

**RESOLUTION 26 of 2025**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, APPROVING SALE OF 46 GRAND STREET TO THE KINGSTON  
CITY LAND BANK**

Sponsored By: Finance/Audit Committee: Alderman: Scott-  
Childress, Tierney, Mickens, Schabot, Pasti

**WHEREAS**, pursuant to a Request for Expressions of Interest regarding the sale of 46 Grand Street, request has been made by the Kingston City Land Bank to purchase 46 Grand Street, SBL, 56.26-8-47 and

**WHEREAS**, the Finance and Audit Committee has received, reviewed and approved this request.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:**

**SECTION 1.** That the Common Council of the City of Kingston, New York, authorizes the sale of 46 Grand Street, SBL 56.26-8-47, to the Kingston City Land Bank for the sum of \$1.00 upon the condition that at least one unit will be 60% AMI and all other units at 80% AMI or below. Said authorization will not include any agreement to offer municipal parking to the Land Bank or to provide assistance, financial or otherwise, in the removal of the approximately 500 lb. grease container on the premises.

**SECTION 2.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2025

26

THE CITY OF KINGSTON COMMON COUNCIL  
FINANCE/AUDIT  
COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER \_\_\_\_\_  
AUTHORIZATION \_\_\_\_\_  
CLAIMS \_\_\_\_\_

CONTINGENCY TRANSFER \_\_\_\_\_  
BUDGET MODIFICATION \_\_\_\_\_  
ZONING \_\_\_\_\_

TRANSFER \_\_\_\_\_  
BONDING REQUEST \_\_\_\_\_  
OTHER \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ DATE: 1/8/2025

Description: Resolution of the City of Kingston Common Council to sell 46 Grand St to the Kingston City Land Bank for \$11, with the condition that at least one unit will be 60% AMI and all other units at 80% AMI or below.

Estimated Financial Impact: \$ 1.00 Signature \_\_\_\_\_

Motion by MT

Seconded by SP

Action Required:

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Reynolds Scott-Childress, Chairman, Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Michael Tierney, Ward 2 <i>Michael Tierney</i>	✓	
Bryant Drew Andrews, Ward 7 <i>Bryant Drew Andrews</i>	✓	
Steve Schabot, Ward 8 <i>Steve Schabot</i>	✓	
Sara Pasti, Ward 1 <i>Sara g. Pasti</i>	✓	

CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

FYA

Steven T. Noble  
Mayor



November 4th, 2024

Honorable Andrea Shaut  
President/Alderman-at-Large  
Kingston Common Council  
420 Broadway  
Kingston, NY 12401

Re: 46 Grand Street

Dear President Shaut,

The Office of Housing Initiatives recently conducted an RFEI to solicit interested individuals and organizations who would like to utilize 46 Grand Street. Respondents were asked to put forth their plan, as well as how much they proposed to purchase the building for from the City. An RFP review committee was formed and reviewed a variety of applications from private contractors to nonprofits, some of which included; proposing to create community space, offer community services or build affordable housing.

The RFP review committee has proposed that the COOP Concept be allowed to move forward. Prior to any decision by the Common Council, I would encourage the body to meet with the leadership of the Coop Concept to learn about the proposal, to determine whether this entity has the financial ability to complete this project and whether the proposed uses fit our zoning and building code prior to the transfer of the property.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Steven T. Noble", is written over a horizontal line.

Steven T. Noble  
Mayor

City of Kingston, NY  
RFEI#: K24-25  
Request for Expressions of Interest Regarding the Sale of 46 Grand



Steven T. Noble  
Mayor

Request for Expressions of Interest Regarding the Sale of 46 Grand

KINGSTON, NY

Steven T. Noble  
Bartek Starodaj

Mayor of the City of Kingston  
Director of Housing Initiatives

The City of Kingston, New York hereinafter referred to as (the "City") is seeking responses from qualified applicants to purchase a vacant property currently owned by the City of Kingston. This RFEI is intended as a preliminary step to determine the level of interest by potential purchasers.

**RFEI Release Date:** June 26, 2024  
**RFEI Number:** RFEI K24-25  
**Proposals Due:** August 1, 2024

**Definitions:**

An "RFEI" describes the situation in which interest in a project needs to be assessed and useful information is solicited from interested parties. Respondents are invited to propose solutions that will result in the satisfaction of the City's objectives. The proposed solutions are evaluated against a predetermined set of criteria.

The term "Respondent" means any firm or individual submitting a response for the services listed in this RFEI. The term "response" means the material submitted by a Respondent in reply to this RFEI.

**RFEI/Project Contact Person:**

Bartek Starodaj  
Director of Housing Initiatives  
City Hall, 420 Broadway  
Kingston, NY 12401

**Telephone:** (845) 334-3928    **Email:** bstarodaj@kingston-ny.gov

City of Kingston, NY  
RFEI#: K24-25  
Request for Expressions of Interest Regarding the Sale of 46 Grand

**RECEIPT CONFIRMATION FORM**

***PLEASE COMPLETE AND RETURN THIS CONFIRMATION FORM WITHIN 5 WORKING DAYS OF RECEIVING THIS RFEI SPECIFICATION TO:***

Bartek Starodaj  
City Hall, 420 Broadway  
Kingston, NY 12401  
Telephone: (845) 334-3928  
bstarodaj@kingston-ny.gov

***Failure to return this form may result in no further communication or addenda regarding this RFEI.***

Company Name/Contact Person:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip  
Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ EXT: \_\_\_\_\_ Fax:

\_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_

I have received a copy of the above noted RFP Specification. Mark one choice below.

\_\_\_\_\_ We plan to submit a PROPOSAL.

\_\_\_\_\_ We DO NOT plan to submit a PROPOSAL (please indicate reason below).

Signature:

\_\_\_\_\_

Title:

\_\_\_\_\_

**City of Kingston, NY**

**RFEI#: K24-25**

**Request for Expressions of Interest Regarding the Sale of 46 Grand**

**1.0 PROPERTY OVERVIEW**

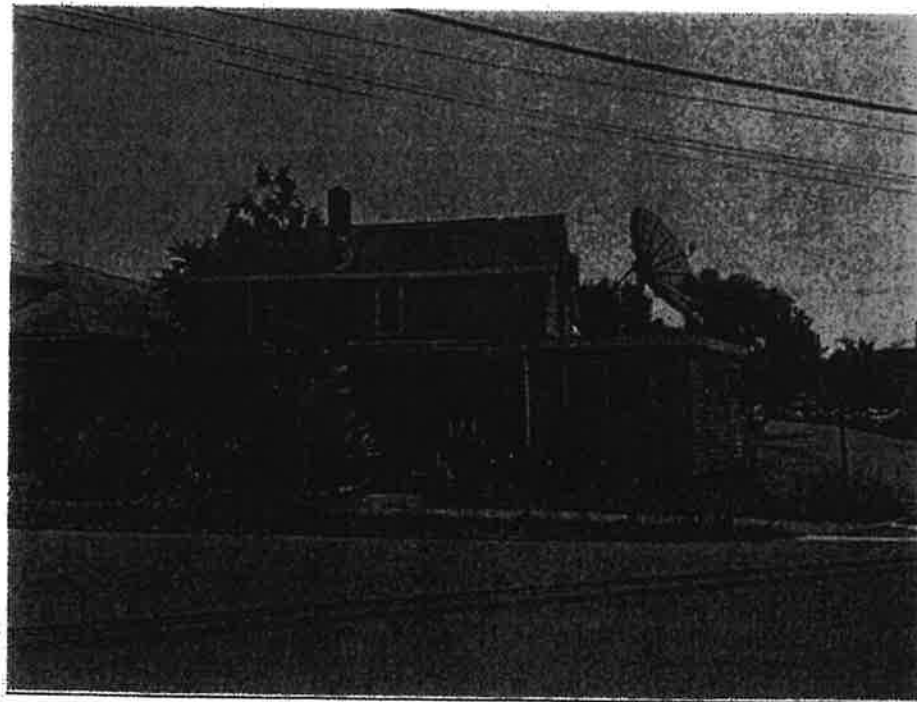
The City of Kingston, New York hereinafter referred to as (the "City") is seeking responses from qualified purchasers to purchase a vacant property currently owned by the City of Kingston. The City is interested in rehabilitating and renewing the property with site uses that create community benefits via commercial or residential activity that complements the current structures and use patterns currently existing in the neighborhood.

This RFEI is intended as a preliminary step to determine the level of interest by potential purchasers. The successful respondent to the RFEI will negotiate the terms and conditions of the sale of these parcels the terms of which will be contained in an Agreement negotiated by and between the Purchaser and the City.

There is one site for which the City will contemplate proposals for purchase; the location is as follows:

**46 Grand**  
**SBL# 56.26-8-47**

The property is a vacant two-story mixed-use property with approximately 3,000 sq ft. Historically, the ground floor commercial space was used as a bar/tavern.



**Figure 1 - 46 Grand Front**

City of Kingston, NY  
RFEI#: K24-25

Request for Expressions of Interest Regarding the Sale of 46 Grand



**Figure 2 - 46 Grand Corner Grand St/Hasbrouck Avenue**



**Figure 3 - 46 Grand Rear**

Request for Expressions of Interest Regarding the Sale of 46 Grand



Figure 4 - 46 Grand Historical Photo

**2.0 DEVELOPMENT OBJECTIVES**

Under the City's form-based zoning code, 46 Grand is zoned T5-Flex. This allows for a wide variety of uses and building types. The intent of this transect is *"To provide an urban form that can accommodate a very diverse range of uses and building types, including some light industrial as well as work/live, to reinforce the pattern of existing walkable neighborhoods and to encourage revitalization and investment."*

The City intends to transfer the property to the winning Respondent upon selection and Common Council approval. The winning Respondent will be responsible for the rehabilitation of the property. The property will be transferred "as is."

