



CITY OF KINGSTON PLANNING BOARD
MEETING MINUTES
May 20, 2019
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.

A meeting of the City of Kingston Planning Board was held on May 20, 2019 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 MEMBERS/ALTERNATES PRESENT: Charles Polacco, MaryJo Wiltshire, Robert Jacobsen, Matt Gillis, and Kevin M. Roach.

BOARD MEMBERS/ALTERNATES ABSENT: Wayne D. Platte, Jr., Chairman and Jamie Mills

OTHERS: Suzanne Cahill; Planning Director, Kyla DeDea; Assistant Planner, Ald. Reynolds Scott-Childress; Common Council Liaison; 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
6. Open public speaking is the first item under REGULAR BUSINESS on the agenda. If the public wishes to speak about an item listed as a public hearing on tonight's agenda, please wait for that item to be called. Comments made during official public hearings, become part of the official record for that project.

REGULAR BUSINESS:

Item #1: Open Public Speaking (15 Minutes Allotted- all limited to 2 minutes) Open public speaking is for any planning related topic. If the public wishes to speak about an item listed as a public hearing on tonight's agenda, please wait for that item to be called. ONLY comments made during official public hearings, become part of the official record for that project.

Lee Kalish – Is a Town of Ulster resident with City sewer but is an Ulster County resident. Concerned about what may be happening with the Hutton Brickyard, North Street, and the AVR property with potential Scenic Hudson ownership and the new Empire Trail. He thinks closing North Street at this point is premature with the other possible projects that could be happening there. The idea of giving a

private enterprise that property is premature. With what could be happening with Scenic Hudson and the Empire Trail this is an important route to go through Kingston and to the Rhiecliff Bridge.

Geddy Sveikauskas – The Kingstonian project – At the last meeting, he spoke about the Positive Declaration. After thinking it over, he hears the developer talk about the timeline and possibly walking away from the project. He is sympathetic to that point of view. Thinking about accommodating the desire to move the process along well without having the developer walk away. There is a way to do both. The SEQR law allows for Positive Declaration and Negative Declaration with Type I or Unlisted Action. This one seems to fit Unlisted. The parking lot is an Unlisted Action. The mixed use is also possibly Unlisted. Some items can be looked at and moved on quickly like archeology and the Board can focus on the meat of the project like the size and site plan and how the public money will be spent. He encourages the Board to look at the alternative. It allows the Lead Agency to decide what requires more scrutiny and what doesn't. A week ago he submitted an application to look at the site plan and has not received anything from the Planning Board.

Item #2: Adoption of the April 15, 2019 Planning Board Minutes.

Discussion: Charles Polacco asked if the Board had an opportunity to review the minutes from the April 15, 2019 meeting and if there were any comments or corrections proposed. The Board agreed that they reviewed the minutes and proposed no changes.

Decision: The Board voted unanimously to approve the minutes from the April 15, 2019 Planning Board meeting. (CP, RJ, MW, MG, KR – yes)

PLANNING BOARD DISCUSSION: The Public Comment period for the Kingstonian remains open for written comment. The Board discussed closing the written public comment period on May 31st. The agenda had noted the incorrect date as Friday, June 1st which should have been May 31st. The Board unanimously agreed to hold a special meeting for the Kingstonian on June 3, 2019 at 6pm, at Kingston City Hall, Chambers.

PUBLIC HEARINGS:

Item #3: **#537 Broadway** SUBDIVISION of the Lands of The Eleven Main Group, LLC. SBL 56.25-5-1.1. SEQR Determination. Zone C-2. Ward 5. Kingston Model Railroad Club/applicant; The Eleven Main Group LLC/owner.

Discussion: No one spoke at the public hearing. Michael Ferraro and Kurt Fuxjager were present at the meeting. The application is to subdivide the property at 537 Broadway to create two parcels with Ulster Uniform on one parcel and the Kingston Model Railroad Club (KMRR) on the other. This property has already undergone a zoning change from M-1 to C-2.

