



**CITY OF KINGSTON PLANNING BOARD  
MEETING MINUTES  
November 19, 2018  
Common Council Chambers – 6:00 PM**

**NOTES:** (1) These meeting minutes are a summarization of notes and not an absolute transcript of dialogue. (2) All public hearings were conducted prior to the Planning Board discussions with the applicant(s) and any comment received is included within the written section of the minutes. (3) In the absence of full Planning Board Members, or in the case of a necessary recusal, the Planning Board Alternates will participate in the vote in order of seniority. (4) Jamie Mills voted in the absence of Chairman Wayne Platte until Item #7

A meeting of the City of Kingston Planning Board was held on November 19, 2018 in the Common Council Chambers at Kingston City Hall, 420 Broadway, Kingston, New York. The meeting was called to order at 6:00 PM by Charles Polacco.

**BOARD/ALTERNATES PRESENT:** Wayne Platte, Chairman (arrived for Item #7), Charles Polacco, Robert Jacobsen, Mary Jo Wiltshire, Jamie Mills, Bridget Smith Bruhn and Kevin M. Roach.

**OTHERS PRESENT:** Suzanne Cahill, Planning Director, Kyla Haber, Assistant Planner, and Daniel Gartenstein; Assistant Corporation Counsel.

**GENERAL NOTES:**

1. Pledge of Allegiance
2. Introduction of all Board Members and Staff Present
3. Identify exits, bathrooms, no elevator in case of emergency
4. Silence cell phones, conversations should be taken out of room
5. Respect speakers

**REGULAR BUSINESS:**

**Item #1:** Open Public Speaking (6:00P.M. – 6:15 P.M.)

Holly Christiana – Wanted to speak to the Board about public discourse during the public hearings and open public speaking portions of the meeting. She is appalled by the number of speakers that ignore the time limits and don't adhere to the Board's request to complete their comments. She said that there are often a number of people in the audience that would like to speak and there are a few people that dominate the time.

The open public speaking was closed.

**Item #2:** Adoption of the October 15, 2018 Planning Board Minutes.

**Discussion:** C. Polacco asked if everyone had time to review the minutes.

**Decision:** The Board voted unanimously to adopt the October 15, 2018 Planning Board Minutes. (CP, MW, RJ, MG, JM – yes)

**PUBLIC HEARINGS:**

**Item #3:** #17-19 Abeel Street SPECIAL PERMIT RENEWAL to establish 4 residential units in an existing building. SBL 56.43-3-21. SEQR Determination. Zone RT. Ward 8, HAC. Paul Jankovitz/ applicant; HVK Consulting/Corryn Carey/owner.

C. Polacco opened the public hearing.

Brenda Curran, resident of Post Street, said that parking is an issue in the neighborhood and that this project will add to the parking problem.

Kristin Wolf, 20 West Union, lives on the property that abuts this property. She has concerns about the structure being built on the roof. She has been told that there will be a rooftop terrace and that this property will be rented short term as a Bed & Breakfast. She said that Bed & Breakfasts require the owner to reside in the property and this is not the case for this building. The roof is next to her property and she will be affected greatly. She gave the Board photos of the rooftop structure for reference.

No further public comment was made and Vice Chairman Polacco closed the public hearing.

**Discussion:** Paul Jankovitz, AIA, was present at the meeting. S. Cahill stated that the parking was addressed during the initial review and that this review is for renewal of the special permit. There has been work initiated on the structure to create 4 residential apartment units in an existing 3 story building on Abeel Street. The layout will include 2 studio apartments on the ground floor, 1 two-bedroom unit on the 2nd floor and 1 two-bedroom unit on the 3rd floor. The apartments will be used for short term rentals. The original approval was granted on November 20, 2017 for one year.

The Board asked about the structure on the roof of the building. P. Jankovitz said that the structure for the addition of a doorway to exit the building as a second means of egress as required by NYS Building Code. He said that they constructed the structure as small as possible to minimize the impact. He added that there are no plans to include a rooftop terrace on the roof. The shape and contour of the roof would not allow for this.