The City seeks to achieve the following objectives through this RFEI:

1. Rehabilitation of the building on the site;
2. Maximize the level of public benefits to be generated by the proposed development including new commercial, non-profit, and/or residential activity;
3. Secure a financially feasible rehabilitation.



City of Kingston, NY  
RFEI#: K24-25  
Request for Expressions of Interest Regarding the Sale of 46 Grand

**3.0 SCHEDULE OF PERTINENT DATES**

Listed below are specific and estimated dates and times of actions related to this RFEI. In the event it is necessary to change the return date, the City will issue a supplemental addendum.

<b>Dates</b>	<b>Milestone</b>
June 26, 2024	RFEI advertised
July 17, 2024	Tour at 46 Grand
July 24, 2024, 5pm	Last day to submit written inquiries
July 25, 2024	Addendum issued if any questions
August 1, 2024 2:00 p.m.	Due Date for Proposals
August/September, 2024	Selection Committee evaluates proposals
October 2024	Notice of Intent to Award (estimate)

**4.0 SUBMISSION REQUIREMENTS**

All Respondents to this RFEI are required to submit detailed information as set forth below. Responses that do not materially conform to this outline will not be considered. Additional material and information, as deemed appropriate by the Respondent, may be included in the submission package.

Receipt confirmation form which follows the cover page of this RFEI should be completed and sent to the City of Kingston immediately if planning on submitting a proposal. Failure to file this form may result in no further communications regarding this RFEI.

RFEI submissions must emailed to [Bstarodaj@kingston-ny.gov](mailto:Bstarodaj@kingston-ny.gov). Responses will be electronic only.

Responses are due and must be received no later than **August 1, 2024 at 2:00 PM**. Responses will not be accepted after the due date and time.

- Proposals must be sent electronically via email. Printed proposals will not be accepted.
- Respondents are required to complete, and include within their RFEI submission, the Information Sheet and Affidavit of Non-Collusion that are included in this RFEI.
- The response will be evaluated on the basis of its content, not length. The proposal shall be clear, concise and include sufficient detail for effective evaluation.
- The City of Kingston will not be liable for any costs incurred by Respondents in the preparation of responses or for any work performed in connection therein.

City of Kingston, NY  
RFEI#: K24-25  
Request for Expressions of Interest Regarding the Sale of 46 Grand

5.0 PROPOSAL CONTENT

- **TITLE PAGE:** Showing RFEI number, responder's name, address, telephone, and title of the person(s) with the authority to represent and make legally binding commitments for the Respondent. Responder should also clearly identify the name(s) of the contact person responsible for inquiries, if different.
- **COVER LETTER:** A cover letter signed by the duly authorized member of the Respondent identified above.
- **PROJECT VISION AND NARRATIVE.** Respondents shall provide a description of the vision and program for the proposed project. This should include a clear concept and narrative. As part of the project narrative, Respondents must include descriptions of the desired mix of uses, including the number of residential and/or commercial units as applicable.
- **PLAN FOR EXECUTION:** Provide a development plan for the RFEI which is consistent with the Development Objectives outlined within this RFEI, including:
  - A description of the steps necessary to evaluate due diligence, environmental remediation, financing, pre-development, design approach, construction, lease-up, and property management.
  - A timeline for execution that includes proposed start date of predevelopment activities.
- **RESPONDENT TEAM:** Provide a full description of the Respondent (and its related development entities and subsidiaries, if applicable) along with all team members, including all principals and persons who have or will have either a direct or indirect financial interest in the development project. This includes:
  - Identify the development entity's/Respondent's name, street address, mailing address, phone number, email address and web page. Specify the legal form of the organization (e.g. corporation, partnership, LLC, Joint Venture, other).
  - If applicable, describe the development entity including the number of years in business.
  - If applicable, identify the person(s) with the authority to represent and make legally binding commitments for the principal development entity.
  - If applicable, list all officers, partners, owners, shareholders and members of the development entity by name, title, percentage of ownership and list addresses, telephone numbers and e-mail addresses.
  - If applicable, provide biographical summaries of company officers and/or principals/owners.
  - If applicable, identify all members of the proposed development team that are likely to be engaged in this project including engineering, architectural, construction, property

City of Kingston, NY

RFEI#: K24-25

**Request for Expressions of Interest Regarding the Sale of 46 Grand**

management, marketing agent, geotechnical, environmental, legal, financial, public relations, and other consultants. Indicate the role of each in implementing the development and managing the completed project.

- If applicable, describe the development team's familiarity of the project location and City of Kingston.
- **EXPERIENCE:** As applicable, respondents shall provide demonstrable expertise with projects similar to this opportunity. Project examples from the lead member of the team are encouraged, though experience from any team member will be accepted and evaluated. For each project example, Respondents should include:
  - Name and location of project;
  - Site plans, massings, renderings, and/or photographs;
  - Development team members;
  - Scope (land area, gross square footage by program/product type, etc.);
  - Total cost (excluding land);
  - Timeline; and
  - Details of the project financing, including Respondent's role in securing the financing.
- **FINANCIAL QUALIFICATIONS AND CAPACITY:** Respondents must provide evidence of their financial capacity, financial success over time, and demonstrate their credit worthiness to undertake the Project.
  - If available, audited financial statements of the parent company of the principal developer, whether publicly traded or privately held for the last three fiscal years
  - letter from a financial institution with whom the Respondent has a relationship
  - Narrative describing any current or outstanding litigation pending against the team or any of its members, as well as any litigation brought by or against any individual involved with the project, during the last five years.
  - List of prior debts involving monetary defaults, bankruptcies or foreclosures.
- **PURCHASE PRICE AND SPECIAL CONDITIONS:** Proposed purchase price. Any and all special conditions that the Respondent may offer or request from the City of Kingston are required to be listed.

**6.0 EVALUATION CRITERIA**

All responses will be reviewed and evaluated by a selection committee. Responses will be reviewed and evaluated based upon information contained in the respective submission packages and responsiveness to the submission criteria delineated below.

The selection committee will evaluate the submissions beginning after the posted submission date.

Upon review of the submissions, the City reserves the right to:

1. Take no further action.
2. Invite one or more respondents to submit a response to a more detailed Request for Additional Information.
3. Enter into exclusive negotiations with one or more preferred respondents.

**Request for Expressions of Interest Regarding the Sale of 46 Grand**

The factors to be considered in the selection process are based upon an evaluation using the following criteria:

1. Project feasibility: Likelihood of Respondent and proposed project vision meeting the City of Kingston objectives in an expedient manner (30%);
2. Impact and amount of community benefit derived from the project (30%).
3. Development team qualifications, capabilities and prior experience (20%);
4. Financial strength of the Respondent /developer/developer team (20%);

**7.0 INQUIRIES**

All questions pertaining to this RFEI are required to be made in writing no later than July 24, 2024. All questions must be emailed to Bartek Starodaj at [bstarodaj@kingston-ny.gov](mailto:bstarodaj@kingston-ny.gov).

All substantive questions received by the above-mentioned deadline will receive a response in the form of an addendum issued no later than July 25, 2024.

The addendum will be sent to all Respondents who have registered to receive the RFEI. Only an addendum from the City of Kingston will be considered official. Respondents are advised that the City of Kingston cannot ensure a response to any inquiries received after the due date for question submissions.

**8.0 OPEN HOUSE**

An open house will be held on July 17. Representatives from the City will be available on site to answer questions and to show the property. Respondents wishing to attend the conference should notify Bartek Starodaj to obtain details. Additional open house dates may be announced based on interest.

**9.0 INTERVIEWS**

If the Evaluation Committee determines it to be necessary, interviews may be scheduled with selected Respondents as soon as possible after the initial evaluation. This will permit further evaluation and allow the Evaluation Committee to inquire further into the experience the Respondent has had on similar projects, willingness and ability to work closely with City of Kingston Staff and others, understanding of the various aspects of the requirements, ability to maintain a schedule and complete the services on time, and other matters deemed pertinent.

**10.0 TERMS AND CONDITIONS**

**XI. TERMS AND CONDITIONS**

**Instructions to Respondents:** All submissions must be in accordance with this Request for Qualifications.

**RFEI Information:** The information set forth in this RFEI concerning the real estate and its condition, size status, legal requirements and other matters is believed to be accurate but is not so warranted. The City of Kingston and its officers, employees, representatives, agents and consultants make no representation express or implied as to the physical condition of the real estate, status of the title thereto, its suitability for any use, the absence of hazardous and toxic materials, or any other matter. The City makes no representations as to the accuracy of any statements made herein regarding any environmental conditions of the real estate and any information provided with regard to the environment is not to be relied upon and should be independently verified. All measurements are approximate.

The information provided for respondents is for informational purposes only, and may not be relied upon and does not constitute a representation or warranty by the City of Kingston, its representatives, employees, officers, agents, or consultants that the information contained therein is accurate or complete, and no legal commitment, obligation or liability of the City of Kingston or its representatives, employees, officers, agents or consultants shall arise by use of, or the information relating to any of these materials.

**As is Condition & Disclaimers:** The real estate will be conveyed "as is" with all faults. The City of Kingston makes no representations or warranties regarding the real estate and the property whatsoever, including without limitation whether the property is in compliance with applicable zoning use and other similar regulations, laws and codes (including without limitation building codes and Americans with Disabilities Act), and respondents are not to rely upon any representations or warranties of any kind whatsoever, express or implied, from the City of Kingston, its representatives, employees, officers, agents or consultants.

**Revisions, Interpretations or Corrections:** Revisions, interpretations or corrections of specifications made by the City of Kingston shall be by addendum issued before the date set forth for the submission of responses to this RFEI. Interpretations, corrections or changes made in any other manner will not be binding, and respondents shall not rely upon such revisions, interpretations, corrections or changes.

