



**Kingston Conservation Advisory Council
Monthly Meeting Minutes
Kingston City Hall, Date: May 10, 2016
6:30-8:30pm**

Council Members Elizabeth Broad, Lorraine Farina, Emilie Hauser (Vice-Chair), Lynn Johnson, Kevin McEvoy (Secretary), Julie Noble (Chair), Casey Schwarz

Guests: Krista Micelli (CAC NRI Intern), Matthew Akin (NRI Consultant), Gary Pennock, Tom Tiano (Kingston Building Safety), Joe Safford (Kingston Building Safety)

I. **Welcome Guests and Public Comment:** The Chair called the meeting to order at 6:37PM at which time the CAC welcomed the guests. There was no public comment at this time.

II. **Review and Approval April 2016 Meeting Minutes:** Upon motion by Casey and seconded by Lynn, the minutes to the April meeting as amended were unanimously approved by the council members present.

III. Old Business

1. Wood Burning/Air Quality Committee Discussion-

Special Guests: Joe Safford and Tom Tiano, Building Safety Division

Lorraine began the discussion by describing her research including mention of particulates, benzene, formaldehyde, and carbon neutrality of wood with mention of NYC and SF local laws. Joe indicated that new wood stove and fireplace installations require a building permit while Tom mentioned that permits are also required for wood burning installation modifications but stoves and fireplaces can be replaced in kind without a permit. Kingston does not presently require an EPA certified stove which are much more efficient. Tom discussed two types of EPA certified stoves, reburn and catalyst. EPA certified stoves are more expensive than the cheaper less efficient stoves. Tom discussed pellet stoves as more efficient than wood stoves but are more expensive and require electricity. City inspections are required to ascertain that all wood burning installations requiring permits are done according to manufacturer's specifications and have proper clearance between the stove and combustibles. Lynn asked whether the public understands that permits are required and whether more information needs to be posted on the City website. Joe discussed the need for additional public outreach and education. Emilie discussed insurance company concerns regarding wood stoves which can result in increased premiums or prohibition regarding homes with wood stoves. Tom and Joe indicated that Building Safety does not do safety inspections and is limited to inspections for installations requiring permits. Chimneys generally need to be relined when converted from wood or oil to gas. Lorraine brought up Section 135 and enforcement of dense smoke pollution. Joe and Tom indicated that Building Safety does not presently have any way to measure smoke pollution and that calls can go to the Fire Dept. after hours. Vagueness of language in Section 135 especially concerning point of origin of dense smoke was reviewed to which Julie, Joe and Tom discussed the need for re-evaluation of the code with the Corporation Counsel. As an action item, Lorraine will follow up with the corporation counsel regarding code. Further discussions with Tom and Joe (and the ensuing questions) involved not only "dense smoke" as mentioned in Code, Section 135, but also "pollution" and the definition of "injurious quantities" of same. Joe stated

there is a "legitimate fear" that woodburning is producing pollution, regardless of steps that may be taken to lessen the emissions and that he preferred more immediate sanctions than are available currently to the Building Safety Dept.

2. Natural Resources Inventory- Map Review-

Special Guests: Krista Micelli, Spring NRI Intern and Matt Akin, NRI Consultant with Kingston Land Trust: Maps are ready except for the watershed map. Maps will be posted on the City website as part of the public review process. A discussion of file format for public review considered whether PDF, larger files in which all the map layers can be opened, or JPG which are smaller but in which the layers cannot be opened is more suitable. General consensus was to use pdf. Julie will review the maps with City staff and look towards integrating the data from the NRI into the County database as next steps. Time frame on procurement for professional services with respect to selecting a consultant for NRI mapping interpretation is in progress. Kristen Wilson and Brenna Robinson with Julie and will draft a modified RFP, Laura Heady and Emilie will review.

3. Smorgasburg Site Plan Comment/Review: Casey gave a report concerning the delay (Smorgasburg had hoped to open in June). Next planning board meeting is expected to be May 23.

4. Kingston Meadows Site Plan Comment/Review: Latest comments were reviewed. Emilie suggested clarifying floodplain language in comments. Cumulative effects were discussed including Town of Ulster projects downstream on Esopus Creek near round about.

5. Esopus Creek LWRP (Local Waterfront Revitalization Program): As a continuation of the Esopus discussion above, the designated inland waterway status of Esopus Creek was discussed. Kevin explained that municipalities along major coastal and inland waterways are encouraged to prepare a Local Waterfront Revitalization Program (LWRP) in cooperation with DOS. A LWRP is a locally prepared, comprehensive land and water use plan for a community's natural, public, working waterfront, and developed waterfront resources which provides a comprehensive framework within which critical waterfront issues can be addressed. Municipalities with bodies of water designated as inland waterways that have an LWRP in place have access to state funding they cannot otherwise receive for special projects. The funding for such projects is administered by the New York Department of State (DOS), which can appropriate the funds to municipalities for the purposes of improving water quality, ensuring coastal resource and environmental protections, mitigating flooding, and increasing public access to the public waterways. Kingston already has an LWRP for Rondout Creek and the Hudson River waterfront. No motions were made and no resolutions were presented.

<http://www.dos.ny.gov/opd/programs/lwrp.html>

<http://www.dec.ny.gov/permits/55204.html>

IV. New Business:

1. Irish Cultural Center: Casey reviewed the Irish Cultural Center discussion at the planning board. Parking issues exist. Brad Will is the architect. Julie received a copy today of the Full Environmental Assessment Form for the project to review as the Kingston CAC was named as an Interested Agency for the SEQRA designation of Lead Agency. Julie and Emilie will review the documents and report back to the Council for the CAC to determine whether to consent to the Kingston Planning Board acting as Lead Agency. Kevin recused himself with regards to this review pursuant to discussions with the City Planner Suzanne Cahill regarding the contractual relationship between Kevin who is a director of Kingston Preservation Inc. and one of the directors of the Irish Cultural Center with respect to the structural work being done at the Nathaniel Booth House at 116 Wilbur Avenue.