Staff asked whether the structure was on the plans that were submitted to Historic Landmarks Preservation Commission (HLPC) and the State Historic Preservation Office (SHPO). P. Jankovitz stated that it was on the plans for both submissions, and the applicants received approval from both HLPC and SHPO. The owner went before the Historic Landmarks Preservation Commission and the Heritage Area Commission and received approval from both boards. Approval was also given from the State Historic Preservation Office.

The Board asked for a timeline for completion. P. Jankovitz said that they anticipate being completed in the summer of 2019.

A determination of environmental significance was discussed. Because the project involved no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) "... permit renewals... where there will be no material change in permit conditions or the scope of permitted activities" is predetermined to have no environmental impact and no SEQR review of the Board is required.

The Board discussed a term for the special permit. They agreed on a 1 year term.

**Decision:** The Board voted unanimously to render the application a Type II under SEQR and to approve the special permit for a period of 1 year, expiring on November 19, 2019 with all original conditions carried forward. (CP, RJ, MW, MG, JM – yes)

**Item #4:** #205 Clinton Avenue (209 Clinton Avenue) – SPECIAL PERMIT Renewal to operate a daycare center. SBL 56.91-3-32. SEQR Determination. Zone O-2. Ward 2. YWCA of Ulster County; applicant/owner.

**Discussion:** No one spoke at the public hearing. Dawn Brownson was present at the meeting to represent the YWCA.

This proposal is for the renewal of a special permit to operate a day care center. The permit was most recently renewed in November 2013 for a period of five (5) years. There have been no changes in the circumstances of the special permit.

The day care center is open Monday through Friday from 7:00AM until 6:00PM. The NYS Office of Children and Families has approved the center for a total of 62 children in 4 age appropriate classrooms. The center employs 16 full time and part time employees.

There were no issues with the Building Safety Division or the Police Department.

A term for the special permit was discussed. There is no term limit for this type of use. The previous term was for a period of five years. The Board agreed to continue with a five (5) year term.

A determination of environmental significance was discussed. Because the project involved no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) "... permit renewals... where there will be no material change in permit conditions or the scope of permitted activities" is predetermined to have no environmental impact and no SEQR review of the Board is required.

**Decision:** The Board voted unanimously to render the application a Type II under SEQR and to approve the special permit for a period of 5 years, expiring on November 19, 2023, with all original conditions carried forward. (CP, JM, MW, MG, RJ – yes)

**Item #5:** #134 Hunter Street SPECIAL PERMIT RENEWAL for 8 residential units in the RT Zone. SBL 56.50-5-1. SEQR Determination. Zone RT Ward 8. RUPCO; applicant/owner.

**Discussion:** No one spoke at the public hearing. Charles Snyder and Tasyka DeRosalia, RUPCO, were present at the meeting.

The application is to renew the special permit for 8-residential units in the RT zone. In this zone, a special use permit is required for residential buildings accommodating more than 3-dwelling units. The building continues to be rented as affordable housing. The last permit renewal was issued in November 2013 for 5 years.

There are no changes to the management of the building. The property is registered with the BSD in accordance with Local Law #3 of 2004, (Landlord Registration).

A police incident report was requested from the KPD for the past year. This report was reviewed by the Planning Board and the applicants. R. Jacobsen noticed that there seem to be many calls made from management asking for police assistance. T. DeRosalia agreed that many calls were the result of someone trying to enter the building that did not reside there. She said that there are often foster children and that this can create a domestic issue that results in police calls.

There were no recent violations or complaints with the Building Department. The only open issue, from October 2018, was related to refuse pickup. There was a sofa placed on the street without a tag being obtained from DPW. All other issues were prior to 2016.

A variance was granted in July 2004 to meet the off street parking requirement.

A term for the special permit was discussed. The last renewal was for 5 years. The Board agreed to continue a 5 year term.

A determination of environmental significance was discussed. Because the project involved no changes, it was categorized as a Type II Action under 6NYCRR Part 617.5, and therefore is predetermined by New York State to have no environmental impact and no SEQR review of the Board is required.