The subdivision meets the setback requirements for the buildings which are 10' for both the side and rear yards. The KMRR Club is a 1 story building with parking in the front of the building accessed from Summer Street. There are no minimum lot size requirements for the C-2 district.

The applicants are aware that the lot line deletion does 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 were requested 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.

The application was considered an Unlisted Action under SEQR. A determination of environmental significance was discussed.

Decision: The Board voted unanimously to render a Negative Declaration of Environmental Significance and to approve the lot line revision. 5 paper copies and 1 mylar as well as written descriptions will need to be submitted for review and signature by the Board Chairman. (CP, RJ, MW, MG, KR – yes)

Item #4: #187-189 O'Neil Street SPECIAL PERMIT RENEWAL for Residential Care/Assisted Living Facility. SBL 48.318-6-22. SEQR Determination. Zone R-2. Ward 5. Family of Woodstock; applicant/owner.

Discussion: No one spoke at the public hearing. The applicants were not present.

Decision: The Board voted unanimously to table the application and place the item on the June agenda. (RJ, MW, CP, MG, KR – yes)

Item #5: #38-50 Thomas Street SPECIAL PERMIT RENEWAL for emergency shelter use. SBL 56.25-4-44. SEQR Determination. Zone O-3. Ward 5. Family of Woodstock; applicant/owner.

Discussion: No one spoke at the public hearing. The applicants were not present.

Decision: The Board voted unanimously to table the application and place the item on the June agenda. (RJ, MW, CP, MG, KR – yes)

OLD BUSINESS:

Item #6: #200 North Street SITE PLAN/SPECIAL PERMIT AMENDMENT to include landscaping parking, changes to campsites, and other pedestrian and security accommodations. SBL 48.84-1-4. SEQR Determination. Zone RF-H and RRR, Heritage Area and Coastal Zone. Ward 9. North Street Brick Works, LLC/applicant/owner.

Discussion: Kevin McManus, Stuart Messinger, Chazen Companies, Marc Miller, attorney, Kristina Dousharm and Zac Hall, architects.

K. McManus – Last year we added glamping and hotel like components to the plans. We did not proceed with the hotel room components because we did not see the market there. They did proceed with the glamping. They found that people wanted more luxury in the way of showers, running water, toilets, etc. They also want privacy. Last year there were 36 tents approved. This year they are proposing to bring in sewer and water to the glamping sites. In addition they have reorganized pedestrian pathways to create more privacy for the glamping areas. K. McManus stated that he understands that the real issue here is what is being proposed across North Street. They are seeing this as an enhancement to a gate that already exists on the street. Their goal is to create an arrival to utilize a better quality gate that could better handle maintenance and offer security to their property and the adjacent property to the North. The owners acknowledge that North Street is a public right-of-way, with a 50ft right of way and that it is owned by the City of Kingston. They understand that the disposition of North Street may be changing with the trail that will be constructed on the AVR property and they understand that North Street is part of that system. What we are asking for is to be able to

construct a structure on North Street to create a sense of arrival, use the gate for the period of time that the City of Kingston wants them to use it and AVR site as well. There may be a time when AVR says that they do not want 24 hour 7 day a week access to the property because they don't have security. K. McManus says that they are ready for all of those discussions and ready to open the gates when the City says to open the gates. Whether it's to open the gate and leave it open, open it and close it at dusk, or take the gate off completely. To me the entrance feature is a brick structure that is an entry feature. It is not a brick wall to shut things off. We are also proposing to build a small parking lot next to the St. Mary's facility. There will also be a pedestrian entry.

D. Gartenstein, Asst. Corporation Counsel spoke about the issues regarding the use of the road. His office has been asked to look into the difference between closing the street and discontinuing the street. It is the City's position, under the Charter, that the Department of Public Works has the authority to discontinue the use of the street on direction from the Mayor with consent and permission of adjoining property owners which in this instance are the Hutton Brickyard and the owners of the AVR property. It is their intention at this point through the Department of Public to discontinue the use of the street with terms and conditions negotiated through the DPW. When and if development on the AVR property progresses, the reuse of the street will be reinitiated through DPW.