**Conflict of Interest:** The City of Kingston's employees and the immediate family of City of Kingston employees are not permitted to submit a response to this RFEI. Furthermore, no official or employee of the City of Kingston shall have any personal interest, direct or indirect, in this transaction, nor shall any such elected or appointed official, department head, agent or employee having such an interest participate in any decision, meeting, evaluation or exert any opinion or influence relating to this transaction that affects his or her personal interests or the interests of any person or entity in which he or she is directly or indirectly, interested.

**Zoning and Permitting:** The City of Kingston does not warrant that the real estate is suitable for any particular use. Verification of the present zoning and determination of permitted uses, along with compliance of the property for present or proposed future use, shall be the responsibility of the respondent. The City of Kingston does not guarantee that any zoning information is necessarily accurate or will remain unchanged. Any inaccuracies or changes in zoning information shall not be cause for

**City of Kingston, NY**

**RFEI#: K24-25**

**Request for Expressions of Interest Regarding the Sale of 46 Grand**

adjournment or rescission of any contract resulting from this RFEI. Finally, respondent assumes the entire responsibility of complying with any government requirements and procedures related to intended use, including, but not limited to, licenses, zoning, permitting, habitation restrictions, historic preservation requirements, etc.

**RFEI Award Acceptance:** The City of Kingston reserves the right at all times to accept or reject in their sole discretion, any or all responses and to waive any defects or technicalities or advertise for new RFEI responses where the acceptance, rejection, waiving or advertising of such would be in the best interest of the City of Kingston. The RFEI process may be terminated or modified without notice at any time.

**Notice of Acceptance or Rejection:** Notice, by the City of Kingston regarding either acceptance, or rejection of a response to this RFEI shall be deemed to have been sufficiently given when mailed to the respondent, or his or her duly authorized representative, at the address indicated in the cover letter accompanying respondent's submission of a response to this RFEI.

**Postponement or Cancellation:** The City of Kingston reserves the right to postpone or cancel this RFEI, or reject all responses, if in its judgment it deems it to be in the best interest of the City to do so.

In the event of a postponement or cancellation of this RFEI; the City of Kingston shall not be liable for any costs incurred by respondent in the preparation of their response or for any work performed in connection therein.

City of Kingston, NY

RFEI#: K24-25

Request for Expressions of Interest Regarding the Sale of 46 Grand

**PLEASE RETURN THE FOLLOWING SHEETS**  
**WITH YOUR PROPOSAL**

Request for Expressions of Interest Regarding the Sale of 46 Grand

**INFORMATION SHEET**

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**TYPE OF ENTITY:** Corp. \_\_\_\_\_ Partnership \_\_\_\_\_ Individual \_\_\_\_\_ LLC \_\_\_\_\_

*If a non-publicly owned Corporation:*

**NAME OF FIRM:** \_\_\_\_\_

**DATE OF ORGANIZATION:** \_\_\_\_\_

*If an LP, LLP, or LLLP:*

**PARTNERS:** \_\_\_\_\_

**NAME OF PARTNERSHIP:** \_\_\_\_\_

**DATE OF ORGANIZATION:** \_\_\_\_\_

*\* If the business is conducted under an assumed name, a copy of the certificate required to be filed under the New York General Business Law must be attached.*



Request for Expressions of Interest Regarding the Sale of 46 Grand

**AFFIDAVIT OF NON-COLLUSION**

**NAME OF  
RESPONDENT:** \_\_\_\_\_

**BUSINESS ADDRESS:**  
\_\_\_\_\_  
\_\_\_\_\_

I hereby attest that I am the person responsible within my firm for the final decision as to the prices(s) and amount of this proposal or, if not, that I have written authorization, enclosed herewith, from that person to make the statements set out below on his or her behalf and on behalf of my firm.

I further attest that:

1. The price(s) and amount of this proposal have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition with any other contractor, Respondent or potential Respondent.
2. Neither the price(s), nor the amount of this proposal, have been disclosed to any other firm or person who is a Respondent or potential Respondent on this project, and will not be so disclosed prior to proposal opening.
3. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from responding to this RFEI, or to submit a proposal higher than the proposal of this firm, or any intentionally high or non-competitive proposal or other form of complementary proposal.
4. The proposal of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from any firm or person to submit a complementary proposal.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by an firm or person to refrain from responding to this RFEI or to submit a complementary proposal on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any project, in consideration for my firm's submitting a complementary proposal, or agreeing to do so, on this project.
7. I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

City of Kingston, NY

RFEI#: K24-25

Request for Expressions of Interest Regarding the Sale of 46 Grand

8. By submission of this proposal, I certify that I have read, am familiar with, and will comply with any and all segments of these specifications.

The person signing this proposal, under the penalties of perjury, affirms the truth thereof.

\_\_\_\_\_  
Signature & Title

\_\_\_\_\_  
Print Name & Title

\_\_\_\_\_  
Company Name

Date Signed \_\_\_\_\_ Federal ID \_\_\_\_\_

**RESOLUTION 27 of 2025**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, ISSUING A NEGATIVE DECLARATION FOR THE PIKE PLAN  
CANOPY DEMOLITION AND RATIONALE FOR SAID DEMOLITION**

Sponsored By: Finance/Audit Committee: Alderman: Scott-Childress, Andrews, Schabot, Pasti

**WHEREAS**, pursuant to and in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 (State Environmental Quality Review Act [SEQRA]), the City of Kingston Common Council is issuing a Negative Declaration for the Pike Plan Canopy Demolition; and

**WHEREAS**, pursuant to the issuance of a Negative Declaration for the Pike Plan Canopy Demolition, attached hereto and made a part hereof, is the rationale for the issuance of Negative Declaration and the rationale for the demolition of the Pike Plan Canopies.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:**

**SECTION 1.** That the Common Council of the City of Kingston, New York, hereby issues a negative declaration for the demolition and removal of the Pike Plan Canopies on North Front Street and Wall Street.

**SECTION 2.** That the Common Council of the City of Kingston authorizes the Mayor to execute any and all documents necessary to effectuate the demolition of the Pike Plan Canopies on North Front Street and Wall Street.

**SECTION 3.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2025

27  
9  
18

**THE CITY OF KINGSTON COMMON COUNCIL  
FINANCE/AUDIT  
COMMITTEE REPORT**

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____	CONTINGENCY TRANSFER _____	TRANSFER _____
AUTHORIZATION <input checked="" type="checkbox"/> _____	BUDGET MODIFICATION _____	BONDING REQUEST <input checked="" type="checkbox"/> _____
CLAIMS _____	ZONING _____	OTHER <small>SEQRA</small> _____

DEPARTMENT: Engineering DATE: Jan 8, 2025

**Description:**  
 Authorizing a project to demolish the Pike Plan Canopies on North Front street and Wall Street. Authorizing the Mayor to sign necessary documents and expend funds. Authorizing bonding in the amount \$1,200,000.00. The Common Council, as lead agency, makes a finding of no significant environmental impact under the State Environmental Quality Review Act (SEQRA) after review of the attached Long Form EAF.

Estimated Financial Impact: \$ 1,200,000 Signature John M. Schultheis

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Action Required:

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Reynolds Scott-Childress, Chairman, Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Michael Tierney, Ward 2 <i>Michael Tierney</i>		X
Bryan Drew Andrews, Ward 7 <i>Bryan Drew Andrews</i>	✓	
Steve Schabot, Ward 8 <i>Steve Schabot</i>	✓	
Sara Pasti, Ward 1 <i>Sara J. Pasti</i>	✓	

## State Environmental Quality Review Act

### NEGATIVE DECLARATION

Pursuant to and in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 (State Environmental Quality Review Act ("SEQRA")), the City of Kingston Common Council is issuing a Negative Declaration for the Project described below:

**Name of Action:** Pike Plan Canopy Demolition

**Description of Action & Location:** The City of Kingston is proposing the removal of the Pike Plan canopy arcade structures initially built between 1973 and 1976, which were substantially rebuilt and thoroughly altered between 2011 and 2012. The proposed action or project will remove these structures from the structures to which they are affixed, and the canopies will not be replaced. The canopies are deteriorated and will be removed to protect public safety. The Project includes the potential impacts resulting from the removal, including restoring excavated footings and damage to facades where appropriate.

The Pike Plan canopies are located on Wall Street from John Street north to North Front Street and on North Front Street from Fair Street west to Crown Street, within the public ROW. They occupy a total linear distance of approximately 1,578 feet and will involve a total area of 0.45 acres, of which 0.006 acres would be physically disturbed.

**SEQRA Classification:** The Project is an Unlisted action.

**Agency Jurisdiction:** The City of Kingston owns the Pike Plan canopies. Authorization by the City of Kingston Common Council is necessary to take this action. Additionally, various officers within the City will review the Project and issue ministerial permits, such as demolition authorization. The full name and address of the lead agency, and a contact person, is as follows:

Common Council of the City of Kingston  
City Hall  
420 Broadway  
Kingston, New York 12401  
ATTN: John Schultheis, P.E., City Engineer  
Email: [jschultheis@kingston-ny.gov](mailto:jschultheis@kingston-ny.gov)  
Phone: (845) 334-3967

The potentially involved and interested agencies for purposes of SEQRA are as follows:

### Potentially Involved and Interested Agencies:

Although the demolition of the Pike Plan canopies and restoration would not require discretionary permits, a number of agencies and City Departments were nevertheless included as potentially involved and/or interested agencies to ensure a thorough coordinated review.

1. **City of Kingston Planning Board**
2. **City of Kingston Historic Landmark Preservation Commission**
3. **Kingston Department of Public Works**
4. **Zoning Board of Appeals**
5. **OPRHP / State Historic Preservation Office (SHPO)**
6. **Ulster County Planning Board**

### **Rationale Supporting Determination:**

#### *Background and History of the Pike Plan Canopies*

An arcade structure now known as the Pike Plan Canopy was initially built between 1973 and 1976 in the Stockade Historic District in uptown Kingston, New York. The canopies are within the public right of way and are attached to commercial and residential buildings on Wall Street and North Front Street. The canopies were built during the City's Urban Renewal period in an attempt to evoke a historical character, albeit distinct from the actual historical precedence, to stores in Uptown Kingston, which had modernized their storefronts, facades, and signage in an effort to compete with growing suburban plazas and malls. Pike Plan, Uptown Kingston, New York Historic Research Findings & Recommendations, Kerri Culhane, PhD, August 1, 2024, revised August 30, 2024 ("Culhane Report") at 4.