**Decision:** The Board voted unanimously to render the application a Type II under SEQR and to approve the special permit for a period of 5 years, expiring on November 19, 2023, with all original conditions carried forward. (CP, MW, JM, MG, RJ – yes)

**Item #6:** #54, 56, 58 Johnston Avenue LOT LINE REVISION of the Lands of Bradley and Todd Jordan. SBL 56.106-3-1, 2 & 26. SEQR Determination. Zone R-1. Ward 1. Brad & Todd Jordan; applicants/owners.

**Discussion:** No one spoke at the public hearing. Dennis Larios, Brinnier & Larios, was present at the meeting to represent the applicants.

The application is to revise the lot lines between 3 properties under the same ownership. A map of Lot Line Revision drawn by Christopher Zell, LLS, dated October 31, 2018 was submitted for consideration.

The application is to revise the lot lines to move the access for 58 Johnston Avenue. The existing lot is a flag lot with access currently running along 56 Johnston. The proposal moves the access to be located between 54 & 56 Johnston. The change to the access will result in 56 Johnston being slightly more conforming to the 50'x100' lot size requirement while 54 Johnston would be slightly less conforming. Lot 54 will go from a 43.34' to 39.09' width and will also result in a reduction of the side yard. Lot 56 will go from a width of approximately 42.75' to 45.09'. The access to 58 Johnston will increase from 10' to 12'.

D. Larios stated that the lots are nonconforming lots of record and that they will still be nonconforming after the revision. M. Wiltshire asked if this application included a second curb cut. Staff explained there is no need for a second curb cut. The rear lot will have one curb cut for the driveway and the property at 56 Johnston will have one curb cut for a driveway.

There are no utilities run on the lots. If there are any utilities being affected by the change, this will need to be noted and addressed.

The applicant is aware that the lot line deletion will not become final until it is filed with the Ulster County Clerk. The Ulster County Real Property Tax Agency will not make changes to the City's assessment maps until the map and new deeds are filed.

Written descriptions will need to be submitted and reviewed by the Planning Office. 5 paper copies and 1 mylar copy will need to be submitted for signature by the Board chairman. These maps will need to be signed by the owner prior to submission.

This is considered an Unlisted Action under SEQR. A determination of Environmental Significance was considered.

**Decision:** The Board voted unanimously to render the action a Type II under SEQR and to approve the lot line revision with the following conditions: written descriptions submitted to staff, 5 paper copies and 1 mylar copy signed by the property owners submitted for signature by the Board Chairman, and Board Policy #6. (CP, MW, RJ, MG, JM – yes)

**Item #7:** #261 Flatbush Avenue SPECIAL PERMIT/SITE PLAN to install a wireless service facility/communication tower. SBL 48.74-4-31. SEQR Determination. Zone RR. Ward 7. Cellco Partnership d/b/a Verizon Wireless/applicant; John & Tirzah Sheehy/owner.

NOTE: Chairman W. Platte entered to preside over the remainder of the meeting.

Chairman Platte advised that the public hearing for this item is still open. S. Cahill explained that the Planning Board had requested at the previous meeting that the applicants conduct a balloon test to produce a visual assessment of the proposed tower. She explained that the Planning Office had been in touch with the applicants and that the weather had not been conducive to flying the balloon due to wind conditions. Staff noted that the Ulster County Planning Board also requested similar visual assessments.

Paul Casciaro, resident of 397 Clifton Avenue, asked the Board to consider asking the applicants to construct the tower in a way that is less obtrusive visually. He said that in other

communities, he has seen towers that look like artificial trees. He said that he is also the owner of 295 Flatbush Avenue.

Rebecca Martin, resident of 68 West Chester, requests that the Board table the application. She said that the Department of State recommends a moratoria on cell tower applications. She said that moratoria have been upheld in the short term to allow for municipalities to study. There is a model law that is 24 pages which she said that she would submit.

Barbara Stempke – resident of West Chestnut Street – Has studied cell towers for many years and they make people sick. They cause tremors, dizziness, they change DNA and chromosomes. 1700 people dies in Brazil as a result of cell towers. There are tons of peer reviewed papers regarding the harmfulness. A home with a family lives on this property and we are going to allow this? They are going to cook. This is harmful. She agrees with Rebecca Martin and proposes that a moratorium be proposed. The telecommunication act of 1996 falsely states that nonionizing radiation is safe. This is not true, it makes people sick.