K. McManus stated that with respect to North Street, they have 5mph signs and people on the street that direct traffic to keep them moving slowly and keep pedestrians safely separated from vehicles. This is not a safe street, the width varies widely and the condition is very poor and it doesn't lend itself to through traffic. Improvements will need to be made to the road to allow through traffic.

R. Jacobsen asked with the discontinuance of the street the City is still responsible for the utilities that are under the street. D. Gartenstein replied yes.

M. Wiltshire asked if the street is discontinued, what the plan is moving forward. K. McManus would like to go forward with construction of the gate and the glamping. They are not planning to rush through it this year, they would like to put in the utilities, finish the site work and landscaping, and make sure it is a finished product in 2020. He said that they have had direct contact with Scenic Hudson and that they are open to working with the City and County and Scenic Hudson to make whatever connection needs to be made. M. Wiltshire asked how the applicants would handle operations if the street were to be open to the public. K. McManus said that they would need to make changes to their property to handle music and large events because North Street is currently used to handle access. He acknowledged that they would need to use driveway entrances to the property instead of the street entrance. There may be a need for privacy and security fencing added to the property line at that time. Ultimately, this change would return to the Board.

S. Messinger elaborated on the utility connections stating that there is no capacity issue. Last year, they installed water service to the glamping sites but this year they are upgrading to allow for individual utilities to each site.

R. Jacobsen asked what approvals are required for the wall and gate on City property and whether the Common Council needs to approve. D. Gartenstein said that there is no approval needed from the Common Council. The Common Council discussed how to proceed with the issue of the street and opted to utilize the section of the Charter that references discontinuance by DPW at the direction of the Mayor. Planning Staff explained that to build in the public right of way it requires approval by the Planning Board, Mayor and Superintendent of Public Works. M. Wiltshire asked what the City's stance is on the use of the gate, does the City believe it is ok to gate the roadway and close it to the public. D. Gartenstein said that there is a proposal to have limited access to the road based on negotiations between

the applicant and DPW depending on the particular event and will change in the future based on whether or not the AVR property and promenade are developed. This issue will have to be negotiated as things progress forward. R. Jacobsen questioned whether fire, police, emergency vehicles all have access to the gate. K. McManus responded yes.

M. Wiltshire asked about the UCPB comment for emergency management plan. K. McManus stated that there is an emergency management plan that was created last year and will be updated after events and as needed. K. McManus said that he spoke with the City last week about getting together to discuss that plan.

Staff suggested going through the UCPB comments one at a time and discussing whether the Board concurs or overrides each comment. S. Messinger stated that a number of the UCPB comments were the same as were returned last year. He believes that they met all the comments from last year including the emergency management plan and having the wetlands delineated.

UCPB Comments Discussion:

Security and Emergency Response Plan

Required Modification

As part of the Special Permit approval, the City should require that an emergency response/management plan be developed in conjunction with the City's first responders. The Plan should give clear direction for both on and offsite personnel on how security will be handled and about what to do in the event of emergencies. The City should also work to develop a second means of access to the site, such as the use of the trail along the waterfront as a means of additional first responder access. This would require that trail be designed to accommodate said vehicles.

Planning Board CONCURS with the required modification.

Wetland Delineation

Required Modifications

Site wetlands should be delineated by a certified wetland inspector, noted on the site plan with the appropriate analysis of avoidance or permit if necessary by the ACOE.

The Planning Board CONCURS with this required modification.

Alienation of Parkland

Required Modification

Should the City and applicant elect to go forward with utilizing a city-owned park, rather than a privately held site, the City should address its need/compliance with the NYS Alienation of Parkland process. Resources on this process can be found:
<https://parks.ny.gov/publications/documents/AlienationHandbook2017.pdf>

The applicants stated that this is not applicable. The initial plan included constructing a bus turnaround on a portion of the Kingston Point Park for shuttle service. It was determined that this area would be used as a field in the future and therefore this portion of the project is no longer being proposed. The Planning Board agrees that this is NOT APPLICABLE.