"Urban renewal – the planned and often wholesale remaking of urban cores, had its origins in slum clearance as outlined in Title I of the Federal Housing Act of 1949...in practice, it often resulted in the clearance of functioning neighborhoods and the displacement of urban poor, including long time property owners and most frequently people of color." Culhane Report at 5. The City has noted in recent public hearings for potential eminent domain acquisition the significant adverse impact on working class areas during Kingston's Urban Renewal Period. This included the demolition of hundreds of structures and displacement of many residents. Further, academic studies have cited to this extensive displacement in the City of Kingston.

The Culhane Report is another study documenting this, noting that the Pike Plan was installed to try to emulate a "pedestrian-friendly shopping district that might compete with the suburban-style plazas" elsewhere in Kingston. *Id.* at 6. Indeed, "the Pike Plan lacked any concern for historical accuracy." *Id.* at 27.

Once the canopies were in place, whatever character they added to bring the Uptown area back to its former historic character was sharply altered and diminished due to the City's determination to complete necessary repairs and to rebuild the canopies between 2010 and 2012. During this work, asbestos abatement occurred, and the appearance and structure of the canopies changed significantly. In some reviewers' opinions, the renovations were a "failed rehabilitation" and were "poorly conceived." Culhane Report at 2, 23. There is no dispute that

[S]ome canopies...were reconstructed, and all received some level of intervention (electrical sockets, paint, replacement of failing components). Original columns were shortened and concrete bases poured, while a number of columns were replaced entirely. Some rooflines were changed and re-roofed, and skylights were inserted into canopies...all canopies lost their distinctive decorative railings. The work undertaken through the rehabilitation contract was shoddy, resulting in water penetration and other structural issues. The rehabilitation removed some of the more charming (or to some corny) character-defining Colonial revival kitsch decorative elements; most of the signboards; the lanterns atop the original pedestrian poles; and reduced the number of tree plantings and planter boxes. *Id.* at 23-24.

The Culhane Report provides its position that the “feeling” of the Pike Plan remained, yet stated that despite an argument “that the gross design retains integrity,” “the full decorative program has been diminished and historic fabric has been lost.” *Id.* at 24. While Culhane urges that the Pike Plan canopies “should be considered as a contributing resource within” the Stockade Historic District, other experts have disagreed. *Id.* at 25.

The Kingston Historic Landmarks Preservation Commission (“Commission”), which engaged in a detailed review of the Project in October 2024, also disagreed with Culhane on crucial and relevant points. The Commission regularly reviews potential impacts to the Stockade Historic District from all kinds of development, as well as impacts to other historic areas within the City. The Commission itself has significant experience and expertise regarding historic preservation and the character of the City of Kingston and intimate knowledge of the Stockade Historic District and, indeed, the Pike Plan canopies. They also look to multiple outside sources for their review of proposals such as the Project.

The Commission’s October 10, 2024 meeting considered the Project and determined that they support the removal of the Pike Plan canopies, and recommend that the canopies not be designated a landmark as consistent with the City’s administrative code. A copy of the October 10, 2024 meeting minutes (“Commission Decision”) is attached hereto and incorporated by reference. The Commission agreed with Culhane and other reports that the “Urban Renewal Era on the national, state, and local level was exemplified by seizing and demolishing large swaths of private and public property for the purpose of modernizing and improving aging infrastructure,” and the Pike Plan was not a part of that as it was limited in scope, and does not reflect “broad cultural, political, economic or social history of the nation, state or community.” *See* Commission Decision, resolution, ¶A(i).

The Commission declined the name the canopies a historic landmark additionally because they were “significantly altered when the majority of the canopies were reconstructed in 2010-2011.” *Id.* at (iii), (B). For these reasons, the canopies “bear[] no resemblance to the former Pike Plan...it retains little to any of the architectural integrity of the original structure,” and are “a major detractor to the inherent architecture of the historic buildings themselves.” *Id.* at (B)(e).

The Commission also found that the canopies “damage[] the designated structures to which it is affixed.” *Id.* at (B)(c). Property owners located within the area where the canopies are located agree and have been demanding since at least 2023 that the damaged structures be addressed to prevent damage to their property. Indeed, William Gottlieb Real Estate submitted such a letter on October 23, 2023, noting the need “to repair the rotting, sagging Pike Plan.” A copy of this letter, and the photos “showing visible deterioration,” which could result, per Gottlieb, in the need to remove the canopies, is attached.

Property owners such as Gottlieb noted that the canopies “pose a danger to those walking under it, in the immediate vicinity of it, and to the buildings with which it connects,” and that the canopies are “hindering the economic vitality of Uptown Kingston.” *Id.* The City has received notices of claim furthering these claims due to the extent of damage that the property owners believe they have experienced.

The City has observed itself, and heard many similar complaints from the community. A car has recently driven through the window of one area with the canopies, which has further damaged these structures.

Further, the City has raised significant concerns about the Urban Renewal Period as the historical context for the first development of the Pike Plan. This was a time when much demolition, displacement, and relocation occurred. These impacts were particularly felt by the City’s residents of color. There was a sharp perception that projects undertaken in the wake of Urban Renewal were part and parcel of those impacts.

Based on the City’s extensive experience and history with the inception of the Pike Plan canopies, their renovation, and now, their unmanageable deterioration, the canopies’ removal, and restoration of the ground and building facades where the canopies impacted such elements, is proposed.

#### *Air Quality*

The Project will not require a NY State Air Registration, Permit, or other authorization, as it is a temporary construction activity. Similarly, it will not emit methane.

During construction, potential impacts from demolition, including paint dust, sawdust, and impacts from metal cutting and demolition activities, are expected. Although asbestos abatement occurred as part of the substantial alterations and rebuilding of the Pike Plan canopies in 2011-2012, should asbestos or hazardous materials be encountered, they will be managed in compliance with all legal requirements.

Given the small scope of the Project and its temporary nature, and based on the Common Council’s review of the Full EAF and other relevant information, there are no other potential impacts to air associated with this Project. As such, the Project will not have a significant impact on air.



### *Ground & Surface Water Quality and Stormwater and Erosion Control*

There are no rivers or wetlands on or in the vicinity of the Project. The total area impacted by the project is less than half an acre, so the Project will not require the utilization of the State Pollutant Discharge Elimination System ("SPDES") General Permit for Construction. However, typical best management practices for erosion control measures such as silt fence, diversion swales/berms, and sediment traps/basins will be utilized as appropriate for any stormwater generated during the temporary construction activities that constitute the Project to control the potential for erosion of soils and any possible siltation.

All erosion and sediment control measures will be constructed in accordance with the latest edition of the New York State Standards and Specifications for Erosion and Sediment Controls and will be reviewed and approved by the NYSDEC. Common industry practices, such as the spraying of water to control dust and confining construction work periods to those specified by the City, will further alleviate the normal unavoidable short-term impacts associated with removal of the Pike Plan canopies. Upon conclusion of the Project (completion of construction), those temporary facilities will be removed and any impacted areas will be restored. As such, there are no significant impacts related to erosion.

After construction, the Project site will look the same as the remainder of the City's streets, with sidewalks and roadways built to their own specifications, and rain flowing into the existing stormwater management areas. Precipitation events and ice formation will be managed the same way as it is for the remainder of this area and other area streets.

Relative to groundwater, the Full EAF identified that groundwater in the vicinity of the Project is located 10 feet below the surface. It also states that the Project overlays Principal Aquifer 77512462. However, the Project includes limited excavation which would not involve contact with any groundwater, or the potential to impact groundwater. The Pike Plan canopies will be removed, and for any footers that would be removed, excavation below the sidewalk is expected to be limited, and certainly no impact to the water table ten feet or more below the surface.

Accordingly, there will be no impact to surface or groundwater, and there will not be a significant impact to stormwater runoff from the Project site.

### *Floodplain*

The Full EAF states that the Project site is located within the existing 500-year floodplain of the Esopus Creek. No area of the site is within the Esopus Creek floodway. However, removal of the Pike Plan canopies will not impact the floodplain, as the existing sidewalk and roadway grades would be maintained.

Accordingly, there would be no flooding resulting from the Project, and no significant impacts are expected.

### *Site Soils & Excavation*

The Full EAF identifies that the predominant soil type is RvA Riverhead fine sandy loam. However, the Project is located in a fully developed area without exposed soil or bedrock, or other features to demolish, other than the Pike Plan canopies themselves.

The temporary construction constituting the Project will not result in permanent changes to the existing ground surface. The removal of the canopies may require addressing footers, but any such impact would be restored. There are therefore no significant impacts to site soils.

### *Traffic*

The Project will generate a small amount of traffic during construction in the form of construction workers and equipment. This will be a temporary impact. The removal of the canopies will not generate traffic in the long term, as the sidewalks and storefronts where the canopies are currently located will remain. As such, no significant impact to transportation will occur. There will be unavoidable temporary impacts to sidewalk traffic and short-term impacts to roadway users due to possible detours, 1-lane operations, and parking restrictions. However, city staff and any contractor hired by the City will work to minimize the duration and intensity of such impacts to the greatest extent possible while protecting the public safety.

### *Noise & Odor*

The Full EAF describes the potential impacts related to noise. The existing setting for purposes of noise includes occupied storefronts, sidewalks that are utilized, and busy streets. Sources of noise that may potentially result from the Project include temporary construction noise, which would be generated from the removal of the canopies, and restoration of facades and the sidewalk if needed. The Full EAF identifies hammering, saw cutting, compressors, generators and general demolition as the types of impacts that could be temporarily experienced.

