



**CITY OF KINGSTON PLANNING BOARD
MEETING MINUTES
October 21, 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. (4) K. Roach voted in the absence of M. Wiltshire.

A meeting of the City of Kingston Planning Board was held on October 21, 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 Wayne D. Platte Jr.

BOARD MEMBERS/ALTERNATES PRESENT: Wayne D. Platte, Jr., Chairman, Charles Polacco, Robert Jacobsen, Matt Gillis, and Kevin M. Roach.

BOARD MEMBERS/ALTERNATES ABSENT: Mary Jo Wiltshire and Jamie Mills.

OTHERS: Kyla DeDea; Assistant Planner, Donna Brady, Senior Clerk; 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 (15 Minutes Allotted- all limited to 2 minutes) Please be advised that any statement or comment made during this portion of the meeting will be recorded, but not included in any official record of a project.

No one spoke during the open public speaking.

Item #2: Adoption of the September 11, 2019 Special Planning Board Meeting Minutes the September 16, 2019 Planning Board Minutes and the September 26, 2019 joint Planning Board Minutes with the HLPC and HAC.

Discussion: Chairman Platte asked Board members if they had reviewed the minutes from the three meetings and if there were any corrections proposed. The Board proposed no changes.

Decision: The Board voted unanimously to adopt the September 11, 2019 Special Planning Board Meeting Minutes the September 16, 2019 Planning Board Minutes and the September 26, 2019 joint Planning Board Minutes with the HLPC and HAC. (WP, RJ, CP, MG, KR – yes)

PUBLIC HEARINGS:

Item #3: #207 Pearl Street SPECIAL PERMIT RENEWAL for accessory apartment use. SBL 56.106-3-18. SEQR Determination. Zone R-1. Ward I. Ali Naghsh; applicant/owner.

Discussion: No one spoke at the public hearing. Nancy Naghsh was present at the meeting. The application is to renew a special permit for accessory residential use of the 2nd floor of a carriage house/garage as an accessory apartment. The area is approximately 875 SF. As per the Zoning Ordinance, Section 405-11 (B) (9), accessory apartments are allowed in an R-1 zone by special permit.

The owner has stated that there are no changes to the renewal. Requirements for accessory apartments are listed under Section 405-9 B (9) of the Zoning Ordinance. A copy was given to the applicant at the original approval. Compliance with these requirements is carried forward with this renewal and all subsequent renewals.

A term for the special permit was discussed. The initial term was for a period of 5 years and has been renewed every 5 years. The Board agreed to continue this term.

A determination of environmental significance was discussed. Because the project involves no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) “license, lease and permit renewals, or transfers of ownership thereof, 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 action a Type II under SEQR and to approve the special permit renewal for a period of 5 years, expiring on October 21, 2024 with all original conditions carried forward. (WP, CP, RJ, MG, KR – yes)

Item #4: #609 Broadway SPECIAL PERMIT RENEWAL to renovate an existing building with ground floor commercial and 8 residential units above. SBL 56.109-3-17. SEQR Determination. Zone C-2, MUOD, BOD. Ward 4. JMS 609 Broadway LLC; applicant/owner.

Discussion: No one spoke at the public hearing. Scott Dutton, project architect, was present at the meeting. The proposal is to renew the special permit to renovate an existing building. The ground floor will remain as commercial space while the upper floors will be reconfigured to reduce the number of apartment units from 11 apartments to 8. The applicants purchased the building from the previous owners and are carrying out the previously approved renovation plans.

S. Dutton explained that the new owners want to follow the approved plans with no changes proposed. The plans include removal of the fire escape on the north side of the building with a new fire escape added to the south side of the building where it will be less visible. The existing alleyway to the south will be enclosed creating a gallery/lobby that connects the rear parking lot

to Broadway. This will create an “interior street” that will allow for access to commercial spaces that were previously only accessible from the rear.

Staff questioned whether the original plans were approved by the Heritage Area Commission. This will need to be confirmed. Exterior changes must conform to the Broadway Design Standards and be reviewed by the HAC if they have not done so already.

Parking – Parking calculations are determined based on the number of bedrooms. The overall number of units will be reduced which will reduce the parking requirement from the current configuration. There is a parking area in the rear of the building which is accessible only by a narrow alleyway in the rear from Cedar Street. The applicants submitted a copy of their title work including a deed showing an access easement to use the alleyway known as Martin’s Lane.

The project falls in the mixed use overlay district. The residential component requires a special permit by the Planning Board. The zoning code requires an initial term of 1 year. The term can then be extended by the Board. Due to the change in ownership and the proposed renovations, staff recommended the full term of 1 year. All original conditions should be applied.

Recreation Fee – The new owner will need to submit the payment in lieu of parkland prior to the issuance of a building permit. The first 4 units are exempt from the requirement. During the original review the recreation fee was imposed for 4 of the units with the first 4 being exempt. The fee per unit was \$2000 at that time which resulted in an \$8000 fee.

A determination of environmental significance was discussed. Because the project involves no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) “license, lease and permit renewals, or transfers of ownership thereof, 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 action a Type II under SEQR and to approve the special permit renewal for a period of 1 year, expiring on October 21, 2020 with all original conditions carried forward. (WP, MG, CP, RJ, KR – yes)

Item #5: #115 Abeel Street SPECIAL PERMIT RENEWAL for a mixed use building in the RT zone. SBL 56.43-2-29.120. SEQR Determination. Zone RT, Rondout Historic District, HAC. Ward 9. Stefan Bohdanowycz; applicant/owner.

Discussion: No one spoke at the public hearing. Scott Dutton was present to represent the applicant. He explained that he was not the architect on the project but that he is working with the owner on another project and was asked to represent him at the meeting. The application is for renewal of the special permit for a mixed use building in the RT zone. The building has 2 residential units and a ground floor commercial space occupied by an antique store.

The application is considered a special permit under section 405-19(C) (1) which states that the Planning Board can issue a special permit in areas outside of the Broadway/West Strand area for mixed uses mentioned in subsection B(1) “if the proposed use will be compatible with the surrounding neighborhood...” Subsection B(1) allows the following uses on the ground floor: 1) retail stores and banks, 2) personal service establishments, 3) professional, governmental and

business offices, 4) libraries, museums and galleries, 5) restaurants, 6) theaters, dance and art studios and membership clubs, 7) assembly, finishing, processing, or production of goods to be sold on premise.

The renovation of the property is complete and the building is occupied. There are no changes to the permit.

Parking – There is no parking on the site. During the previous approval, the Board waived the parking requirement for the site based on the fact that the building takes up the entire footprint of the property and because of the building's proximity to municipal parking lots. Two residential units require 4 spaces. The commercial space would require 1 space per 300sf for a total of 4 spaces. The total requirement for the entire building is 8 spaces.

Term for renewal – The Board discussed a term for renewal. Board members questioned whether this property was the subject of issues with the Landmarks Preservation Commission and the Building Safety Division. Staff and Corporation Counsel stated that there were a series of issues in the past with approvals from HLPC and inspections by the BSD. Those issues have since been resolved. The Board agreed to a 1 year term for the permit.

All original conditions are carried forward with a renewal.

A determination of environmental significance was discussed. Because the project involves no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) "license, lease and permit renewals, or transfers of ownership thereof, 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 action a Type II under SEQR and to approve the special permit renewal for a period of 1 year, expiring on October 21, 2020 with all original conditions carried forward. (WP, KR, MG, CP, RJ – yes)

Item #6: #9 Hone Street SPECIAL PERMIT RENEWAL to renovate an existing structure to create 2 residential apartment units with a 450sf ground level commercial space. SEQR Determination. Zone RT, HLPC, HAC. Ward 8. Paul Tadeushuk & Maiken Nielsen; applicant/owner.

Discussion: No one spoke at the public hearing. Paul Tadeushuk & Maiken Nielsen were present at the meeting. The application is for renewal of a special permit for 2 apartments and a commercial space within an existing structure. The structure was renovated by a previous owner and was recently purchased with the new owner taking over the special permit. The commercial space is occupied by a service business.

Floor plans and elevations drawn by Paul Jankovitz, AIA, were approved by the Board in December 2014. The ground floor is occupied by a beautician and contains a bathroom and a mechanical equipment room. The 1st floor contains a 1 bedroom unit with a living room, kitchen, bathroom and access to the front porch. The 2nd floor will be a 2 bedroom unit with a rear deck and stairs to the ground. Certificates of Occupancy were issued for the renovations.

Renovations to the building were completed in January 2016 and the building is fully occupied.

A term for the permit was discussed. The previous permit was issued in October 2016 for 3 years. The Board agreed to another 3 year term.

A determination of environmental significance was discussed. Because the project involves no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) "license, lease and permit renewals, or transfers of ownership thereof, 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 action a Type II under SEQR and to approve the special permit renewal for a period of 3 years, expiring on October 21, 2022 with all original conditions carried forward. (WP, RJ, KR, MG, CP – yes)

Item #7: #79 Wurts Street SPECIAL PERMIT RENEWAL to operate a Bed & Breakfast. SBL 56.42-7-8.100. SEQR Determination. Zone RT, HAC. Ward 9. Peter & Julie Wetzler; applicant/owner.

Discussion: No one spoke at the public hearing. The applicant was not present for the discussion but arrived at the meeting late after the vote had already taken place. The Board discussed whether to proceed with the review without a representative present and agreed that because there have not been issues, they would discuss.

The application is to renew the special permit to operate a Bed & Breakfast in a single family home.

A term for the special permit was discussed. The term for B&B's are limited to 1 year maximum. The Board agreed to a 1 year term.

A determination of environmental significance was discussed. Because the project involves no changes it was categorized as a Type II action under SEQR, 617.5 (c) (26) "license, lease and permit renewals, or transfers of ownership thereof, 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 action a Type II under SEQR and to approve the special permit renewal for a period of 1 year, expiring on October 21, 2020 with all original conditions carried forward. (WP, RJ, KR, MG, CP – yes)

Item #8: #20 Cedar Street SITE PLAN/SPECIAL PERMIT RENEWAL to construct a mixed use building. SBL 56.109-4-2.100. SEQR Determination. Zone C-2, Mixed Use Overlay District. Ward 4. RUPCO; applicant/owner.

Discussion: No one spoke at the public hearing. Charles Snyder was present at the meeting. The application is for renewal of a special permit to construct and ultimately operate a mixed use building in the C-2, Mixed Use Overlay zone. The permit was originally approved in December 2015.

Site work is underway. C. Snyder stated that they hope to occupy the space in February 2020.

C. Polacco stated that he has received a lot of comments from people about the building being constructed of wood. W. Platte said that the structure meets the building code.

K. Roach asked about the sidewalk on Greenkill Avenue. He asked that the sidewalk be reopened as soon as possible because the street is dangerous to pedestrians right now with it fenced off. He said that the other side of the street is the railroad and doesn't have sidewalks. C. Snyder said that the sidewalk has been poured and he does not see it as a problem. He will talk to the contractors about moving the fence back to behind the sidewalk.

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

A determination of environmental significance was discussed. Because the project involves no changes and is purely an administrative act of renewal, it can be categorized as a Type II action under SEQR, NYCRR Part 617.5 (c) (20) and does not require a determination as such.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit renewal for a period of 1 year, expiring on October 21, 2020 with all original conditions carried forward. (WP, RJ, KR, MG, CP – yes)

Item #9: #294 Wall Street SPECIAL PERMIT RENEWAL for residential on the upper floors; SBL 48.331-6-24.100. SEQR Determination. Zone C-2, MUOD, Heritage Area, Stockade Historic District. Ward 2. BRK Group Inc.; applicant/owner.

Discussion: No one spoke at the public hearing. Balayet Khan was present at the meeting. The application is for a special permit renewal for 8 residential units on the upper floors of the commercial building with a ground floor restaurant.

The Board asked the applicant how the renovations were progressing. B. Khan stated The Building Department conducted an inspection of the building but only 5 of the 8 units were renovated at that time. There is still an open building permit for renovations. B. Khan said that 4 of the units were occupied. He said that he had problems with contractors but that he is moving forward with completing the remaining apartments. Staff stated that the Building Department had expressed that the renovated apartments were very nice and that there were no issues during inspections.

The owner completed a lot line deletion between the two properties to combine them into one. This was requested due to the fact that the buildings were connected with doorways on the upper floors and other Building Code concerns. Combining the buildings eliminated building code concerns.

The Board waived the parking requirement under the original approval.

A term for the permit was discussed. The initial term was 1 year. The Board agreed to continue the 1 year term to allow for work to be completed before extending the timeframe.

A determination of environmental significance was discussed. Because the project involves no changes and is purely an administrative act of renewal, it can be categorized as a Type II action under SEQR, NYCRR Part 617.5 (c) (20) and does not require a determination as such.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit renewal for a period of 1 year, expiring on October 21, 2020, with all original conditions carried forward. (RJ, KR, WP, CP, MG – yes)

Item #10: #188 & #200 North Street SPECIAL PERMIT/SITE PLAN AMENDMENT to expand hotel/glamping type use. SBL 56.28-3-23 & 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: No one spoke at the public hearing. Mark Miller, attorney, Linda Stancliffe, engineer, Zac Hall and Kristina Ducharme, architects, were present at the meeting.

The applicants explained the changes that have been made since the previous approval. The plan now includes cabins on the site instead of tents near the waterfront.

The application is to amend the site plan/special permit for the brickyard site. The applicants are now proposing to change from the original tent sites to cabins. The cabin use is being considered a hotel with each cabin rented individually as short term rental. Hotel uses are allowed by special permit “whenever the owner dedicates meaningful, permanent public access along and where appropriate, across the property to the dry shore area. The Planning Board shall have the authority to waive the requirement to provide meaningful permanent public access when the property does not have direct water frontage”

The Board questioned the meaningful public access to the waterfront requirement. Staff explained that this is required when certain uses are propose, including hotels. The inclusion of public access along the waterfront has not been included on previous plans because the condition of the waterfront has been questionable as it relates to safety. There is erosion from the bulkhead and fencing to keep people away from certain areas. A public access plan was a condition of previous approvals.

Z. Hall explained that the cabins will be heated for year round use. There are no kitchens in the cabins but there are bathroom/shower facilities.

The applicants have obtained the property adjacent to 200 North Street which was formally owned by St. Mary’s Hall. It was stated in the project narrative that that the property is intended to be used as the initial welcome center and will also house a community gathering area. The Board questioned what the space will be used for. The applicants stated that they have not formalized that yet. Staff asked whether events would be held in the 188 North Street building. The applicants stated that they did not plan for events in that space. There will also be parking and access to cabin sites. Staff requested that the applicants formalize the plan for this space.

Staff informed the Board that the application will need to be referred to the Ulster County Planning Board.

The Board reviewed a resolution to reaffirm Lead Agency in the SEQR review.

Decision: The Board voted unanimously to adopt a resolution to reaffirm Lead Agency in the SEQR review and to refer the application to the Ulster County Planning Board. (WP, CP, RJ, MG, KR – yes)

Item #11: #22-24 & 26 Post Street and 5-7 & 9 & 11-3 West Union Street LOT LINE REVISION of the Lands of Riverport Row LLC. SBL 56.43-4-19, 20, 21, 22, 23. SEQR Determination. Zone RT, Rondout Historic District, HAC, Coastal Consistency. Ward 8. Riverport Row LLC.; applicant/owner.

Discussion: No one spoke at the public hearing. Dr. Jack Weeks and Elizabeth Collins were present at the meeting as well as project architect Paul Jankovitz. The applicants explained that the application is to reconfigure lot lines to reduce the number of lots from 5 to 4. This will allow for construction of 4 row house buildings. The site plan for this proposal is under Item #15.

A lot line revision map was created by Paul Jankovitz, project architect. Staff explained that the map will need to be completed by a licensed surveyor prior to being signed by the Board Chairman and filing with the Ulster County Clerk. The applicants explained that the map being presented was taken from a survey on the property.

This will need to be done by a licensed surveyor with metes and bounds descriptions for new deeds to be filed. The map will need to be reviewed by the Zoning Enforcement Officer for compliance with the lot and bulk requirements.

The applicants were advised that the lot line revision 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 will need to be submitted and reviewed by staff. 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.

Board Policy #6 will need to be signed by the owner.

The Board discussed a determination of environmental significance. The lot line revision is considered a Type II Action under SEQR Part 617.5(c)(17). Therefore no further review is required.

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: maps completed by a licensed surveyor and reviewed by the Zoning Enforcement Officer to determine if any area variances are

required, written descriptions of parcels and shared right-of-ways, and a minimum of 5 paper copies and 1 mylar submitted for the Board Chairman's signature. (WP, CP, RJ, MG, KR – yes)

Item #12: #217 & 235 Wall Street LOT LINE DELETION of the Lands of St. Joseph's Church. SBL 56.91-2-24 & 23. SEQR Determination. Zone O-2 & R-2, HAC. Ward 2. St. Joseph's Church; applicant/owner.

Discussion: No one spoke at the public hearing. Philip Sinagra was present at the meeting to represent St. Joseph's Church. The application is to delete the lot line between two lots owned by St. Joseph's Church. One lot contains the former school building. The deletion will allow the applicants to expand their parking area to the other lot. A site plan application for this proposal is Item #16 on the agenda.

The properties fall under 2 zoning districts O-2 and R-2. The property is used in conjunction with St. Joseph's Church. The resultant lot will be 29,235.67 (.671 acres after the deletion).

The applicant is aware that the lot line revision 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 will need to be submitted and reviewed by staff. 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 or authorized representative.

A determination of environmental significance was discussed. The lot line revision is considered a Type II Action under SEQR Part 617.5(c)(17). Therefore no further review is required.

Decision: The Board voted unanimously to render the Action a Type II under SEQR and to approve the lot line deletion with the following conditions: a minimum of 5 paper copies and 1 mylar copy submitted for the Board Chairman's signature, and written description of the resultant parcel. (WP, MG, CP, RJ, KR – yes)

OLD BUSINESS:

Item #13: #140 Pine Street SITE PLAN to demolish and reconstruct a medical office building. SBL 56.92-5-20.140, 150, 160, 170, 180, 190, 200, 210, 220. SEQR Determination. Zone O-2. Ward 4. Institute for Family Health; applicant/owner

Discussion: Kenneth Hamilton was present at the meeting to represent the Institute for Family Health. The application is for site plan approval to demolish the existing medical office building and construct a new office building for the Institute of Family Health. The mission of the Institute of Family Health is to improve access to high quality, patient centered primary health care targeted to the needs of medically underserved communities. The Pine Street Family Health Center will offer primary medical care, behavioral health (counseling) services, and several other medical related services.

K. Hamilton explained that he has been working on obtaining professionals to complete the items discussed at the previous meeting: an archeologist to handle the historical research and plan for excavation and construction on land that was formerly occupied by a cemetery, a landscape architect to advise on plantings, and additional plans for utilities, stormwater, and lighting. The applicants are also working with their attorneys on how the new plan will affect the condo aspect of the building ownership.

The Board had no additional questions for the applicant. Staff asked the Board if they wanted to consider approval with the additional information submitted to staff. The Board agreed that the proposed plan was a positive change to the property and that the additional information, when completed, could be submitted to the Planning Office for staff review.

The reason for the proposal is to construct a building that is ADA compliant and energy efficient. The current layout is problematic and the applicants have expressed that trying to retrofit the current building is not cost effective.

Hours of operation will be Monday – Thursday, 8am-7pm, Saturday 9am-1pm and Sunday 9am-12pm. For pediatric care will be Monday, Tuesday and Friday 8am-5pm and Wednesday and Thursday 8am-6pm. Behavioral health services will be offered Monday – Friday 8am-8pm and Saturdays and Sundays 9am-5pm. The center is expected to have 30 full time employees and 10 part-time employees.

Originally staff recommended that the utilities be brought in underground, however, in light of the discussion of sensitivity with the previous use as a burial ground this may not be in the applicants' best interest.

Board Policies:

#4, 4a – Lighting

#6 - No changes without authorization or approval by the Board or staff.

#7, 7a – Board Decision

#14 – Dig Safely New York

#19 – Noise Ordinance

And inclusion of a Knox Box for emergency access by the Fire Department.

This is 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 site plan with the following conditions: lighting and landscaping details submitted to staff, utility details and location on plans and submitted to Engineering and Water Departments for sign off, erosion and sediment controls reviewed by the Engineering Office, and archeologist progress reports and documentation to staff, as well as Board Policies #4, 4a, 6, 7, 7a, 14, 19 and inclusion of a Knox Box. (WP, RJ, CP, MG, KR – yes)

Item #14: #55 Plaza Road SITE PLAN to remove and replace the ticket booth for the Catskill Mountain Railroad. SBL 48.80-1-31.III. Ward 2. Zone C-1. Catskill Mountain Railroad/ applicant; County of Ulster/owner.

Discussion: Jim Bruck was present at the meeting to represent CMRR. The application is for removal of the existing ticket booth and to replace it with a new shed for ticket sales.

The applicant presented renderings of the ticket booth and the location map. The structure will be 10'x20' with a 14' height. The building will be placed on a crushed gravel pad. The interior will have shelving, counters and a ticket window with a counter.

The Board asked if there will be electric to the booth. The applicant said that electric will be provided by temporary service from the Plaza. There will be no permanent electric to the building, no utilities to the structure.

Board Policy #6 will need to be signed.

The application was sent to the Ulster County Planning Board for referral. They responded with a required modification that the applicants would need to obtain a building permit from the County. The applicants are aware of this and have been in contact with the UC Public Works Department.

This is considered a Type II under SEQR and therefore is predetermined to have no significant environmental impact and no SEQR review is required.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the site plan to remove and replace the ticket booth for the Catskill Mountain Railroad with the condition that the applicants obtain a Building Permit from the Ulster County Department of Public Works. The Board also voted to concur with the UCPB comments. (WP - motion, RJ - 2nd, CP - yes; Matthew Gillis and Kevin Roach - Recuse)

NEW BUSINESS:

Item #15: #22-24 & 26 Post Street and 5-7 & 9 & 11-3 West Union Street SITE PLAN to construct 4 residential units in the RT District. SBL 56.43-4-19, 20, 21, 22, 23. SEQR Determination. Zone RT, Rondout Historic District, HAC, Coastal Consistency. Ward 8. Riverport Row LLC.; applicant/owner.

Discussion: Dr. Jack Weeks, Elizabeth Collins, and Paul Jankovitz were present at the meeting. The application is for site plan approval to construct 4 buildings on 4 separate lots in the RT district. The applicants are applying for a lot line revision as well. The construction will be completed in 2 phases with the first phase including two homes, one for the owners and another for a relative. The remaining structures will be constructed in the future when purchasers are identified. This will have the option of a live/work layout with a space on the ground floor for an office or studio.

Staff explained that the application includes commercial space noted on the plans as "storefront" in Phase II. The zoning code does not allow for all commercial uses in this area but does allow for owner occupied professional office, studio, or home occupation of a resident of the building, if limited to no more than 30% of the floor area of the building and employing no

more than one nonresident. The applicants are aware of this stipulation and will be considering this when construction on the next phase is proposed.

Plans include row style houses. The homes in phase I will have a shared wall. Each of the 4 will have their own patio and off street parking.

The buildings are proposed to have brick veneer facing Post and West Union Streets. A historic photo of the area was submitted with the application to show that there was a larger building on site at one point.

Zoning Requirements – There are no front, side or rear yard setback requirements. If side or rear yard setbacks are included, they must be at least 6 feet. The structures meet the setback requirements with section of the corner building being constructed at an angle starting with a 0 foot setback and increasing. The applicants are aware that the Zoning Enforcement Officer will need to review the lot and bulk requirements to determine if area variances are needed.

When construction plans are created, the applicant should submit plans with utility connections shown. The City Engineer will need to sign off on sewer connections and stormwater.

Staff discussed erosion and sediment control with the applicants. Although the site is small, the buildings are proposed to be constructed in very close proximity to the sidewalk and street. There should be precautions taken to ensure that sediment remains on the site. Staging plans should be submitted. Erosion control measures and construction entrances should be shown on maps to ensure that sediment will not leave the site.

The project has received approval from both the Historic Landmarks Preservation Commission and the Heritage Area Commission.

The project 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 site plan for 4 residential units with the following conditions: utility connections approved by the City Engineer and Kingston Water Department, erosion control and staging area during construction, review by the Zoning Enforcement Officer on lot and bulk requirements to determine if area variances are necessary, as well as, approval from the Heritage Area Commission and the Historic Landmarks Preservation Commission and protection of the bluestone sidewalks during construction. (WP, CP, RJ, MG, KR – yes)

Item #16: #217 & 235 Wall Street SITE PLAN to expand the parking lot and add associated site improvements. SBL 56.91-2-24 & 23. SEQR Determination. Zone O-2 & R-2, HAC. Ward 2. . St. Joseph's Church; applicant/owner.

Discussion: Philip Sinagra was present at the meeting. The applicant is seeking approval to pave the parking lot and adjacent yard for additional parking. These properties are on the agenda for a lot line deletion as well.

The parking lot will have 25 spaces (23 with 2 handicap spaces). There will be a 4 ft ornamental fence surrounding the property with a planting space on the sidewalk side of the fence.

Landscaping types are not defined. The applicant said that he would be requesting to remove the street tree because it is in poor condition and is damaging the sidewalk. Staff told him that he would need to go before the Tree Commission and that there should be consideration to planting a new tree along the planting strip. The Tree Commission will likely request a replacement if a tree is removed.

P. Sinagra said that the garage and the garden in the rear of the lot will remain because they are important to people in the neighborhood.

Staff questioned the screening between the parking lot and the neighbor. P. Sinagra said that there is a fence along the property line that will remain in place.

There will be two access points to the parking lot with one way in and one way out. P. Sinagra said that he wanted to speak with the City Engineer regarding the width of the access points.

The plans show a proposed drywell in the parking lot with blacktop pitched toward them. P. Sinagra said that he is working with Brinnier and Larios on the plan and that the soils are adequate for the size of the lot. One is existing and another is proposed.

Three 12ft. light poles are proposed. The fixtures are proposed to be Beacon, viper small LED. Staff conducted an internet search which returned this detail.

The application is considered a Type II action under SEQR and therefore is predetermined to have not negative 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 the following conditions: screening between neighbors to remain in place or be replaced with adequate fencing and/or landscaping, engineer signoff on stormwater and entry/exit widths from the parking lot, landscaping along the property with trees if possible, street tree removal approved from Tree Commission, as well as, Board Policy # 6 – signature of owner & 23 – protection of bluestone sidewalks. (WP, RJ, CP, MG, KR – yes)

CURB CUT:

Item #17: **#128 West Pierpont** REQUEST for 2nd curb cut. SBL56.42-12-8. SEQR Determination. Zone RT. Ward 9. Colin Brown; applicant/owner.

Discussion: Colin Brown was present at the meeting. He explained that he was requesting approval to add a curb cut for a driveway adjacent to his home. There is currently a curb cut that leads to the garage under his home but he does not use the garage to park a vehicle. He presented photos to illustrate the situation noting that the section of W. Pierpont where his house is has low visibility and parking on the street intensifies the issue. M. Gillis said that he travels that road a lot and there is a visibility problem.

Decision: The Board voted unanimously to approve the curb cut. (WP, RJ, CP, MG, KR – yes)

RECOMMENDATION:

Item #18: REFERRAL from Common Council requesting to be Lead Agency in the SEQR review for adoption of the Open Space Plan.

Discussion: The Board discussed the referral from the Common Council requesting to be Lead Agency in the SEQR review for the Open Space Plan.

Decision: The Board voted to sign off on the Common Council request to be Lead Agency. (WP, MG, KR – yes; RJ, CP – no)