Noise Statute

Required Modification

Approvals should require all events at the site to conform to the noise standards found in the City of Kingston's code and provide a means to verify that these standards are not being violated.

New and Updated Recommendations

The applicants stated that they will have someone on site to monitor the noise and comply with this required modification. The applicants will obtain a noise permit for each event. The Planning board CONCURS with this required modification.

Lighting

Required Modifications

Lighting levels will need to be calculated for the plan with levels not to exceed the Illuminating Engineering Society (IES) Outdoor Site/ International Dark Sky Association (IDSA) Area Recommended Illuminance Levels (see attached). All luminaires are required to be LED and will need to meet the “fully shielded” definition adopted by the International Dark Sky Association (IDSA) or be an approved fixture of IDSA with cut sheets provided.

Lighting: The lighting specified for the proposed new work will comply with the Illuminating Engineering Society's (IES) International Dark Sky Association (IDSA) with all proposed lighting specifications added to the plan set for review by the City of Kingston.

- APPLICANT RESPONSE: Lighting: The lighting specified for the proposed new work will comply with the Illuminating Engineering Society's (IES) International Dark Sky Association (IDSA) with all proposed lighting specifications added to the plan set for review by the City of Kingston.

The Planning Board CONCURS with this required modification.

Health Department

The applicant is proposing a camping facility with on-site food-service and public bathroom facilities.

Required Modification

Review and approval of all necessary permits for the proposal by the Ulster County Health Department is required

- APPLICANT RESPONSE: Health Department: Applications to the Ulster County Department of Health have already been submitted.

The Planning Board CONCURS with this required modification.

Public Access

Required Modification

Access to the regional trail system should not be precluded at any time by this project. The City should require the development of a public access plan that clearly shows those areas that are open for public use versus those where access is controlled by the Project. At a minimum, the City should retain control of its public road (North Street) with public access permitted beyond the gate with trails and sidewalks along the project frontage available to the public. Finally, as consistent with the requirements along the Strand, the public should be allowed access to the trail from Kingston Point and a connection from this trail should be made to the trail/sidewalk along North Street.

- APPLICANT RESPONSE: Public Access: We recognize that North Street is a public road. It should also be noted that the portion of North Street that exists north of the existing gate is straddled by approximately 80 acres of Hutton Brickyards lands and then terminates at the southern boundary of the Hudson Landing property which consists of hundreds of acres of dangerous terrain and other hazards. This portion of North Street is a dead end without a culdesac, is substandard in width and in many places has deteriorated asphalt pavement. The condition of the roadway dictates that as part of our current operations plan, the road is fully monitored by staff during events and we have placed 5 mph speed limit signs in consideration of the existing limitations due to width and surface conditions. It is our understanding that the City of Kingston is considering a plan that would temporarily maintain the existing closure of this portion of North Street. This closure would remain in effect until North Street has been

improved such that unmonitored travel is safe and passable as determined by the Mayor and the Superintendent of Public Works. The City's plan is not consistent with the County's "Required Modification" which is to keep this portion of roadway open to "maintain public access at all times." We look forward to Scenic Hudson's acquisition of the Hudson Landing Site and we are committed to cooperating with the common goals of the City of Kingston and Scenic Hudson and providing the Empire Trail link along North Street. In the meantime, our intention is to wait for guidance on this matter from the Mayor and Superintendent of Public Works.