All construction noise will be short-term and consistent with noise generated by any construction project. The Project sponsor will limit construction to reasonable times, and, if the noise would be expected to exceed the local law for noise, a permit would be applied for.

As the Project involves only temporary demolition and restoration activities, no long-term noise will be generated. As such, the Project will not have a significant impact on noise.

With respect to odor, no adverse impact is expected. Typical odors from the operation of construction equipment would result on a temporary basis while the Project is ongoing. Should any decomposed or decomposing building materials be encountered, any odors would be highly localized. As such, no adverse impact is expected.

### *Utilities & Public Services*

The Project involves the removal of canopies in an existing, development commercial area within the City. As such, it will create no demand for water, sewer, or other public services. Should police, fire or EMS services be required for an incident during the temporary Project activities, any such incident would be well within the capabilities of the City and County's existing services. Given the temporary nature of the Project, no impact to other services such as the Kingston Central School District is expected. The Full EAF identifies that the Project will not generate a new or additional demand for energy. It will utilize the energy needed to operate standard construction equipment needed for demolition and restoration. As such, there will be no impact to utilities and public services.

### *Ecology*

The Full EAF identifies no endangered, threatened or species of special concern in the Project site. More commonplace animal species may periodically be found in the area. As this is also an existing, developed area, no impact to ecology is expected.

### *Critical Environmental Areas*

Based on the Full EAF, there are no critical environmental areas at or near the Project site. Accordingly, no impacts to critical environmental areas will result.

### *Land Use & Community Character*

The Project does not require any land use approvals, and, per the Full EAF, is consistent with the City's Comprehensive Plan. It is located in the T5 Main Street district, as well as the Kingston Stockade Local Landmark Historic District, and the New York State Kingston Heritage Area. The Comprehensive Plan, for example, envisions complete streets (Objective 5.2), incorporating plantings for beautification (Objective 7.2.1), promoting outdoor dining (Objective 8.7.1), and widening sidewalks to achieve these and other objectives (Objective 10.2.4). The Project will more fully open up the sidewalks beneath the canopies for these future uses.

As discussed further herein, maintaining the canopies is not consistent with the City's vision for long term growth, and present an impediment to such plans. As such, no adverse impacts to land use and community character are expected.

### *Historical & Archaeological Resources*

As discussed in the background above, the Pike Plan canopies were installed in an attempt to introduce a reimagined historic character to a few discrete portions of the otherwise modernized Uptown Area. At installation, it was questionable whether this was successful. However, whatever historic character they recalled was significantly and adversely impacted, as described in the Culhane Report and the studies and discussion documented in the Commission Decision, by the significant rebuild and alteration of the canopies in 2010-2011.

In addition to the reviews described at length above, the State Historic Preservation Office (“SHPO”) has reviewed the Pike Plan canopies more than once since their construction in the mid-1970s. SHPO was consulted prior to the 2010-2011 renovation and rebuild, and although SHPO approved of an alternative, they did so with hesitancy. First, they found that “the overhead ‘portal’ features of the Pike Plan are non-contributing (non-historic) features of the National Register listed Stockade Historic District.” A copy of the SHPO Letter dated April 1, 2009 is attached. SHPO was not consulted when the structures were originally constructed due to an admitted lack of jurisdiction, and had they been, SHPO “would probably have originally determined the proposed Pike Plan to detract from the historic district.” *Id.*

In the 2009 letter, SHPO welcomed the opportunity to “review a streetscape restoration for Wall and North Front Streets.” *Id.* Ultimately, the 2010-2011 rebuild was found to “not further detract from the existing historic district” than the original Pike Plan did. *Id.* After this review, fifteen years has passed, and the rebuilt structures are deteriorating, which certainly detracts from the existing historic district on an increasing basis.

As discussed above, the Historic Landmark Preservation Commission (“Commission”) reviewed whether these current structures are worth designating as a landmark and reached a well-reasoned and detailed conclusion that they were not. The Commission also sent a letter to SHPO in response to a third-party Determination of Eligibility for the Pike Plan canopies submitted by Kerri Culhane. *Commission Determination at Item 7.* However, in its recent evaluation, SHPO did not consider the expertise of the Commission nor solicit the input of the canopy owners, the City.

SHPO, in a more recent December 23, 2024 letter, found the structures eligible for listing and determined that demolishing “a historic resource” is an adverse impact. The 2024 letter does not state why it detracts from and contradicts its earlier findings on the original Pike Plan canopies. SHPO recommends the feasibility of alternatives be considered, and that absent that, SHPO property documentation guidelines be followed for demolition. SHPO also notes that any “Adverse Impact” could be ameliorated by doing as the City proposes in this Project, which is preparing “a plan detailing the measures that will be taken to reduce and repair any damage to building facades resulting from the canopy removal.”

Based on the City’s extensive knowledge of the area, its history, the negative citywide cultural and social impacts associated with installing the canopies, their alteration during the 2010-2011 rebuild, and the documented deterioration of the canopies since they were rebuilt, the City finds that any adverse impact resulting from the removal of the canopies is not significant. First, the Common Council has engaged in an independent review of SHPO’s letters, as well as the Commission Decision and the studies upon which it is based, and other relevant documentation, and chooses to rely on the former, and not the December 23, 2024 SHPO letter which contradicts its own earlier findings without explanation.

Based on the larger history, which is exclusively known by the City and Common Council, the Commission’s findings, and SHPO’s April 1, 2009 letter, the Common Council finds that it is reasonable to rely upon the history outlined above and herein, notwithstanding that SHPO has recently found that the canopies may be eligible for listing as a historic structure. Such finding

was made without the property owners' input and was contrary to not only its own prior findings, but the findings of an experienced historic commission that exclusively reviews historic impact to the area where the Project is located. This, coupled with the deterioration and the damage and potential danger that the canopies present, make it reasonable for the Common Council to rely upon their knowledge and first-hand experience related to the City's history, SHPO's April 1, 2009 letter, the Commission Decision, and the studies upon which it is based.

Further, to the extent that an Adverse Impact results from the Project, as stated in SHPO's recent December 23, 2024 letter, such impact is not significant. The City has reviewed alternatives for many years (*see, e.g.*, the November 30, 2018, letter from the City Engineer to the Mayor regarding repair alternatives, attached to the Gottlieb October 30, 2023 letter), and demolition is the only valid alternative for a number of reasons. Additionally, the Culhane Study itself documents the canopies with detailed photographs, and the Project will include supplementing any gap in photographic documentation. Finally, the Project includes restoring facades that may be impacted, both of which activities would be conducted consistent with local historic preservation requirements and input from SHPO. These actions would, per SHPO, address any adverse impact that may be created.

With respect to archaeological resources, the Project includes limited excavation within areas that have been previously and extensively disturbed in their development as a public right of way, including construction and renovation of roads, sidewalks, and the canopies themselves. Further impacts are not expected.

Accordingly, the Project will not have a significant adverse impact on historical or archaeological resources.

#### *Aesthetic Resources*

Per the Full EAF, the closest officially designated and publicly accessible federal, state or local aesthetic resource is over 2.5 miles away. These features are the Sojourner Park State Park and the Catskill Park. The removal of the canopies will avoid their deterioration, which would adversely impact the aesthetics of the streets where they are located. Additionally, it will render the streetscape similar to the other blocks on Wall and North Front Street, which will render the Uptown area more uniform and consistent.

Potential impacts to aesthetic resources are subjective. However, here, the Common Council has spent significant time evaluating the best vision for the City, including the Project area, both within the Comprehensive Plan and the City's zoning code, but also with respect to the presence of the Pike Plan and features related to the City's Urban Renewal period. Based on this review, and the Common Council's role in developing a vision for the City as a whole, and recognizing the long-lasting, negative impacts that resulted from the context of Urban Renewal, a determination that the Project will not create an adverse visual impact is reasonable.

Based on the above, the Project will not have a significant impact on aesthetic resources.

### *Public Health*

The Full EAF identifies a number of historic spills and remediation sites in the vicinity of the Project area. However, these spills and remediation sites are unrelated to the Pike Plan canopies, as there are a number of businesses, and operating streets, directly adjacent to the canopies.

Critically, the Project will not create an impact to public health with respect to any such prior spills or remediation efforts. The removal of canopies, including removing footings, will not expose contamination, should any remain in the area, as it will involve limited excavation, and any soil exposed would be covered by replacement sidewalk. However, construction in public right of ways is an exceedingly common activity for which the New York State Department of Environmental Conservation (“DEC”) has created a number of exemptions from solid waste regulation to encourage the widespread reuse of excavated materials from construction, which occurs regularly for construction in these areas. Consistent with DEC’s soil management requirements, during any required excavation, the City will monitor the soil to ensure that any visual or olfactory indicators of contamination are noted, and, if necessary, separation, characterization, and proper disposal of the soil will occur.

With respect to the canopies themselves, and the buildings to which they are connected, no significant impacts are expected. The removal will be closely monitored, and should any asbestos or hazardous materials be encountered, which is not expected, it will be properly managed. (The alterations to the canopies completed in 2010-2011 included asbestos abatement.) Should any building facades or sidewalks require restoration as a result of the removal of the canopies, the Project will follow local historic preservation guidelines and restoration protocols.

Accordingly, no significant impacts to public health will occur.

### *Open Space, Agricultural Resources & Recreational Resources*

The Full EAF notes that the Project is not located in an area that is part of an open space or agricultural space plan. The Project is located in a fully developed area with operating businesses and busy streets surrounding it. As the Project site is a previously disturbed commercial area, there are no agricultural or open space resources present, and no impact will occur.

### *Impact on Growth*

The Project involves simply removing existing canopies and restoring the sidewalk and building facades, to the extent they are impacted. This is a temporary operation that will not result in growth, it will simply return the canopied areas to the visual appearance that the adjacent streets have. Accordingly, there is no impact upon growth expected.

