



Hudson & Pacific Designs
Landscape Architecture, P.C.
24 Mynderse Street
Saugerties, New York 12477

6 March 2015

Suzanne Cahill
Planning
City Hall
420 Broadway
Kingston, New York 12401

Dear Sue,

On behalf of the Heritagenergy and Kingston Point Terminal Properties owned and operated by Heritagenergy, please accept the following comment regarding the Public Scoping Review of the City of Kingston, New Yorks “SEQRA Draft Scoping Document for the Preparation of a Draft Generic Environmental Impact Statement of the Kingston Waterfront Brownfield Opportunity Area Plan (KWBOAP)”, prepared by AECOM , February 12, 2015 and presented at the Public Scoping Meeting on February 24, 2015 for use in the current Comprehensive Plan Development Process.

Heritagenergy supports the public benefit mission of the Kingston Waterfront BOAP and the Citys current Comprehensive Plan Process with the proviso that the current use and foreseeable future use of the Heritagenergy and Kingston Point Terminal Properties, hereinafter referred to as Kingston Point Terminal, located at the confluence of the Rondout Creek and Hudson River will remain as a vital regional oil storage facility shall be recognized as a viable option within the KWBOAP and Kingston Comprehensive Plan.

The Heritagenergy properties provide a critical water dependent use as an oil storage energy utility between Albany and New York City as established in the City of Kingston’s “ Oil Storage Facilities Study” prepared by Daniel Shuster, Planning Advisor; Olko Engineering and Raymond , Parish, Pine & Weiner, Inc in November 1981. The study provided a comprehensive analysis of the two Heritagenergy owned ‘Kingston Point’ properties and one property on the Rondout along with two other oil and one gasoline storage facility owned by others.

The study evaluated the creation of new oil storage facilities at the Brickyard and Cement Plant along the Hudson with the goal of closing the most problematic storage

facilities and those that were more suited to sustainable uses.

The Study concluded that the best facility for oil storage in the Kingston region is the Heritage Oil Kingston Point Terminal property. Based upon the study's 1981 recommendations, additional properties were acquired in order to facilitate removal of the redundant oil storage properties on the Rondout Creek. Extensive site improvements have also been implemented at the property including but not limited to cleanup, state of the art digital gauging system, monitoring wells, upgraded and new storage tanks. Kingston Point Terminal is maintained in full regulatory compliance according to the New York State Department of Environmental Conservation and the U.S. Department of Homeland Security.

The November 2001 'Phase I Environmental Site Assessment for TCC Parcels 21 & 22', prepared for Mid Hudson Patterns For Progress, of the Heritage Oil Kingston Point Terminal property provides a detailed description of the sites environmental condition at that time. The report chronicles the sites history as a 19th century Ice House and Hotel Site with oil facilities at about 1920.

The 2002 Kingston Waterfront Development Plan acknowledges the entire site of Kingston Point Terminal on its Implementation Plan. According to the plans Goal # 3, the Implementation Plan notes "Provide Riverfront Access" along the properties shoreline and 'Heritage Oil Site: Study for Potential Future Uses'. Heritagenergy is open to accommodating limited public access to its existing steel pier and portions of the shoreline. The limitation being that access meets Homeland Security standards and that the pier would be closed during oil deliveries, which mostly occur during the Winter.

I request that the Kingston Waterfront Brownfield Opportunity Area Plan Report, The Hudson Riverport Vision Plan and Comprehensive Plan be amended to include the current oil storage use of the Heritage Oil Kingston Point Terminal property as a viable current and future use that may in limited due to safety concerns, be cooperatively used for public benefit. Further that the The Hudson Riverport Vision Plan shall be corrected to show the full present development of the properties as is shown on the LWRP Implementation Plan.

Kindly confirm receipt of these comments. I am available to provide any additional information, such as a copy of the 1981 Oil Storage Study, that you may require.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen A. Yarabek", followed by a horizontal line extending to the right.

Stephen A. Yarabek