The Board voted to OVERRIDE this required modification with exceptions including that the street closure is temporary until such time that the City of Kingston requires it to be open. R. Jacobsen stated that in an effort to move this forward he summarizes the following things need to occur: emergency responders need to approve, DPW needs to approve, the Mayor needs to approve, the Common Council appears to have no issue with it and the City has full authority over the gate if they need to get in. The City maintains all ownership over the street for future use and no one from the adjoining property owners have come forward with any issues. Ultimately this plan requires the property owners to negotiate with Corporation Counsel. He feels that as long as everyone is on board, he sees no issues. M. Wilthire agrees that the City is not relinquishing ownership and that it is flexible enough that if the City wishes to reopen North Street that we can work with the applicant to continue public access to ensure that the public does not lose access to the waterfront and the trail. C. Polacco asked whether the 6ft wide pathway was adequate for public access along North Street. He suggested increasing that access to 10ft. People are walking in the street during concerts and events. K. McManus stated that it is a consideration. He said that the 6ft path that is there now which was not there for the Dylan concert in the summer of 2018. He feels that the 6ft access is a significant improvement. He stated that they would consider widening it to a 10 foot pathway if that is what the City desired. Ultimately, they would plan to have a trail there that meets the requirements of the Empire State Trail so that people can ride bikes and walk on the trail. He stated that they certainly plan to comply with that. C. Polacco also asked about adding shoulder to the roadway to allow for pull offs along the roadway. K. McManus said that they will look into adding a few areas to allow for pulling off in the event that emergency vehicles need to get by.

TERM – The Board discussed a term for the special permit. The Board agreed to maintain the current approval for the permit which was 5 years from April 2018.

SEQR – The applicants are seeking site plan approval for Phase 1A of the proposed Hutton Brickyards glamping facility. The applicants are also seeking SEQR approval for 3 additional phases for 1B, 2 and 3. The Board considered a resolution to declare a Negative Declaration of Environmental Significance.

R. Jacobsen read a resolution for approving the site plan/special permit amendment.

DECISION: The Board voted unanimously to adopt a resolution declaring a Negative Declaration of Environmental Significance and to approve the Site Plan/Special Permit with conditions included in the resolutions adopted.

RECEIVED:

RECEIVED BY DS

DATE 5/20/19

TIME 2:00 PM



Resolution of the City of Kingston Planning Board
Adopting a Negative Declaration of Environmental Significance for the Hutton Brickyard
located at #200 North Street
Under the SEQR Process (6 NYCRR Part 617)

Motion By: Chuck Polacco
Second By: Mary Jo Wiltshire

WHEREAS, the Applicant submitted an application and plans, along with a completed Part I of the Full Environmental Assessment Form, to the City of Kingston Planning Board, for expansion of the glamping use with associated site improvements (the Action); and

WHEREAS, the project is located at #200 North Street (SBL 48.84-1-4), Kingston, New York; and

WHEREAS, said project will consist of Phase 1A improvements to existing glamping, Phase 1B expansion of glamping site with 7 guest units, and Phase 2 future expansion to include 35 guest units; and

WHEREAS, the Board determined the Action to be recognized as Type I under SEQR, decided to seek lead agency status, directing Planning Staff to circulate a request for such. Said circulation was made on February 21, 2019, to all identified Involved and Interested Agencies, as provided by the applicant and Planning Staff; and

WHEREAS, by Resolution dated April 15, 2019, the Board declared status as lead agency and has considered all documentation submitted to determine significance of the Action on the environment in compliance with the New York State Environmental Conservation Law ("SEQR") and the regulations promulgated there under (the "Regulations") by the New York Department of Environmental Conservation (6 NYCRR, Part 617); and

WHEREAS, after thorough review and deliberation of all supporting plans and documents prepared by the applicant which address staff and public comment received, it is determined as follows.

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

Section 1: That pursuant to 6 NYCRR Part 617, the City of Kingston Planning Board hereby renders a Determination of Negative Environmental Significance, recognizing all conditions as described within the document presented and adopts the Negative Determination as final.

Section 2: That all identified Involved and Interested Agencies will be notified of the Kingston Planning Board determination of this decision.

Section 3: That the Kingston Planning Office is directed to submit notice to the State Environmental News Bulletin for publication as required by the statute.

Section 4: That this resolution shall take effect immediately.