### *Cumulative Impacts*

The Common Council reviewed the potential for proposed similar Projects in the vicinity of this Project and found that there are none. The City is not proposing any other work like this at other locations at this time. Therefore, there are no cumulative impacts expected.

### *Impact on Disadvantaged Communities*

The Project is located in or near a census tract designated as a Disadvantaged Community (“DAC”) pursuant to the Climate Leadership and Community Protection Act, Census Tract No. 36111952400, which has an environmental burden higher than 68% of census tracts statewide. Pursuant to recent statutory amendments to SEQRA, the “effects of any proposed action on disadvantaged communities, including whether the action may cause or increase a disproportionate pollution burden on a disadvantaged community” must also be considered. *See* ECL 8-0109(2)(k). Although the NYSDEC has only proposed regulations to incorporate this requirement on January 29, 2025, which will not be finalized until sometime after the comment period expires in May, 2025, the Common Council has nevertheless reviewed the potential impact to the DAC. The DAC has an environmental burden and climate change risk at or higher than the 68% overall burden rate based on flooding risk and diesel truck traffic, neither of which will be impacted by the Project. Other pollution burdens that have a higher than 50% risk rating, meaning higher than average, for this DAC include industry and manufacturing, regulated management of hazardous waste sites and agricultural uses, none of which relate to the Project. As such, there is no impact to the disadvantaged community from the Project.

**CITY OF KINGSTON**  
**Office of the City Engineer**

• jschultheis@kingston-ny.gov

John M. Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

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January 2, 2025

Andrea Shaut., Alderman-At-Large, President of the Common Council  
Kingston City Hall  
420 Broadway  
Kingston, New York 12401

RE: Pike Plan Demolition, North Front Street and Wall Street

Dear President Shaut:

On November 12, 2024, the Common Council passed resolution 192 of 2024, declaring its intent to seek lead agency status for the Pike Plan Canopy Demolition action, which has been preliminarily categorized as an unlisted action pursuant to the State Environmental Quality Review Act ("SEQRA"). Following the adoption of the resolution, we circulated a letter, including the Full Environmental Assessment Form Part I dated November 22, 2024, to the potential interested / involved agencies identified as part of our diligence to request that they consent to the Common Council acting as lead agency. The required time period for an agency to object to the Common Council acting as lead agency has passed with no objections received. Therefore, the Common Council may affirm itself as lead agency and engage in its environmental review to make a finding of the significance for the potential environmental impact associated with the proposed action.

Enclosed is the Full Environmental Assessment Form ("EAF") for the Council's review and consideration. Staff believes that a finding of no significant environmental impact (a negative declaration) may be made based on the potential impacts that may result from this action. Our request is that the Common Council take a hard look at the Full EAF and such other information as it, in its independent judgment, requires, to make a finding of significance.

In addition, upon completion of the SEQRA process, we request the Common Council to authorize the Mayor to execute any and all documents as needed to perform the demolition and to authorize project funding by bonding. The estimated cost for the demolition is \$1,200,000.

Please forward this request for discussion and action at the Finance and Audit meeting scheduled for January. A committee report is attached. We expect that the City Comptroller would prepare a bond ordinance for the Common Council's consideration following this meeting.



**CITY OF KINGSTON**  
**Office of the City Engineer**  
jschultheis@kingston-ny.gov

John M. Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

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Respectfully,

John M. Schultheis, P.E., City Engineer

c.: Mayor Steven T. Noble  
Comptroller John Tuey  
Superintendent of Public Works Ed Norman  
Chair Finance and Audit Rennie Scott Childress  
City Clerk Elisa Tinti



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau - Pebbles Island, PO Box 189, Waterford, New York 12188-0189  
518-237-8643  
www.nysparks.com

David A. Paterson  
Governor

Carol Ash  
Commissioner

April 1, 2009

Suzanne Cahill, Planning Director  
City of Kingston  
City Hall 420 Broadway  
Kingston, NY 12401

Re: DOT/DHCR  
Pike Plan (3 schemes)  
Kingston, Ulster County  
09PR01498

Dear Ms. Cahill:

Thank you for requesting the comment of the Field Services Bureau of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

As we had discussed, the overhead 'portal' features of the Pike Plan are non-contributing (non-historic) features of the National Register listed Stockade Historic District. Although our office would probably have originally determined the proposed Pike Plan to detract from the historic district, in my knowledge we did not have any review authority over the project at the time of its installation. Except for demolition/restoration proposals, changes or alterations to such pre-existing and prominent features are reviewed by our office with a special focus: will the alterations further detract or diminish the historic resource and/or will it be more difficult to restore the original streetscape because of the work? It has been suggested that the funds allocated for this project should be utilized to demolish the Pike Plan and to restore the historic storefronts rather than extend the life of the non-historic feature. We would gladly review a streetscape restoration for Wall and North Front Streets. However, we can only offer our formal opinion on proposals that we are given an opportunity to review and our comments are restricted by that prevailing condition.

Post-it® Fax Note	7671	Date	11/3-10	# of pages	2
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DOT/DHCR  
Pike Plan (3 Schemes)  
Kingston, Ulster County  
09PR01458

Based upon our review, it is the OPRHP's opinion that Scheme A-1 will have no adverse impact upon properties in or eligible for inclusion in the National Register of Historic Places. Providing new column bases, new wiring, some sloped roofs, skylights and other minor features would not further detract from the existing historic district nor would it make it much more difficult to remove the features at a future date. Both Scheme A-2 and Scheme-B include too many alterations that would substantially change the existing Pike Plan structure and have additional negative impacts to the historic district as a result of their installation. Before undertaking the A-1 Scheme on the Pike Plan please consider that it will soon be celebrating its fortieth birthday and that our typical eligibility time line is drawn at fifty years (the Pike Plan itself may become eligible for National Register listing!).

If you have any questions regarding this letter or your project, please feel free to contact me, Ext. 3273.

Sincerely,



Kenneth Markunas  
Historic Sites  
Restoration Coordinator

Cc: Theresa Dewey, Region 8 DOT  
Barbara Mizzell, DHCR

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Pike Plan canopy demolition		
Project Location (describe, and attach a general location map): Starting on Wall Street from John Street north to North Front Street and on North Front Street from Fair Street west to Crown Street, within the public ROW		
Brief Description of Proposed Action (include purpose or need): This proposed action is the removal of the canopy arcade structures initially built between 1973 and 1976, which were substantially rebuilt and substantially altered between 2011 and 2012. The proposed action or project will remove these structures, and the canopies will not be replaced. The canopies are deteriorated and will be removed to protect public safety. It will include the potential impacts resulting from the removal, including restoring excavated footings and damage to facades where appropriate.		
Name of Applicant/Sponsor: City of Kingston		Telephone: 845-334-3967
		E-Mail: jschultheis@kingston-ny.gov
Address: 420 Broadway		
City/PO: Kingston	State: New York	Zip Code: 12401
Project Contact (if not same as sponsor; give name and title/role): John Schultheis City Engineer		Telephone: 845-334-3967
		E-Mail: jschultheis@kingston-ny.gov
Address: 420 Broadway		
City/PO: Kingston	State: New York	Zip Code: 12401
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City of Kingston Common Council, Kingston Building and Safety Division,	Estimated January 2025
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Kingston Historic Landmarks Preservation Commission	10-10-24 HLPC decision
e. County agencies <b>Potentially Involved</b>	<b>Ulster County Department of Planning</b>	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):  
 Kingston Stockade Local, State, and National Historic District (period of significance 17th century to 1965); NYS Kingston Heritage Area  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
T5 Main Street (T5MS), Kingston Stockade Local Landmark (Historic) District

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Kingston Central School District

b. What police or other public protection forces serve the project site?  
City of Kingston Police, State Police, Ulster County Sheriffs

c. Which fire protection and emergency medical services serve the project site?  
City of Kingston Fire & EMS

d. What parks serve the project site?  
Not applicable.

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Demolition of a municipal structure including restoring excavated footings & potential restoration of damaged facades

b. a. Total acreage of the site of the proposed action? 0.343 acres  
b. Total acreage to be physically disturbed? 0.006 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.449 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: 2 months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:  
 i. What is the purpose of the excavation or dredging? Removal of column footings  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): approx. 40 cubic yards  
 • Over what duration of time? 2 months  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
concrete footers to be removed and disposed of offsite by standard methods in approved locations.  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ 0.01 acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ 0.01 acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ 3 feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
Areas where columns are removed will be restored as sidewalks to match surrounding sidewalks

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
  
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
  
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No



- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- Describe types of new point sources. \_\_\_\_\_
- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
  - Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 heavy equipment during construction and restoration. Heavy equipment will not remain onsite following project completion. \_\_\_\_\_
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 Power Generation \_\_\_\_\_
- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 None \_\_\_\_\_

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g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):  
Paint dust, and sawdust from saw cutting, metal cutting and related demolition. Any asbestos or hazardous dust generated will be managed in accordance with all legal requirements.

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	7:00 AM - 7:00 PM	• Monday - Friday:	None
• Saturday:	None	• Saturday:	None
• Sunday:	None	• Sunday:	None
• Holidays:	None	• Holidays:	None

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
Hammering, saw cutting, compressors, generators, and general demolition activities. Time of day to be determined and noise permit to be applied for if exceeding local law limits. Noise is limited to the duration of the project and no permanent noise increase will result.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ 85.4 tons per \_\_\_\_\_ overall project (unit of time)  
 • Operation : \_\_\_\_\_ 0 tons per \_\_\_\_\_ 0 (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: Recycle standing seam metal roofing and drip edges  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: UCRRA  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 Possible asbestos containing material  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 Demolition of mixed building materials  
 iii. Specify amount to be handled or generated <1 tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 None  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_  
 State-licensed facility to be selected at time of demolition  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_

**b. Land uses and covertypes on the project site.**

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.343	0.343	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: Walking, shopping.

