

CITY OF KINGSTON
Kingston Fire Department
Building Safety Division
ttiano@kingston-ny.gov

Steven T. Noble, Mayor
Mark Brown, Fire Chief



Tom Tiano, Deputy Chief
Joe Safford, Zoning Officer

CITY OF KINGSTON ZONING BOARD OF APPEALS
MEETING MINUTES
DATE: January 11, 2018
CITY HALL COMMON COUNCIL CHAMBERS

NOTE: These meeting minutes are a summarization of notes and not an absolute transcript of dialogue.

Board Members Present: Anthony Argulewicz, Chairman, Brian Cafferty, Joseph Fitzgerald, John Bonavita-Goldman, Cassandra Burke, Chris Larson (Alternate), Mary Ann Newbauer (Alternate)

Board Members Absent: Owen Harvey, Recused himself

Staff Present: Deputy Chief Thomas Tiano, Zoning Clerk, Julie Smith, Clerk Building Safety Division, Dan Gartenstein, Corporation Counsel

General Notes: Anthony Argulewicz, read the introduction into the minutes. Called the meeting to order at 6:02 P.M. He reminded everyone that there is a sign in sheet for anyone who is going to speak.

Dan Gartenstein speaks to clarify issues regarding the jurisdiction of the ZBA to hear the appeal which was referenced by the HLPD as section 495 rather than 405. The Board will make a decision based upon case law. This is not a variance request or zoning change so the ordinance that everyone is referencing to does not apply. There will be public comments and we are asking that the comments be kept to 3 minutes.

Anthony states that the Board has received correspondence from JA Meyers, JD Lorenzo and the Law office of Warren Replansky.

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The following people spoke at the public comment:

1. Susan Piperato, 23 Hone Street, Kingston NY
2. Barbara Scott, 66 Spruce Street, Kingston NY
3. Judith Emilie, 26 Abeel Street, Kingston NY
4. James Rodden, 9 Grove Street, Kingston NY
5. Debra Bresnan, 105 Abeel Street, Kingston NY
6. Brian Devine, 316 Spillway
7. Lynn Woods, 43 Hone Street, Kingston NY
8. Tanya Garment, 102 Wurts Street, Kingston NY
9. Hillary Harvey, 26 Abeel Street, Kingston NY
10. Deanna Baum, 42 Abeel Street, Kingston NY
11. Rebecca Martin, W. Chester Street, Kingston NY
12. Katy Dwyer, 95 Madison Avenue, Kingston NY
13. Jennifer Berky, 35 Hone Street, Kingston NY

Item #1: 32 Abeel Street. Irish Cultural Center Hudson Valley, Inc. is seeking an appeal of determination that the City of Kingston HLPC would not issue the preservation notice of action for 32 Abeel Street. Irish Cultural Center Hudson Valley, Inc., Owner/Applicant

Ronald Pordy, Attorney for the ICC, Brad Will is the project architect, and Robert Carey to represent the ICC and the appeal.

Discussion:

Mr. Pordy stated that he will summarize the content of his written submission to the Board

Brad Will – spoke about growing up in Massachusetts with the strict zoning laws. On one side there is a rec center and an ice skating rink with a swimming pool, basketball court and bowling alley and other side was a park. He supports the ICC. Many buildings were torn down during urban renewal. ICC took the HLPC recommendations very seriously. We have worked with 6 local agencies, state and county agencies for 2+ years. The design is now completed. He was reading from a section of the packet that was given to the Board at the meeting from Mr. Pordy.

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Mr. Pordy- the purpose of providing the transcript is to see how the Board strays from their authority and then made a decision to deny the PNA without any basis.

Robert Carey – I would like to give you some back ground information about me. I have been a commercial general contractor focusing on historic restorations. The ICC has worked diligently with the HLPC. I was a member of the HLPC for 10+ years. I appreciate them weighing in on the project. To come up with this design at the end it has not been about the design it is coming down to the building being too big. We have functions in the building. The building is designed around the programs. Many of the current buildings were built before the building laws. Today’s building laws and handicapped laws make things larger.

Mr. Pordy – asking what the next step is.

Dan Gartenstein – stated that the board will take a recess to consult with counsel.

Anthony – adjourned meeting to future date where we will continue our discussion

Motion to adjourn to a later date:

Motion by: Joe Fitzgerald Second by: Brian Cafferty
(Board voted – Yes)

Anthony – Closed the meeting at 8:52P.M.