MEMBERS	SIGNATURE	YES	NO	RECUSE
Wayne Platte A				
Charles Polacco P		✓		
MaryJo Wiltshire P		✓		
Robert Jacobsen P		✓		
Matthew Gillis P		✓		
Jamie Mills A				
Kevin M. Roach P		✓		
TOTALS				

Wayne Platte Jr., Planning Board Chairman

Chuck Polacco

5/20/19
Date

RECEIVED:

RECEIVED BY DS

DATE 5/21/19

TIME 2:00 PM



Resolution of the City of Kingston Planning Board
Approving the Site Plan/Special Permit Amendment for North Street Brick Works (200 North Street - SBL 48.84-1-4)

Motion By: Charles Polacco

Second By: Mary Jo Wittshire

WHEREAS, North Street Brick Works (the Applicant) submitted a complete application to the City of Kingston Planning Board for expansion of the glamping use with associated site improvements including utilities, an entry gate, signage, etc. (the Action); and

WHEREAS, the project is located at #200 North Street, Kingston, New York (SBL 48.84-1-4); and

WHEREAS, a public hearing was held on March 18, 2019 with continuation to the April 15, 2019 Planning Board Meeting; and

WHEREAS, the Board reviewed recommendations made by the Ulster County Planning Board; and

WHEREAS, the Board issued a special permit, with a term of 5 years, on April 9, 2018 listing a number of conditions, summarized here:

- Compliance with noise ordinance, improvements listed in the FEAF be followed, compliance with the Emergency Management Plan, that the project sponsor continue to work with the City of Kingston on a to develop a public access plan as required under the City Zoning Code within 2 years, all conditions of the SWPPP be followed, authority and approval of the Common Council as necessary, UCPB comments concurred with or overruled, decisions as per HAC, determinations of the NYS Historic Preservation Office be part of the record, cost estimate and performance bond as needed, local approvals for all utilities be obtained, as well as Board Policies #1, 1a, 2, 3, 3a, 3b, 4, 4a, 5, 6, 7, 7a, 8, 8a, 12, 13, 14, 19.

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

Section 1: After thorough review of all documentation and public comment, the Board votes to approve the Site Plan/Special Permit for a period of 5 years - Continued from last

Section 2: Approval shall include all conditions noted under previous approvals, as well as, all conditions noted by the Planning Board at the May 20, 2019 Planning Board Meeting noted below. The Planning Board includes in its decision the recognition that the road closure and all construction in the public right-of-way shall be deemed temporary until there is further development of the promenade and with the condition that final approval is needed from the Department of Public Works and the Mayor.

As discussed - Public Access (Pedestrian Access in compliance of Empire Trail
Negotiation w/ DPW/Mayor and approvals as per city charter
Emergency Response Plan

Section 3: The Planning Board read and considered the UCPB comments and returns the following responses:

- Security and Emergency Response Plan - will submit
- Wetland Delineation - x Unanimous
- Alienation of Parkland - x Unanimous
- Noise Statute - y will abide
- Lighting - x will follow update plan
- Health Department - x will follow
- Public Access - x with ~~the~~ ~~access~~ ~~over~~ ~~pending~~ ~~future~~ ~~trails~~ ~~of~~ ~~further~~ ~~development~~ ~~of~~ ~~neighbor~~ ~~to~~ the north trail system

Section 4: That this resolution shall take effect immediately. the north trail system

MEMBERS	Absent/Present	SIGNATURE	YES	NO	RECUSE
WAYNE PLATTE	✓				
CHARLES POLACCO	✓	<i>Charles Polacco</i>	✓		
MARYJO WILTSHIRE	✓	<i>Maryjo Wiltshire</i>	✓		
ROBERT JACOBSEN	✓	<i>Robert Jacobsen</i>	✓		
MATTHEW GILLIS	✓	<i>Matthew Gillis</i>	✓		
JAMIE MILLS	✓				
KEVIN M. ROACH	✓	<i>Kevin M. Roach</i>	✓		

Wayne D. Platte
 Wayne D. Platte, Planning Board Chairman
 Chuck Polacco

5/20/19
 Date

Item 7: #107 & 119 Dewitt Street LOT LINE REVISION of the Lands of Dennis J. and Valerie J. Connors. SBL 56.49-3-35.100 & 35.200. SEQR Determination. Zone R-1. Ward 9. Dennis and Valerie Connors; applicants/owners.

Discussion: Donald Brewer, surveyor, was present at the meeting. He explained that the application is to revise the lot line between two properties under the same ownership. The revision will correct an encroachment. Staff explained that the application had been tabled at previous meetings to allow for ongoing discussion regarding the end of Dewitt Street. There is limited information and much of the information that exists is not clear. The Engineering Department confirmed that there is a listed 30ft wide ROW but no record of the street length except that both the Codwise map (citywide survey map) and the UC tax map show the end as being 680 feet from the center line of the West Shore Railroad.

Discussions have taken place with the Assessor, Engineering Office, DPW, and the UC Office of Real Property as well as the owners and D. Brewer. The City of Kingston and the property owners met on Dewitt Street and reviewed the maps. The Engineering Office measured the 680. The property owners stated at that time, that they believe that the end of Dewitt Street continues near to their garage. They said that every map they have seen shows this configuration. The Planning Office contacted the surveyor to provide all information they collected as well as tell him about their meeting with the property owners.

Staff and Mr. Brewer explained that the map that is being presented to the Board is the best attempt at defining the end. R. Jacobsen suggested that a note be added to the map stating that Valerie and Dennis Connors make no claim of ownership over Dewitt Street.

The revision between the two properties that spurred the application is to correct an existing encroachment. The map shows that the current lot line runs through the house. The new line will add approximately 25' onto the 50' width along Dewitt Street. The depth of the property is approximately 205'.

Both lots meet the lot and bulk requirements for the R-1 zone. 107 Dewitt Street will be .357 acres after the revision and 119 Dewitt Street will be 1.053 acres.

The applicant is aware that the lot line deletion does 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 were requested to be submitted and reviewed by the Planning Office. If the Board finds the deletion acceptable, 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.

The application is considered an Unlisted Action under SEQR. A determination of environmental significance was discussed.

Decision: The Board voted unanimously to approve the lot line revision with the condition that a note be added to the map stating that the Connors make no claim to Dewitt Street. 5 paper copies, 1 mylar, and written descriptions will need to be submitted to the Planning Office. (CP, RJ, MG, MW, KR – yes)

NEW BUSINESS:

Item 8: #295 Wall Street (291 Wall Street) SITE PLAN to establish a bakery in an existing building. SBL 48.331-7-3. SEQR Determination. Zone C-2, Stockade Historic District. HAC. Ward 2. Meresa Volante/applicant; Base Equity LLC/owner.

Discussion: Meresa Volante was present at the meeting. The application is to establish a bakery in an existing building. The plans include renovations to include a kitchen, counter space, and cosmetic improvements.

M. Volante explained that she has owned and operated this business since 2011 out of a tiny commercial kitchen in New Paltz and has grown from a 1 woman business to one that employs 5 people and supplies a full storefront in Manhattan. She stated that she offers special order cakes and that she will be selling sweet treats including cookies and cakes from the storefront.

The project narrative states that the hours of operation will be Tuesday – Sunday, 10am-7pm with 3 full time employees and 2 part time employees.

The project timeline is 3-4 months which will include installation of plumbing for a sink, direct vent oven, cosmetic work to include flooring, fresh paint, bakery counter and cold case. She is ready to move forward once approvals are in place.

The Board confirmed that the applicant is aware that any exterior changes including signage will need to be reviewed by the Historic Landmarks Preservation Commission and the Heritage Area Commission. The applicant stated that she is looking at simple signage that says bakery over the entry and that any additional signage would be minimal if any.

The following Board Policies should be considered in the decision: #10 – use of banners and flags are prohibited except for grand opening; #11 – window signage limited to 20%.

The Board considered the project to be a Type II action under SEQR and therefore is predetermined to have no significant adverse environmental impact and no further review of the Board is required.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the site plan with Board Policies #6, 10 & 11 included as conditions. (CP, RJ, MW, MG, KR – yes)