2. Central Hudson Manufactured Gas Facility on Rondout Creek: Emilie reported on the April 26 public informational session. Coal tar from the Central Hudson manufactured gas facility is to be

cleaned up. Four feet of soil is expected to be skimmed off and hauled away to be replaced with concrete solidification with work to include a bulkhead to act as a barrier between the site and Rondout Creek. Additional work will include dredging and capping contaminated areas of Rondout Creek. Emilie reported in a conversation with a Central Hudson representative that sea-level rise was not considered in the remediation. Kevin reported that the site was mentioned in the recent Brownfield Opportunity Area implementation plan with no specific proposal for redevelopment.

3. Lead in Water in County Buildings: The recent Ulster County report concerning lead in the water in county properties was discussed with no motions made and no resolutions presented.

4. Electric Charging Stations: Emilie gave an update on electric charging stations in Kingston.

- V. **Announcements/Communications/Events:** Kingston Kayak Festival, June 11, 10:00-4:00, Kingston Point Beach: Julie reported on collaborative event between Kingston Parks and Recreation and Kenco which includes other participants.

VI. Reports/Updates

- a. **Kingston Sidewalk Task Force (Lorraine Farina):** Lorraine sent notes from the April 28 Sidewalk Task Force meeting. The next meeting on May 19 will review the proposed draft sidewalk standards.
- b. **Planning Board Liaison (Casey Schwarz):** See Paragraphs 3 & 4 above under Old Business regarding Smorasburg and Kingston Meadows.
- c. **Public Safety Liaison (Lynn Johnson):** Lynn reported that Kate Hudson of Riverkeeper spoke to the Common Council Public Safety Committee on Pilgrim Pipeline and a resolution was passed.
- d. **Climate Smart Kingston (Julie Noble):** Julie discussed City initiatives including land use and renewables. Dutchess County will be holding a meeting on June 4 with respect to the Climate Smart Communities Certification Program (see link below).
<http://ccedutchess.org/events/2016/06/04/the-climate-smart-communities-certification-program-supporting-municipal-efforts-to-become-climate-resilient>
- e. **Ulster County Climate Smart Committee (Betta Broad):** Municipal and community solar were discussed. Solarize Saugerties campaign is presently happening. Drive Electric Week will be held Sept 10 to Sept 18.
- f. **Solid Waste Management Improvement Commission (Julie Noble):** The Commission is considering recommendations presently. The resolutions establishing the Commission and recently extending time for the Commission report to be finalized are below:
http://www.ulstercountyny.gov/sites/default/files/394-14_2.pdf
<http://www.ulstercountyny.gov/sites/default/files/252-16.pdf>
- g. **Kingston's Environmental Program (Julie Noble):** Julie discussed the summer camp program for youth in multiple age groups. Link can be found here:
<http://kingston-ny.gov/environment>
- h. **Sea Level Rise Implementation Learning Group (Julie Noble):** Julie met with the comptroller and had discussions concerning procurement policies. The group will be convening shortly. Cornell University Landscape Architecture Professor Joshua Cerra who worked on the Kingston Yard Works Project will be in Kingston in the fall for a three semester Climate Adaptive Design (CAD) project with students of engineering and landscape architecture. Cerra has completed similar CAD projects with landscape architects only in Catskill and Hudson:
<https://wri.cals.cornell.edu/hudson-river-estuary/climate-change-hudson-river-estuary/climate-adaptive-design>
Links to Professor Cerra and Yard Works are below:
<https://landscape.cals.cornell.edu/people/josh>
<https://yardworksproject.org/kingston.html>

- i. **Ulster County Environmental Management Council (“EMC” Emilie Hauser):**
Emilie gave an overview of the meeting process with County Dept of the Environment giving a reports or presentation followed by municipal CAC updates. Wallkill Valley Land Trust (WVLT) presented at the last meeting and provided literature to the Council. There was a further discussion at the Council on opioid abuse including proper disposal so that opioids are not misused and pollution issues caused by improper disposal. Hurley announced that it will have its 4th annual Bioblitz on May 21 to explore the wooded and wet areas immediately adjacent to the unpaved section of the O&W rail trail in the town in order to identify plants and animals that live among the rocks, leaves and in the water and to listen and look for birds and insects (see link below). The Council discussed the recently passed NYC resolution enacting a 5-cent plastic bag fee. The EMC just completed a retreat at Omega Institute to develop a strategic plan. Link to Town of Hurley below:
<http://townofhurley.org/content/News/View/323>
 - j. **Climate Smart Communities Webinar:** Kevin reported on the webinar on April 14 which covered Comprehensive Plans with Sustainability Elements. Speakers described examples from New York State where communities that have broadened the vision of their plans to include sustainable elements like renewable energy including greenhouse gas emission reductions, community resilience, pedestrian-friendly designs, and the conservation of green spaces. Dewitt New York and Town of Geneva NY were used as examples. See link: <http://www.dec.ny.gov/energy/76483>
- VII. **Adjournment:** Upon motion made by Casey and seconded by Lynn, the Council members present unanimously adjourned at 9:40 pm.

NOTE THAT ALL WEBSITE LINKS ARE FOR GENERAL REFERENCE AND THAT THE CAC MAKES NO REPRESENTATIONS REGARDING SAME.

Mission: Ensure the conservation of the City of Kingston’s natural resources and the enhancement and protection of its environment while fostering unified action on environmental matters.