties within the district to higher densities. This reek's of either favoritism or an underlying unspoken motive.

Let people apply for variances as is the process now.

When one neighbor convinces the historic commission to bypass the rules and regulations, it has the effect of being the "one bad apple that spoils the bunch."

To state that the HDLPC will exist "to control modifications that do not comply with historic standards" is also ludicrous. In my term on the HDLPC, I watched as the administration prompted certain members to ignore the rules to help achieve the desired outcome. I sense that we are bending the rules, for the same purpose.

We have seen executive order override preservation rules, we have seen preservation board members not follow standards, we have seen it all...to think that we can rely on an ever-changing board with all the newly inserted excuses ultimately means we basically have no protections

If part of the agenda is to provide increased housing stock, you all must be aware there are hundreds of apartments in the works right now in the Main Street corridor, many affordable apartments.

Why create all of these new loopholes under the guise of helping when, in fact, is hurting the few remaining properties that people come to the City of Poughkeepsie to see and marvel at.

There are groups, notably the Adriaance public Library, which host tours of these houses, both inside and out, depending on who's offering the tour and what their inquiries are.

Poughkeepsie has been getting quite a bit of bad press in the news media as of late, mostly for gun violence, open drug use and sales, vagrancy by the multitude of unhoused.

All this combined with the failure of the county to ever build the Y.OU. youth center, so desperately needed, these houses must remain as hopeful attractions to the visitors of our fine city.

I will submit via email a letter sent to me by Susan Puretz, hoping it could be read this evening. Susan is the person who in 1972, created the foundation for preservation and the formation of the historic commission. She performed a survey with histories, which encouraged the city to declare Garfield and Academy as our first historic districts.

Had it not been for Susan Puretz' efforts, we wouldn't be here having this discussion tonight.

I can assure you these homes would have been carved up into multifamily houses numerous times over. Many of them would most likely be unrecognizable, others not left standing. Look at the East side of South Hamilton, which stands as the perfect example.

In 2011, the famous Diana Ross came here to help move her son, just enrolled into Marist College.

I met her at the landlords offices, 15 S. Hamilton, where my wife Mechelle was Office Manager.

After introductions, her initial comment was "My God, Poughkeepsie is worse than Detroit." That is not an exaggeration.

I can't help but wonder what her reaction would be were she to come back to Poughkeepsie today.

Doug Nobiletti
145 Academy St.

Susan L. Poretz
158 Buffalo Road
Saugerties NY 12477

Phone: 845-246-1823

Email: puretzs@newpaltz.edu

I write this message to you the Poughkeepsie Common Council and Mayor Yvonne Flowers as:

1. The person, who with the help of Alderman Louise Stark, was responsible for the creation of the Poughkeepsie Historic District Commission in 1972 and was its first chairperson.
2. The person who wrote the documentation that supported putting both Garfield Place and Academy Street on the National Register of Historic Places by my personal contact with Senator Jacob Javits
3. Having had the privilege of living at 11 Garfield Place and
4. As the current vice-chair of the Town of Saugerties Historic District Commission which I also helped create using the Poughkeepsie Historic District Ordinance as a model

I strongly believe that both you Mayor Flowers and the Poughkeepsie Common Council will be undermining the major safeguards and benefits that accrue to owners of houses in Historic Districts.

You have an opportunity NOT to succumb to gross financial motivations and honor the very special plea of the residents of Garfield Place and Academy Street to protect the Historic Districts and not "gut" the Historic District Ordinance.

Before closing I share with you a memory dating back to the 1970's when I was living on Garfield Place, to wit: The residents of Garfield Place had become concerned about thefts and vandalism that was occurring on nearby streets and so we organized a prototype Civilian Patrol by the residents of Garfield Place. We took turns walking Garfield Place in the evenings. Joining us was Tom Adair, the dancer, who lived in a house at the intersection of Garfield Place and Montgomery Street as well as some of the other "notables" on the street, e.g. Dr. Jacques Delphin, Kip Blakely etc.

We also had the support of Clara Steeholm whose house had been built in 1961-62 behind a stone wall so as not to upset the Victorian ambiance of Garfield Place.

She was the widow of Hardy Steeholm who was a candidate for election to the United States House of Representatives from New York in 1940. He opposed Hamilton Fish and ran with President Roosevelt's endorsement. In 1941 he and his wife prepared a report for the United States Commissioner of Education on the Defense Training Program. The papers contain incoming and outgoing correspondence, memoranda, printed materials, and newspaper clippings relating to the campaign of 1940, materials from organizations which supported Steeholm (Non-Partisan Veterans' Committee to Elect Steeholm to Congress, Non-Partisan Veterans' Committee, and Committee of Republicans to Defeat Hamilton Fish).

btw:

Senator Jacob Javits daughter was a member of the Pembroke College Modern Dance Club of which I was the faculty member who was the Club's Advisor at the time.

IN CLOSING....

Please do not tamper with the current Historic District Commission or its Ordinance.

Sincerely,

Susan Poretz, Ed.D.



Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

I am submitting these comments in lieu of attending tonight's October 15, 2024 public hearing on the proposed zoning changes.

I urge you to consider the perhaps-unintended implications of the last-minute changes to the Historic District and Landmark Preservation Commission section 19-4.5

In particular, the new language in paragraph 2a is troubling. The selection criteria for HDLPC members is of utmost importance, allowing a knowledgeable and experienced group to shepherd the preservation and celebration of Poughkeepsie's wonderful historic resources.

- criterion 6 (known interest in historic preservation) has not adequately been addressed in the past (public requests to see examples of commissioners' known interest have gone unanswered), and is now made even more diluted by the inclusion of "known interest in architectural development". *That* criteria is already served on planning and zoning boards, and is not appropriate for a board whose task is historic *preservation*. **Please remove "and architectural development" from this qualification.**

- criterion 4 is very troubling. Living *close* to historic districts or landmarks does not make you qualified to weigh in on their fates, nor to position yourself as knowledgeable solely by virtue of your proximity. Would living across the street from a doctor allow you to practice medicine? **Please remove "or within 250 feet of" from this qualification.**

- the criterion with the most potentially significant impact is criterion 7. It would allow an individual commissioner to satisfy more than one of the qualification categories. While that particular commissioner *could* have the most useful background and experience to help guide commission business, it could *also* be the case that their voice(s) would be overridden by the less experienced or knowledgeable members. For example, if two members have professional training in historic architecture and preservation AND they live in a landmarked building, but the remaining members have **only** an interest and live near a landmark, the two members' opinions can easily be outvoted by those with far less background and experience. I feel that although the spirit of this "multiple category" criteria is well-intentioned, when it is coupled with the looseness of the other criteria, it could jeopardize the skilled decisions upheld by the commission. **Please remove criterion 7.** It is essentially met through **correct** use of the other criteria.

Please revert the language of 19.4-5 to the original. The changes made to it were unannounced, buried in an enormous document, and made far later (Sept/Oct) than the June 2024 date of the draft code. They deserve a more complete conversation than what has occurred.

- Naomi Brooks

III. ADJOURNMENT:

At 6:54 pm a motion to adjourn the Public Hearing was made by 3rd Ward Councilmember Brown and seconded by 7th Ward Councilmember Patterson Thompson.

	Motion to Adjourn - VOICE VOTE
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 3rd Ward Brown, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay	None
Abstain	None
Absent	
Result:	Passed

Dated: October 18, 2024

I hereby certify that this is a true and correct copy of the Minutes of the Common Council Public Hearing held on Tuesday, October 15, 2024.

**Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain**