

CITY OF KINGSTON
Heritage Area & Historic Landmarks Preservation Commissions
planning@kingston-ny.gov



Suzanne Cahill, Planning Director

Steven T. Noble, Mayor

April 11, 2023

Ald. At Large A. Shaut, President Common Council
City of Kingston
City Hall
420 Broadway
Kingston, New York 12401

Re: RECOMMENDATION of Historic Landmarks Preservation Commission
City of Kingston Proposed Form Based Code

Dear Pres. Shaut:

On behalf of the Historic Landmarks Preservation Commission (HLPC), I am herewith submitting the HLPC Recommendation to the Common Council, which was unanimously approved at the regular meeting held on April 6, 2023. The Commission wishes to thank those who spent the time and effort on drafting the document. Two workshop sessions were held, focusing on various elements of the proposed code and maps, to present the comments in a cohesive statement.

Please direct any questions to this office.

Respectfully,

Suzanne Cahill
Planning Director

Cc: S. Noble, Mayor
B. Starodaj, Dir. Housing Initiatives
M. Grunblatt, HLPC Chairman
Ald. R. Worthington, W4, HLPC Liaison/ Chair. L&Rs

**CITY OF KINGSTON HISTORIC LANDMARKS PRESERVATION COMMISSION
DECISION DOCUMENT**

PLACE: CITY OF KINGSTON HLPC MEETING Common Council Chambers DATE: 4/6/23

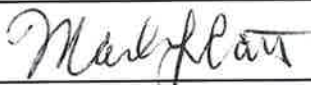




ITEM # 13 APPLICANT: _____

ADDRESS AND SBL: Form Based Code DISCUSSION

SEQRA DECISION: MOTION BY: _____ SECONDED BY: _____ Type I Action: <input type="checkbox"/> Negative Declaration of Environmental Significance: <input type="checkbox"/> Type II Action: <input type="checkbox"/> Conditioned Negative Declaration: <input type="checkbox"/> Unlisted Action: <input type="checkbox"/> Seek/Designate Lead Agency: _____ Positive Declaration of Environmental Significance: <input type="checkbox"/> Scoping: <input type="checkbox"/> EIS: <input type="checkbox"/> FINAL DECISION: MOTION BY: <u>NM</u> SECONDED BY: <u>RT</u>	RECEIVED: RECEIVED BY City Clerk: DATE _____ TIME _____ Date: <u>9/23/23</u>
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OTHER APPROVALS: ZBA UCPB PB HAC LWRP Consistency CC

CONDITIONS: (Use Other Side if More Information Is Needed)
 Adopt Recommendation as Written on Attached Page 5
of Final
 Move - Include Pike Plan continue as current - Attached
 Update Figures AS Discussed and in final Notes - Attached
 Recommended figure to replace

MEMBERS	Absent/Present	SIGNATURE	YES	NO	RECUSED
Mark Grunblatt, Chairman	<input type="checkbox"/> / <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Andrea Puetz, Architect	<input type="checkbox"/> / <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/> / <input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nettie Morano	<input type="checkbox"/> / <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin McEvoy	<input type="checkbox"/> / <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Tonner	<input type="checkbox"/> / <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant					
TOTAL			<u>5</u>	<u>-</u>	<u>-</u>

City of Kingston Historic Landmarks Preservation Commission

Recommended Comments on the Proposed Form Based Code

April 6, 2023

General Note: The HLPC notes that the Common Council should also be looking at Chapter 264 of the City Code to recognize inconsistencies with new language as being presented in the FBC.

Background: The Historic Landmarks Preservation Commission (HLPC) met in 2 workshop sessions to discuss the proposed Form-Based Code (FBC) for the City of Kingston. The dates for those sessions were February 9, 2023 and March 9, 2023. Each session was designed to cover specific sections of the FBC which are directly involving or related to the duties of the HLPC. The following bullets represent the findings and comments on the FBC as adopted:

Article 4: Section 405.14 Architectural and Site Design Standards (Page 4.24)

B. APPLICABILITY (Page 4.24)

* 1. MODIFY 2nd sentence – The Architectural Standards, *as identified in paragraphs E, G, H, I, J and K, of this Section*, are encouraged (but not required) for Detached House, Carriage House, Duplex or Cottage Court Building Types. *Design of structures should be compatible with the surrounding neighborhood, not necessarily discouraging other styles.*

E. BUILDING WALL MATERIALS & MASONRY DETAILING

* 1. (f) – COMMENT - Understand this for some commercial structures, but this maybe shouldn't apply to all building types mentioned under B. above... both vinyl and aluminum are a mainstay type of material to use. Naturally there are other materials you could use in place of vinyl or aluminum clapboard, such as actual wood or maybe a hardiplank or other composite. Think it would be a mistake to prevent the everyday homeowner from being able to use those materials. Alternative materials can be expensive. Also, if you're in a situation where you're putting an addition on a house, would this prevent the use of trying to match materials?

* 1. (g) QUESTION - There are outdoor malls and other shopfronts in the area that use EIFS. If any of them need repair or need to be modified, would this prevent that from happening?

G. BUILDING DETAILS

* 2. Roofs and Parapets (Page 4.29)

- (g) This section references a sign panel allowed in a raised parapet section. There is no correlating standards on size, design etc., in the sign standard section. What regulates this? Materials? Illumination? Size?

* 4. Columns (Page 4.30)

- (b) All columns shall be spaced at regular intervals, *to the greatest extent possible*, and shall create openings....

- (c) The HLPC wants to recognize that there may be an appropriate occasion to make use of a “Faux” column which would not be a structural element of the building design.

- (d) The HLPC members note that the alignment as shown in Figure 405.G.4.d, has the potential for the column capital to hold water, snow, ice, and debris, ultimately causing rot possibility. The HLPC questions if the figure is a “Blow-up” of Figure 405.14.G.4.c (above it), then without the roof detail, gives rise to more questions/interpretations. *HLPC Provides Alternative Figure for consideration, which would require some minor notes for clarification.*

General Comment – Consideration should be given to removing the negative figure examples and just having the acceptable figures shown to avoid confusion.

H. BUILDING HEIGHT (Page 4.31)

* 1. COMMENT – The HLPC recognizes this as different from the present definition. The concern is that with the new wording the roof could potentially present a greater visual impact.

* 3. Measuring STORIES: (a) A STORY is measured from finished floor level to the surface of the floor or *eave of* roof above.....

Article 4: Section 405.17 Signage Standards (Page 4.41)

- ADD Signage Regulations that govern the installation of signs both under and along the “Pike Plan” structure on North Front and Wall Streets in the Stockade District. Regulations attached.

E. PEDESTRIAN-ORIENTED SIGNS

* 5. Pedestrian-Oriented Standards:

- Page 4.43 – b. Projecting Signs (vii) This statement needs to be related to the following paragraph c. Marquee Signs, as it speaks to “A projecting marquee.....” Confusing and difficult to interpret. Is this meant to regulate the perpendicular element as shown in the photo with “c. Marquee Signs”? The dimensional height would not lend itself to thinking in that regard. Under “c. Marquee Signs” The HLPC questions if the intent is to regulate only the horizontal element as shown in the accompanying photograph? The width, height and quantity specifications would lend one to interpret it that way. Basically – Marquee signage needs to be re-worked for clarity and straight forward interpretation.

- Page 4.44 – h. Sidewalk Signs – ADD *(vii) Sidewalk Signs shall be appropriately secured and anchored in place in a manner suitable to the Department of Public Works.*

H. ICONIC SIGNS (Page 4.45) TYPO – ICONIC SIGNS such as barber poles, shall be permitted as long as they comply with the *otherwise* applicable

Article 8: Section 405.26 L. Historic Landmarks Preservation Commission (Page 8.24)

2. Membership qualifications. (Page 8.24)

* Change the current third sentence to read “All *other* members shall be residents.....”

6. Powers and duties. (Page 8.24)

* To insert the following language as identified in red here in (a) (ii) "To review all applications for building permits, *all outwardly physical installations* and all appeals and applications transmitted to the Building Safety Officer which may affect any landmark or Landmark (L) District, and to make.....405.26.J.1.c. *This provision shall exempt all in-kind restoration/rehabilitation work, painting using historic color collection palettes, minor modifications or alterations to the exterior, signage when in compliance with the regulations herein, as determined by the Planning Administrator to be suitable for a determination of impact issued on an administrative level.*

7. Landmark or Landmark District designation procedure. (Page 8.25)

* (f) The HLPC questioned the method of ratification by the Common Council needed. Recommend changing the second sentence to remove certain language as follows: "The designation shall be effective upon ratification ~~through ordinance~~ by the Common Council.

8. Landmarks and Landmark(L) Districts. (Page 8.26)

* (a) (ii) The Stockade Area of Kingston, New York, consisting of eight blocks bounded by Clinton Avenue, Main Street, Green Street and North Front Street, together with protective perimeter, is the site of the stockade *ordered* built by Peter Stuyvesant in 1658 and successive extensions under English rule. In this area there were two *conflicts with Esopus Leni Lenape people Indian massacres*, one in 1659-60 and one in 1663-64, as well as the location of the founding of the first government of the State of New York in 1777 and burned by the British that same year. *This area contains architecture dating back to the 17th and 18th Century including the corner of Crown and John Streets with four pre-Revolutionary stone houses, one on each corner of the intersection. In addition to the distinctive pre-Revolutionary stone houses, the district has 19th Century structures in Federal Period, Greek Revival, Italianate and Second Empire and Queen Anne styles as well as the mid-19th Century stone Old Dutch Church, a National Landmark.*

* (a) (ii) (2) TYPO – This area contains architecture And cultural organizations of the past.

* (a) (iii) The Rondout Landmark District consisting of the area as shown on the Regulating Map *and described as: The Rondout Historic District encompasses the area sloping down to and featuring the waterfront on Rondout Creek. Rondout was rapidly transformed from farmland into a thriving maritime village after the opening in 1828 of the Delaware and Hudson Canal with its terminus here. Plentiful jobs on the canal, in boatyards and shipping, in industries such as brick and cement manufacturing as well as bluestone, drew a melting pot of immigrants whose imprint is still visible in the rich legacy of commercial buildings, cast-iron storefronts, homes and churches in the district despite losses due to urban renewal in the 1960's.*

* (a) (iv) The Fair Street Landmark District consisting of the area as shown on the Regulating Map *and described as: Starting in the mid-19th Century, a long line of distinguished residences representing several architectural styles were erected along Fair Street extending out from the Stockade District as affluent people began moving out from the Stockade District and building substantial structures. The tree-shaded street has significant examples of the Italianate, Second Empire, Queen Anne, and Colonial Revival architecture.*

* (a) (v) The Chestnut Street Historic District consisting of the area shown on the Regulating Map *and described as: The district encompasses both West and East Chestnut Streets offering splendid*

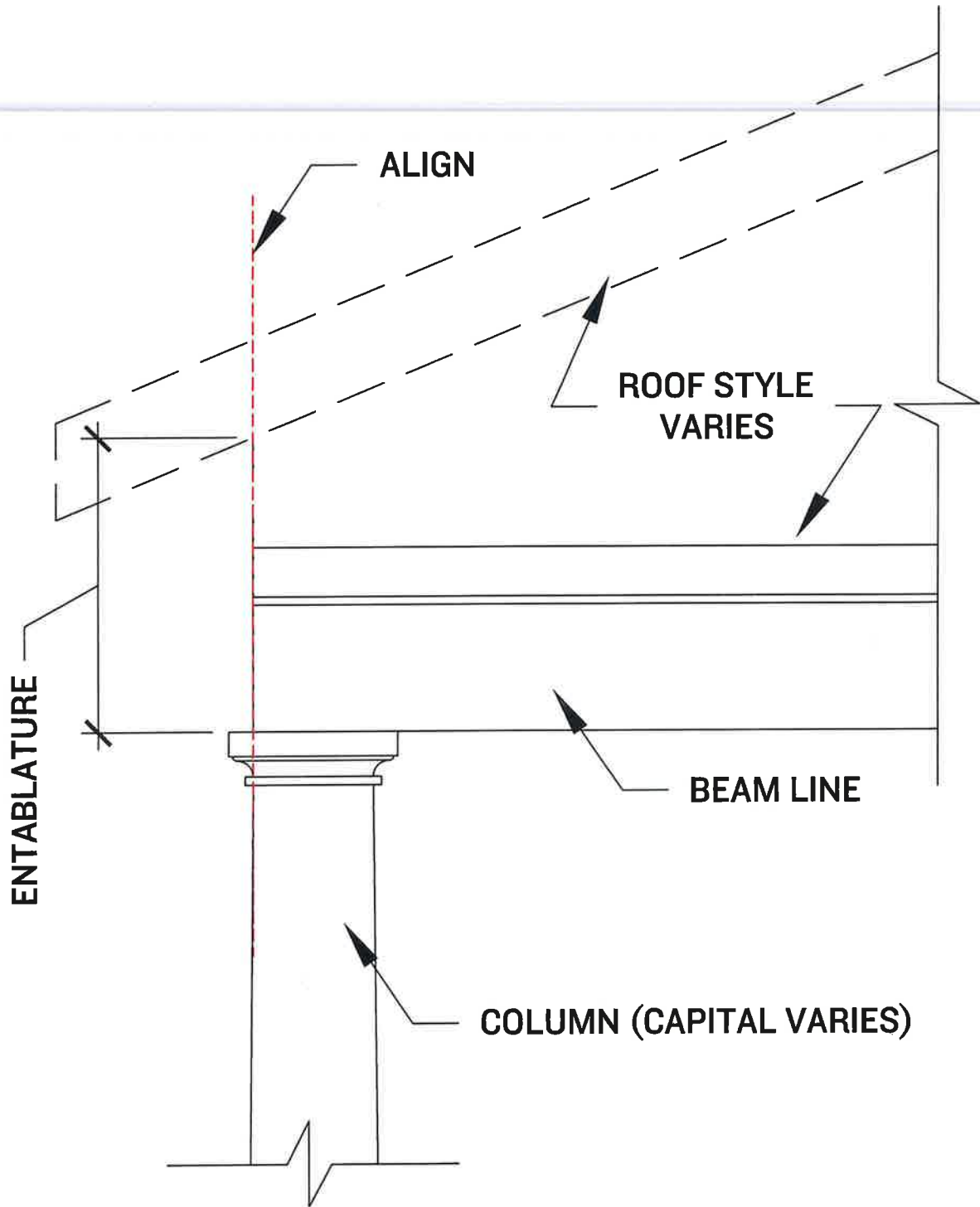
examples of various architectural styles including Italianate, French Second Empire, Queen Anne, Colonial Revival, and Italian Renaissance many set on expansive lawns. In the 19th Century, on West Chestnut Street at the top of the hill above Rondout, several of the most affluent and powerful business people in Rondout built large homes, some with magnificent views of the Hudson River and Catskill Mountains.

* (b) (ii) (4) Maintenance. "Preventive maintenance is required in order to assure that these buildings, spaces, elements and details are preserved. ~~Failure to provide this~~ *Deliberate neglect and/or lack of preventive maintenance that presents an issue of public safety or rapid deterioration of a structure* shall be a violation of this article.

9. Review Procedure.

* ADD *(e) It shall be the further duty of the Commission to exercise judgement in accord with the guidance of the US Secretary of the Interior Standards for Rehabilitation.*