Patrick O'Reilly 322 Clifton Avenue – Has concerns about health effects. He lives very close and is concerned about his family getting sick. He asks that the Board look into the landscape and the views in the area and how they will be affected.

Mark Reiker of 11 Hemlock – Owns a property at 72 Clifton Avenue. It is a rock pile and is a high point in the City of Kingston. He thinks this would be a great spot for a cell tower. It is an R-1 zone. It would make a good alternate site. He likes technology and feels that it is important to provide for it. When he was young, satellite dishes were very large and now they are very small. Technology is always changing. He was a building inspector for Kingston and Esopus and he has dealt with cell towers in this capacity. He has done some research on them over the years and just wanted the applicants to be aware that he would be open to having one on this property.

Tanya Garment – resides on Wurts Street – There is no doubt about it, we will be getting more cell towers. We have many in this area already on the water tower. There are many low income residents in this area. We should be considering alternatives and changes in technology

Jack Sheehy – owner of the property where the tower is proposed. The water tower in this neighborhood has many cell towers. There are many cell phones in this room. Cell towers may not look great but they are a utility and they are needed. He uses one of work and members of his family use them. Many people need them for work. The water tower has been there for years and after a while, you don't even notice that it's there.

Robert Iannucci – Has looked into leases for cell tower utility companies and the terms of the leases are typically very lengthy and can be very difficult to break. There are often very harsh penalties associated with breaking the leases. This may need to be looked into. There could be a possibility for shorter term leases.

**Discussion:** Scott Olsen, attorney with Young Sommer, was present to represent the applicant. He explained that the balloon test was not possible prior to the November meeting due to high winds. The balloon has to be flown in low wind conditions. He also stated that the applicants

are looking into the water tower in the Town of Ulster near this site which was suggested by the Planning Board at the October meeting. He said that this is a possibility but that the Town of Ulster is looking to replace that tower and they are unsure what the height of the new tower would be. He hopes to have this option hashed out within a month or so. He asked that the Board table the item to allow the applicants to continue discussion with the Town. He also told that although he did not want to spur debate, wanted the Board to be aware that the Federal government and the FCC has said that Planning Boards cannot consider health effects as a grounds for denying a cell tower. The FCC considers them to be safe, even if there are people that disagree, the law says that health effects cannot be considered. He wanted the Board to be aware that he had heard the public comment requesting a moratorium but that the time for that has passed for this application. The laws is pretty clear on moratoria. Moratoria, as a delay tactic, are not permitted.

**Decision:** The Board voted unanimously to table the application. (WP, RJ, MW, CP, MG – yes)

**Item #8:** #32 Abeel Street SITE PLAN to construct a 16,213 sf community center. SBL 56.43-5-35.100. SEQR Determination. Zone RT, Rondout Historic District, HAC. Ward 8. Irish Cultural Center Hudson Valley Inc.; applicant/owner.

Chairman Platte advised that the public hearing for this item is still open.

Holly Christiana – 134 Hunter Street – Supports the ICCHV project. She lives down there and thinks this is a beautiful project. She thinks it is time for Kingston to stop objecting to everything being built in Kingston. This year there has been 300% rainfall. Just down the street, the powerboat association has constructed a curb and has had to put sandbags out to stop erosion from their property. This is not a typical year. This should not affect whether the ICCHV needs an EIS. This project has been held up a long time. It is time for Kingston to enjoy it.

Lynn Woods – 43 Hone Street – Climate change is here. In response to increased rainfall, this is something we will need to consider in the future because that is what is happening. Her basement has flooded when it never did that in the past. Also, in response to delays of the project. The project has been delayed partially because of a permit expiring. This is a big project with a lot of questions about how viable it really is.

Owen Harvey – 26 Abeel Street – Clarification on runoff. The reason the erosion happened was because the applicants started construction without following OSHA standards. Wanted to resubmit the Perkins & Will letter regarding the Brownfield Areas. The ICCHV falls outside the original BOA boundary approved by the NYSDOS. In the SEQR review, the location in the BOA was included in the SEQR decision, even though this was clarified by the people that conducted the study. The ICCHV was also listed as an expected development project but the BOA identifies it as conceptual. It would be difficult for anyone to review a project that had no design at the time. He asks that the Board reopen the SEQR review and consider a Positive Declaration.

Brian Donovan – Has a store in the Rondout. Concerned with the project being approved without clear funding ability. He asked that the PB consider whether funding is in place before approving the big projects.

Barbara Scott – 66 Spruce Street – She wanted to go on record stating that the Planning Office would not release the information on the project based and stated that the reason for this was due to ongoing lawsuits. This makes it difficult for the public to be aware of what is being discussed.

Hillary Harvey – 26 Abeel Street – The damage to Company Hill Path and Abeel Street is due to the ICCHV's neglect to comply with OSHA standards. After they were sited, and they were forced to adhere to those standards, the runoff was mitigated to a certain extent. There is still runoff but you can tell that the changes based on the City Engineer stepping in and forcing them to implement the erosion control has helped. She is not sure what the public hearing is about. It is difficult for the public to comment when they don't know what the public hearing is for.

**Discussion:** Bill Kearney and Brian Divine were present at the meeting to represent the ICCHV. W. Platte said that there are a few items that are outstanding including submission of a new Stormwater management plan, a site plan with new submission dates, outstanding fees for site plan and DPW fees. He also stated that the City Engineer will be asked to attend the next meeting.

W. Platte read a resolution of the City of Kingston Planning Board closing the public hearing of the Proposed Irish Cultural Center Hudson Valley with an additional 10 days for the public to submit public comment. .

**Decision:** The Board voted unanimously to adopt the resolution to close the public hearing with 10 additional days for public comment. (WP, CP, MW, RJ, MG – yes)





RECEIVED:

Resolution of the City of Kingston Planning Board Closing the Public Hearing on the Proposed Irish Cultural Center Hudson Valley (ICCHV)

RECEIVED BY [Signature]  
DATE 11/29/18  
TIME

Motion By: Wayne Platte

Second By: Charles Polacco

WHEREAS, ICCHV (the Applicant) received site plan approval on April 16, 2018 for a 16,213sf Irish Cultural Center located at 32 Abeel Street, Kingston NY 12401 (SBL56.43-5-35.100); and

WHEREAS, the approved site plan expired after 120 days due to the absence of obtaining a building permit within that timeframe as required under the City of Kingston Zoning Code and the approval resolution; and

WHEREAS, the applicant was directed that the Planning Board would consider review as a new application; and

WHEREAS, the Planning Board opened a public hearing at the October 15, 2018 Planning Board Meeting and voted to continue the public hearing through the November 19, 2018 Planning Board Meeting; and

WHEREAS, due to the expressed public interest of the neighborhood the Planning Board feels that additional time is important to allow for all concerns to be submitted and heard, the Board wishes to keep the hearing open for an additional 10 days for written comment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF KINGSTON PLANNING BOARD, AS FOLLOWS:

- Section 1:** The Board hereby will close the public hearing on November 29, 2018 allowing for submission of written public comment.
- Section 2:** The Board directs that all written comment be submitted to the City of Kingston Planning Office by close of business on November 29, 2018.
- Section 3:** That this resolution shall take effect immediately.

MEMBERS	Absent/Present	SIGNATURE	YES	NO	RECUSE
WAYNE PLATTE	1 ✓	<i>Wayne D. Platte</i>	✓		
CHARLES POLACCO	1 ✓	<i>Charles Polacco</i>	✓		
MARYJO WILTSHIRE	1 ✓	<i>Mary Jo Wiltshire</i>	✓		
ROBERT JACOBSEN	1 ✓	<i>Robert Jacobsen</i>	✓		
MATTHEW GILLIS	1 ✓	<i>Matthew Gillis</i>	✓		
JAMIE MILLS	1 ✓				
BRIDGET SMITH BRUYN	1 ✓				
KEVIN M. ROACH	1 ✓	Recuse	5	-	1

*Wayne D. Platte*  
Wayne D. Platte Jr., Planning Board Chairman

11/19/18  
Date

## NEW BUSINESS:

**Item #9:** #181-207 East Strand SITE PLAN to construct a 12,500sf boat restoration and repair facility. SBL 56.36-1-6. Zones M-2. Ward 8. Paul Jankovitz/applicant; Historic Kingston Waterfront LLC/owner.