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
YWCA of Ulster County, Fair Street Nursery School

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e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): See screenshot attached.  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): C356035, C356060  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
Certificate of completion for C356035 was given on 12/03/2010, Satisfactory completion letter was given for C356060 on 05/04/2021  
The Project is not expected to encounter any spill or contamination sites.

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 10+ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

RvA Riverhead fine sandy loam	_____	100 %
_____	_____	_____ %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 10+ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 90% of site  
 Moderately Well Drained: \_\_\_\_\_ 10% of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:

i. Name of aquifer: Principal Aquifer 77512462

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>Squirrel _____</p> <p>Mice _____</p> <p>Raccoon _____</p> <p>Skunk _____</p>	<p>Rabbit _____</p> <p>Bird _____</p>
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: <u>Kingston Stockade District, Senate House, First Reformed Protestant Dutch Church of Kingston, Clinton Ave Historic District</u>	
<i>iii.</i> Brief description of attributes on which listing is based: <u>The Kingston Stockade Historic District was an early Dutch settlement that played pivotal roles in the foundation of early NYS and the US.</u>	
f. 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Sojourner Truth State Park, Catskill Park</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State Park</u>	
<i>iii.</i> Distance between project and resource: <u>2.64 miles.</u>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name City of Kingston / John Schultheis Date 11-15-2024

Signature  Title City Engineer



# Extent of Work North Front Street



	Gross Roof Area	Linear Feet	
North Front Street North	3,311 Ft <sup>2</sup>	322 ft	
North Front Street South	3,109 Ft <sup>2</sup>	361 ft	

Area of Work North Front Street

Drawn by: BB

	Gross Roof Area	Linear Feet	
Wall Street East	4,060 Ft <sup>2</sup>	447 ft	
Wall Street West	4,455 Ft <sup>2</sup>	448 ft	

# Extent of Work Wall Street



Area of Work North Front Street

Drawn by: BB

# Pike Plan Canopy Demolition Project Description

An arcade structure now known as the Pike Plan Canopy was initially built between 1973 and 1976 in the Stockade Historic District in uptown Kingston New York. The canopy was substantially altered and rebuilt between 2011 and 2012. The Pike Plan canopies are within the public right-of-way and are attached to commercial and residential buildings on Wall Street and North Front Street.

The entirety of the Pike Plan canopy is now proposed for removal and will not be replaced. The location of the project in the City of Kingston, Ulster County, New York is:

- 300 to 334 Wall Street (east side)
- 301 to 335 Wall Street (west side)
- 14 to 54 North Front Street (south side)
- 31 through 59 North Front Street (north side)
- Specific to 334 Wall Street the Pike Plan canopy wraps around the north side of this building and ends at the corner of North Front Street and Fair Street.

The total length of the Pike Plan canopy as described above is approximately one thousand five hundred seventy eight linear feet, [1,578 feet].



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Spill Incidents Database Search Results

Record Count: 10 Rows: 1 to 10

Export XLS Export CSV

	Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1.	9809537	10/29/1998	IN LOT	Ulster	KINGSTON	63 NORTH FRONT ST
2.	9815491	03/30/1999	DEISINGS BAKERY	Ulster	KINGSTON	111 NORTH FRONT ST
3.	0110051	01/18/2002	DREAM WEAVERS	Ulster	KINGSTON	40 NORTH FRONT ST
4.	1503494	06/30/2015	ROADWAY	Ulster	KINGSTON	WASHINGTON AVE AND NORTH FRONT ST
5.	1604085	07/25/2016	COMMERCIAL PROPERTY UST	Ulster	KINGSTON	108 NORTH FRONT ST
6.	1608632	12/08/2016	COLUMBIA COSTUMES	Ulster	KINGSTON	66 NORTH FRONT ST
7.	1708120	11/27/2017	COMMERCIAL	Ulster	KINGSTON	50 NORTH FRONT ST
8.	2107984	12/02/2021	HERZOG'S COMMERCIAL BUILDING	Ulster	KINGSTON	9 NORTH FRONT ST
9.	2305572	09/28/2023	ROADWAY	Ulster	KINGSTON	NORTH FRONT ST AND WASHINGTON AVE
10.	2309550	03/07/2024	SOIL	Ulster	KINGSTON	170 NORTH FRONT ST

Spill Incidents Database Search Results

Record Count: 10 Rows: 1 to 10

Export XLS Export CSV

	Spill Number	Date Spill Reported	Spill Name	County	City/Town	Address
1.	9310374	11/26/1993	GAER RESIDENCE	Ulster	KINGSTON	161 WALL STREET
2.	9313131	02/05/1994	WOOLWORTH BUILDING	Ulster	KINGSTON	311 WALL STREET
3.	9313275	02/09/1994	FITNESS UNLIMITED	Ulster	KINGSTON	320 WALL STREET
4.	9408019	09/16/1994	325 SOUTH WALL STREET	Ulster	KINGSTON	325 SOUTH WALL STREET
5.	9415258	02/21/1995	PIRRELLO RESIDENCE	Ulster	KINGSTON	133 WALL STREET
6.	0012654	02/27/2001	RESIDENCE	Ulster	KINGSTON	314 WALL STREET
7.	0404005	07/14/2004	CRANTZ PROPERTY	Ulster	KINGSTON	34 SOUTH WALL STREET
8.	0608977	11/06/2006	STROBER BUILDING TRUCK	Ulster	KINGSTON	329 WALL STREET
9.	0612194	02/06/2007	CHASE BANK	Ulster	KINGSTON	301 WALL STREET
10.	1802882	06/14/2018	WINCHELL RES	Ulster	KINGSTON	171 WALL STREET

Refine This Search

135

THE CITY OF KINGSTON COMMON COUNCIL  
FINANCE/AUDIT  
COMMITTEE REPORT

REQUEST DESCRIPTION		
INTERNAL TRANSFER _____	CONTINGENCY TRANSFER _____	TRANSFER _____
AUTHORIZATION _____	BUDGET MODIFICATION _____	BONDING REQUEST _____
CLAIMS _____	ZONING _____	OTHER _____

DEPARTMENT: MAYOR      DATE: 3-22-24

**Description:**  
Requesting authorization of a \$1.2 million bond for restoration of historic façade.

Estimated Financial Impact: \$1.2 million      Signature [Signature]

Motion by DA

Seconded by SS

Action Required:

Committee Vote	YES		NO
Reynolds Scott-Childress, Chairman, Ward 3 <i>[Signature]</i>	✓		
Michael Tierney, Ward 2 <i>[Signature]</i>			X
Bryant-Drew Andrews, Ward 7 <i>[Signature]</i>	✓		
Steve Schabot, Ward 8 <i>[Signature]</i>	✓		
Sara Pasti, Ward 1 <i>[Signature]</i>	✓		

**CITY OF KINGSTON**  
Common Council and Mayor's Office

Andrea Shaut  
Council President



Steven Noble  
Mayor

---

Kingston Common Council  
420 Broadway  
Kingston, NY 12401

RE: Pike Plan

Dear Members of the Common Council,

In the 1970's during a time when retail in the historic uptown business district felt threatened by the new Hudson Valley Mall, in the Town of Ulster, the City's reaction was to attach a canopy to over 40 buildings, each of which make up a core part of our National Historic District designation. At the time, a proposed Wall Street Mall (Photo 1) was considered, which would have created a pedestrian only mall in this area. While the entire plan was not enacted, the sidewalk structure was created and has caused the community trouble ever since. The Pike Plan did not stop the loss of retail in uptown and continued decline took place. Fast forward to 2010, the City received some grant funds and implemented a tax to redevelop the Pike Plan into what we see today.

Collectively, we believe the best decision the City of Kingston can make regarding this structure is to remove it and return to the historic facades of our Stockade District. The attached pictures (Photo 2-5) show examples of how these buildings used to look. Kingston has worked extensively to protect and preserve its historic buildings and architecture and the Pike Plan is not a part of that historic fabric. We believe that these buildings should be restored, opening up the storefronts to the sunlight for the first time in 40 years.

In 2019, the City of Kingston Engineer estimated a removal cost of \$868,300, which would be \$1,056,000 in today's dollars. We feel this is a relatively low cost, which will have substantial benefits. The Pike Plan has no previous obligations or restrictions, so, with approval, work could begin immediately to restore these buildings. We would envision a two-phased approach. The first phase would be to remove the City owned structure and make immediate weatherproofing repairs at the attachment point with each building. The second phase would assess the condition of each façade where it was attached and create a detailed scope of work to assist the property owners in returning these impacted sections to the condition of the original building.

Please feel free to contact us if you have any questions or concerns.

Sincerely,

Steven T. Noble  
Mayor

Andrea Shaut  
Council President

**RESOLUTION 28 of 2025**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON,  
NEW YORK, AUTHORIZING THE ADOPTION OF A BOND ORDINANCE  
FOR THE SUM OF \$1,200,000 FOR THE REMOVAL OF THE PIKE PLAN  
CANOPIES ON NORTH FRONT STREET AND WALL STREET**

Sponsored By: Finance/Audit Committee: Alderman: Scott-Childress, Andrews, Schabot, Pasti

**WHEREAS**, the Common Council has issued a negative declaration in connection with the proposed removal of the Pike Plan Canopies on North Front Street and Wall Street; and

**WHEREAS**, a request for bonding is being made in the sum of \$1,200,000 for the removal of the Pike Plan Canopies on North Front Street and Wall Street.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:**

**SECTION 1.** That the Common Council of the City of Kingston, New York, authorizes an amount of \$1,200,000 be provided through General Municipal bonding for the removal of the Pike Plan Canopies on North Front Street and Wall Street.

**SECTION 2.** That the Common Council of the City of Kingston authorizes the Mayor to execute any and all documents necessary to effectuate the bonding and use of aforementioned funds for the removal of the Pike Plan Canopies on North Front Street and Wall Street.