SUGGESTED
REPLACEMENT FIGURE

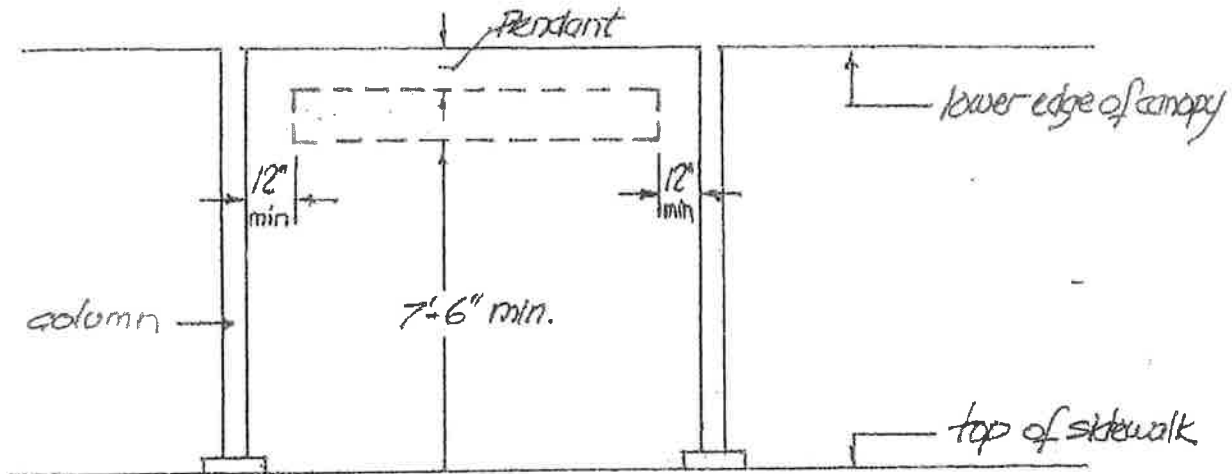


GUIDELINES FOR THE INSTALLATION OF SIGNS ON OR UNDER THE PIKE PLAN CANOPIES

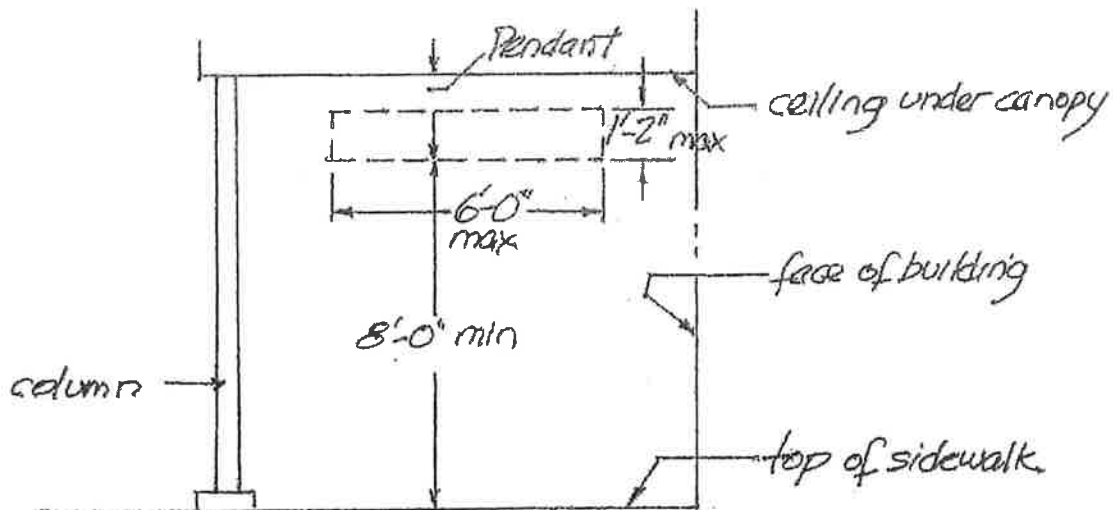
1. These guidelines shall apply only to businesses which occupy the ground or street levels of the buildings in the area. All business or office occupying the upper levels of any building in the area may be identified and located solely by a sign or plaque beside the door which permits access to such an establishment.
2. Each business shall be entitled to two (2) signs to identify and locate its establishment, i.e. one (1) on the front of the canopy parallel to the street, and one (1) under the canopy perpendicular to the street.
3. Flashing, moving or intermittently illuminated signs or advertising signs are prohibited.
4. No internally lighted or neon signs are permitted.
5. All signs shall be constructed of wood, with painted or applied lettering, or lettering may be routed. No metal or plastic signs permitted.
6. Lettering must conform to style of middle 1800's or early 1900's.
7. Minimum and maximum distances and dimensions are graphically displayed on the following page.

PIKE PLAN CANOPIES
(WALL STREET AND NORTH FRONT STREET)
UPTOWN URBAN RENEWAL PROJECT NYR-121

SIGN ON FACE OF CANOPY (PARALLEL TO STREET)



SUSPENDED SIGN UNDER CANOPY (PERPENDICULAR TO STREET)



NOTES:

- All signs shall be pendant, except those applied to facia
- Size and shape of signs are not fixed but shall fit within limits indicated by dotted lines
- Drawings above are not to scale