**Discussion:** Robert Iannucci and Paul Jankovitz, architect, were present at the meeting. The application is for site plan to construct a 12,500sf building to provide display area for restored P.T. Boats, an area to rebuild P.T. Boats, and area to provide learning space for reconstruction of boats and facilities to store parts and materials.

P. Jankovitz presented drawings to the Board. R. Iannucci explained that the rendering were just a starting point for the project. He told the public that he was planning to hold a public information meeting on December 6 at 6pm in the Millens building to show his ideas and get feedback from the public. He also asked that if anyone had any suggestions for the property that they should send him a letter. He told the Board that he is not a developer, he is just someone that is interested in history and the waterfront and that he would like to see if developed. He has 5 PT boats and wants to be able to show them and have people learn about the history.

P. Jankovitz explained that the first phase is for construction of the PT boat museum and the boat restoration area. This use is allowed by right under the zoning code. R. Iannucci said that he hoped that BOCES and other schools could work with him to learn about restoration. The public would be able to watch boats being restored. P. Jankovitz said that the other portions of the building, the commercial space and the residential space would require variances. There would also be a parking garage. R. Iannucci said that this parking would benefit the Rondout.

R. Iannucci explained that there is a lot more work that needs to be done to move the project forward and that this rendering was just an initial idea, he does not expect that it will look like this in the end. P. Jankovitz said that he is aware that there are many more details to be included with the submission. He expects that they would have more detail in 60-90 days to come back to the Board.

**Decision:** The Board voted unanimously to table the application to allow for the plans to be further developed. (WP, MW, CP, RJ, MG – yes)

## OLD BUSINESS:

**Item #10:** #394-400 Foxhall Avenue SITE PLAN AMENDMENT to approved plan for construction of a 2 ½ story mixed use building. SBL 48.302-4-21.100. SEQR Determination. Zone NB & M-1. Ward 6. Janet and Jim Nelson; applicant/owner.

**Discussion:** James Nelson and Paul Jankovitz, architect, were present at the meeting. The application is for an amendment to the approved plans. The owner is proposing changes which include the use, parking lot configuration, the landscaping, lighting, and the fencing are proposed to change. Much of this work had been done and/or was in the process of being done.

The Board asked the applicants to go over the plans and the proposed changes. J. Nelson said that he proposed the plan but realized during construction that some things did not work for him. He felt that the site work needed to change and that landscaping and landscaped areas needed to be removed to allow for snow storage areas. He said that he did not like the idea of the landscaping in the front of the building so he decided to construct a fence along the front of the property. P. Jankovitz said that some of the other changes included removing the pole lighting but including building mounted lighting. He presented specs for that lighting.

The Board asked about the change in use to eliminate the commercial office space from the plans. W. Platte noted that this change requires a use variance. The applicants stated that they were aware of this and had applied to be on the next ZBA agenda. The Board asked if the space was constructed to be a residential unit. The applicants stated that it was.

Other changes included: a change from a 6' vinyl fence along the side and rear yards to a wood fence; construction of fencing along the street; removal of landscaping in the rear of the property between the fence and the building; accommodation to retain a large tree along Foxhall Avenue by removing one parking space; removing the gated access to Teller Street and relocating the dumpster enclosure to this area; and relocating catch basins in the parking lot.

R. Jacobsen said that while he understood and did not mind some of the changes including the fence material and the reconfiguration to accommodate snow removal, he did not agree with the inclusion of a fence along the Foxhall Avenue property line. He said that the Board reviewed this plan at length and that the landscaping was a big part of the discussion. It was important to the Board that the location include street trees and greenery to beautify this section of the street. J. Nelson said that when he proposed this plan, he never intended to build it exactly as proposed.

M. Wiltshire agreed with R. Jacobsen's statements. She said that the Board went back and forth with the applicant over the landscaping at the site.

P. Jankovitz asked if a compromise could be struck. R. Jacobsen said that he is fine with many of the changes but that he wanted to see the fence removed from the front of the property and that landscaping and street trees be added.

K. DeDea asked why the landscaping was removed from the rear of the building. The applicants said that there are mechanical units installed in that area. Staff questioned the noise level of the mechanicals. J. Nelson said that it is minimal noise.

D. Gartenstein said that the applicants needed to obtain the required variance because at this time the building is not an allowed use. Until the variance and site plan approvals are rectified, no Certificates of Occupancy will be issued.

**Decision:** The Board voted unanimously to table the application pending a determination by the ZBA for use variance and inclusion of landscaping along the street. (WP, RJ, MW, CP, MG – yes)

**DISCUSSION:**

**Item #11:** #108, 124-134, 136-198, 181-207, 200-206, 208-216, 222, 224-258, 260-270 East Strand and 2, 3, 6 North Street LOT LINE REVISION of the Lands of Historic Kingston Waterfront. SBL 56.43-6-5 & 6, 56.36-1-6, 8, 9, 10, 11, 12, 13, 14, 19, 20. SEQR Determination. Zones RF-R & M-2. Ward 8. Paul Jankovitz/applicant; Historic Kingston Waterfront LLC/owner.

**Discussion:** Robert Iannucci and Paul Jankovitz were present at the meeting. A map of lot line revision was submitted for consideration. A map, prepared by Christopher Zell, was submitted for discussion. The proposal is to revise lot lines creating 9 lots from the original 12.

R. Iannucci explained that he is looking to reconfigure the lots that he owns along the waterfront to make them more developable and also to include connections for a future public promenade and access points from the street. He said that he has been in discussions with the City about this. W. Platte said that the City taking ownership of any property, or easements, would have to go through the Common Council. The applicants are aware of this but they wanted to start the conversation. He said that he hopes that there would eventually be a bulkhead along the waterfront. He said that Central Hudson constructed a beautiful bulkhead along their property. He said that Kingston is unique in that it has a deep access port. This is the only area north of New York City that has access like this. Kingston's waterfront has so much potential.

**Decision:** No decision was rendered because the application was for discussion only.

### **NEW BOARD POLICY:**

**Item #12:** Proposed Board Policy #26: Staff is asking that the Board consider an additional Board Policy to recognize and make all applicants aware of the timeframe to apply for a building permit under the City Zoning Code.

**Discussion:** S. Cahill proposed the following Board Policy, explaining that there has been some confusion about how long the planning board approval is considered active. She said that bringing this time element to the attention of every applicant through adopting a policy and making it part of the application re-enforces the Code and also the Board's direction.

Proposed Board Policy #26: That any and all Board decisions made for site development plan/special permit shall acquire a building permit in accordance with §405-30, unless otherwise extended through a Board decision as recognized under the existing Code.

R. Jacobsen said that he did not think that it was necessary to make this a Board Policy because it is already part of the law and that policies should be reserved for items that the Board wants to include in decisions, aside from what is law. M. Wiltshire agreed that she did not feel it was necessary but said that if the Planning Office thought it was important, she would go with their recommendation. K. DeDea said that it could be included in the decision letter where we inform applicants that building permits are necessary. S. Cahill said that she feels that it is important enough to make it a policy. R. Jacobsen said that his only concern is that there are already many policies and that if laws become policy, there will be many more.

**Decision:** The Board voted to adopt Board Policy #26. (WP, MW, CP, RJ, MG – yes)

### OTHER DISCUSSION:

At the end of the meeting, M. Wiltshire suggested that there needs to be clarification on the public speaking portions of the meeting. She feels that some of the public is confused about when to speak. R. Jacobsen responded that Chairman Platte announces in the beginning of each meeting that the open public speaking is for the public to talk about any topic they would like to address and that if members of the public wish to speak about an item listed for public hearing, they are asked to hold their comments for that time. M. Wiltshire agreed that W. Platte is very clear about this but that she feels people are still confused. She wants everyone to be able to speak about any topic that they wish but that maybe there is a way to make this clearer.

Nov 17, 2018 STAFF