**SECTION 3.** This resolution shall take effect immediately.

Submitted to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Elisa Tinti, City Clerk

\_\_\_\_\_  
Steven T. Noble, Mayor

Adopted by Council on \_\_\_\_\_, 2025



27  
9  
28

THE CITY OF KINGSTON COMMON COUNCIL  
FINANCE/AUDIT  
COMMITTEE REPORT

<u>REQUEST DESCRIPTION</u>		
INTERNAL TRANSFER _____	CONTINGENCY TRANSFER _____	TRANSFER _____
AUTHORIZATION <input checked="" type="checkbox"/> _____	BUDGET MODIFICATION _____	BONDING REQUEST <input checked="" type="checkbox"/> _____
CLAIMS _____	ZONING _____	OTHER <small>SEQRA</small> _____

DEPARTMENT: Engineering DATE: Jan 8, 2025

**Description:**  
 Authorizing a project to demolish the Pike Plan Canopies on North Front street and Wall Street. Authorizing the Mayor to sign necessary documents and expend funds. Authorizing bonding in the amount \$1,200,000.00. The Common Council, as lead agency, makes a finding of no significant environmental impact under the State Environmental Quality Review Act (SEQRA) after review of the attached Long Form EAF.

Estimated Financial Impact: \$ 1,200,000 Signature John M. Schulteis

Motion by \_\_\_\_\_

Seconded by \_\_\_\_\_

Action Required:

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Reynolds Scott-Childress, Chairman, Ward 3 <i>Reynolds Scott-Childress</i>	✓	
Michael Tierney, Ward 2 <i>Michael Tierney</i>		X
Bryant Drew Andrews, Ward 7 <i>Bryant Drew Andrews</i>	✓	
Steve Schabot, Ward 8 <i>Steve Schabot</i>	✓	
Sara Pasti, Ward 1 <i>Sara g. Pasti</i>	✓	



CITY OF KINGSTON  
Office of the City Engineer  
jschultheis@kingston-ny.gov

John M. Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

January 2, 2025

Andrea Shaut., Alderman-At-Large, President of the Common Council  
Kingston City Hall  
420 Broadway  
Kingston, New York 12401

RE: Pike Plan Demolition, North Front Street and Wall Street

Dear President Shaut:

On November 12, 2024, the Common Council passed resolution 192 of 2024, declaring its intent to seek lead agency status for the Pike Plan Canopy Demolition action, which has been preliminarily categorized as an unlisted action pursuant to the State Environmental Quality Review Act ("SEQRA"). Following the adoption of the resolution, we circulated a letter, including the Full Environmental Assessment Form Part I dated November 22, 2024, to the potential interested / involved agencies identified as part of our diligence to request that they consent to the Common Council acting as lead agency. The required time period for an agency to object to the Common Council acting as lead agency has passed with no objections received. Therefore, the Common Council may affirm itself as lead agency and engage in its environmental review to make a finding of the significance for the potential environmental impact associated with the proposed action.

Enclosed is the Full Environmental Assessment Form ("EAF") for the Council's review and consideration. Staff believes that a finding of no significant environmental impact (a negative declaration) may be made based on the potential impacts that may result from this action. Our request is that the Common Council take a hard look at the Full EAF and such other information as it, in its independent judgment, requires, to make a finding of significance.

In addition, upon completion of the SEQRA process, we request the Common Council to authorize the Mayor to execute any and all documents as needed to perform the demolition and to authorize project funding by bonding. The estimated cost for the demolition is \$1,200,000.

Please forward this request for discussion and action at the Finance and Audit meeting scheduled for January. A committee report is attached. We expect that the City Comptroller would prepare a bond ordinance for the Common Council's consideration following this meeting.

**CITY OF KINGSTON**  
**Office of the City Engineer**  
jschultheis@kingston-ny.gov

John M. Schultheis, P.E., City Engineer



Steven T. Noble, Mayor

Respectfully,

A handwritten signature in black ink, appearing to be "J. Schultheis", is written over a horizontal line.

John M. Schultheis, P.E., City Engineer

c.: Mayor Steven T. Noble  
Comptroller John Tuey  
Superintendent of Public Works Ed Norman  
Chair Finance and Audit Rennie Scott Childress  
City Clerk Elisa Tinti

RESOLUTION 19 OF 2025.

BOND ORDINANCE DATED FEBRUARY 4, 2025.

AN ORDINANCE AUTHORIZING FINANCING OF THE PIKE PLAN PEDESTRIAN PORTICO PROJECT IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,200,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$1,200,000 BONDS OF SAID CITY TO PAY COSTS THEREOF.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, by the favorable vote of not less than two-thirds of all members of said Council, as follows:

Section 1. Financing of the Pike Plan Pedestrian Portico Project in and for the City of Kingston, Ulster County, New York, including partial or full removal of the Pike Plan pedestrian portico structure and related work; rehabilitation of the building facades where the portico structure is currently attached; lighting, road and sidewalk improvements, and other improvements deemed necessary, as well as incidental costs in connection therewith, is hereby authorized at a maximum estimated cost of \$1,200,000.

Section 2. The plan for the financing thereof is by the issuance of up to \$1,200,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law and the Law; provided, however, that the amount of bonds ultimately to be issued shall be reduced by the amount of grants and/or gifts received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 90 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Kingston, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer of said City. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds herein authorized including date, denominations, maturities, interest payment dates, and whether said bonds shall be repaid in accordance with a schedule providing for substantially level or declining annual debt service, within the limitations prescribed herein and the manner of execution of the same and also including the consolidation with other issues, shall be determined by the City Comptroller, the chief fiscal officer of such City. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 7. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are

reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this Bond Ordinance are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 10. The Mayor is hereby authorized to execute contracts in furtherance of the purpose set forth herein.

Section 11. This ordinance, which takes effect immediately, shall be published in summary form in The Daily Freeman, the official newspaper of said City hereby designated for such purpose, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_  
Alderman \_\_\_\_\_ VOTING \_\_\_\_\_

The ordinance was thereupon declared duly adopted.

\* \* \* \* \*

**CERTIFICATION**

STATE OF NEW YORK    )  
                                          ) ss.:  
COUNTY OF ULSTER    )

I, the undersigned Clerk of the City of Kingston, in the County of Ulster, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 4th day of February, 2025.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
5. That all members of the Common Council of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_ day of February, 2025.

\_\_\_\_\_  
City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond ordinance, a summary of which is published herewith, has been adopted on February 4, 2025, and the validity of the obligations authorized by such ordinance may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Kingston, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the ordinance summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Kingston, New York,  
February 4, 2025.

\_\_\_\_\_  
City Clerk

BOND ORDINANCE DATED FEBRUARY 4, 2025.

AN ORDINANCE AUTHORIZING FINANCING OF THE PIKE PLAN PEDESTRIAN PORTICO PROJECT IN AND FOR THE CITY OF KINGSTON, ULSTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,200,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$1,200,000 BONDS OF SAID CITY TO PAY COSTS THEREOF.

Specific object or purpose:	Pike Plan Pedestrian Portico Project, including partial or full removal of the Pike Plan pedestrian portico structure and related work; rehabilitation of the building facades where the portico structure is currently attached; lighting, road and sidewalks and other improvements deemed necessary
Maximum Estimated Cost:	\$1,200,000
Period of probable usefulness:	Ten years
Amount of obligations to be issued:	\$1,200,000 bonds; to be reduced by grants and/or gifts

Such ordinance pledges the full faith and credit of the City to the payment of the obligations authorized to be issued and delegates to the City Comptroller, the Chief Fiscal Officer, the power to authorize the issuance of and to sell such obligations. Additionally, such ordinance contains the estoppel clause provided for by Section 80.00 of the Local Finance Law and authorizes such ordinance, after taking effect to be published in summary form in the official newspaper, together with a notice of the City Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.



Orrick, Herrington & Sutcliffe LLP  
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New York, NY 10019-6142

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orrick.com

Douglas E. Goodfriend

E dgoodfriend@orrick.com

D +1 212 506 5211

F +1 212 506 5151

January 3, 2025

**VIA E-MAIL** (jtuey@kingston-ny.gov)

Mr. John Tuey  
City Comptroller  
City of Kingston  
City Hall, 420 Broadway  
Kingston, New York 12401

Re: City of Kingston, Ulster County, New York  
Pike Plan Pedestrian Portico Project - \$1,200,000 Bonds  
Orrick File: 42394-2-522

Dear John:

We are enclosing draft proceedings of the Common Council containing a bond ordinance in connection with the above matter.

If the ordinance meets with the approval of the Common Council, please have it adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Council.

As soon as possible after the adoption of such ordinance, the enclosed summary Legal Notice of Estoppel should be published in full in the official newspaper designated for this purpose.

As soon as available, please furnish us with the following via e-mail, followed up with originals by mail:

1. An **ORIGINALLY** certified copy of the enclosed bond ordinance, showing the vote taken thereon.
2. An **ORIGINAL** printer's affidavit of publication of the summary Legal Notice of estoppel from the official newspaper.

With best wishes,

Very truly yours,

*Douglas*

Douglas E. Goodfriend  
DEG/es  
Enclosures

cc: Natalie Kikel (nkikel@kingston-ny.gov)  
Patrick Massa (pmassa@kingston-ny.gov)  
Crystal Knox (cknox@kingston-ny.gov)  
Janet Higgins (jhiggins@kingston-ny.gov)



**BOND ORDINANCE**

At a regular meeting of the Common Council of the City of Kingston, Ulster County, New York, held at Common Council Chambers, City Hall, 420 Broadway, in said City, on the 4th day of February, 2025, at \_\_\_\_\_ o'clock P.M., Prevailing Time.

The meeting was called to order by \_\_\_\_\_, and upon roll being called, the following were

**PRESENT:**

**ABSENT:**

The following ordinance was offered by Alderman \_\_\_\_\_, who moved its adoption, seconded by Alderman \_\_\_\_\_, to wit: