



City of Kingston Laws and Rules Committee
Meeting Agenda
Wednesday, March 18, 2020
6:30 PM

NEW BUSINESS

Budget Transfer/Modification Charging Station Grant, Kingston Point Beach ADA
[20200305145926.pdf](#)

Police Accountability Legislation
[20200310130022.pdf](#)

Charter Commission
[20200310130147.pdf](#)

Kingston Point Rails Trail Phase 2 SEQR
[20200310130408.pdf](#)

NYS Historic Preservation, Kingstonian
[20200310130549.pdf](#)

Commercial Vacancy Tax
[20200310130729.pdf](#)

Kingstonian Zoning Map Amendment
[20200310130920.pdf](#)

1 OLD BUSINESS

- 1.a. BAR Appointment
[20200310131043.pdf](#)
- 1.b. Public Works & Parks & recreation Collaboration
[20200312125832.pdf](#)

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Grants Management

Item Type: Proposed Resolution

Agenda Section:

Subject:

Budget Transfer/Modification Charging Station Grant, Kingston Point Beach ADA

Suggested Action:

Attachments:

[20200305145926.pdf](#)

Fin

City of Kingston
Parks and Recreation Department
kgilfeather@kingston-ny.gov

Steven T. Noble, Mayor



Kevin D. Gilfeather, Superintendent

February 28, 2020,

Andrea Shaut, Alderman-At-Large
President of the Common Council
420 Broadway
Kingston, NY 12401

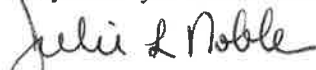
Re: 1) Budget Transfer for the NYSDEC EV Charging Station Grant at Building Safety
2) Budget Modification for the NYS DEC Kingston Point Beach ADA Accessibility Improvements Grant; 3) Budget Modification for the NYSERDA Clean Energy Communities City Hall Windows and Lights Grant

Dear President Shaut:

This is a request for placement on the agenda of the next appropriate Committee, expected to be the Finance and Audit Committee, to discuss the authorization of resolutions for budget modifications for three grants awarded to the City. The information for each is as follows:

- 1) A grant was awarded to the City of Kingston by the NYSDEC for an Electric Vehicle Charging Station for Building Safety which is for \$13,611.20 with a local match of \$5,041.69. This grant was awarded in 2018 and the request is for a budget modification in the Parks and Recreation budget for carryover of unspent grant monies in the amount of \$9,360.
- 2) A grant was awarded to the City of Kingston by the NYSDEC for Kingston Point Beach ADA Accessibility Improvements which is for \$45,820.00 with a local match of \$6,931.50. This grant was awarded in 2017 and the request is for a budget modification in the Parks and Recreation budget for carryover of unspent grant monies in the amount of \$39,400.
- 3) A grant was awarded to the City of Kingston by NYSERDA Clean Energy Communities which is for \$100,000 with no local match required. This grant was awarded in 2018 and the request is for a budget transfer in the City Clerk's budget for carryover of unspent grant monies in the amount of \$26,738.

Thank you for your consideration.



Sincerely,
Julie L. Noble
Sustainability Coordinator

Cc: Steven T. Noble, Mayor
John Tuey, Comptroller
Kristen Wilson, Director of Grants Management
Douglas Koop, Chair, Finance Committee

THE CITY OF KINGSTON COMMON COUNCIL

FINANCE AND AUDIT COMMITTEE REPORT

REQUEST DESCRIPTION

INTERNAL TRANSFER _____
AUTHORIZATION _____
CLAIMS _____

CONTINGENCY TRANSFER _____
BUDGET MODIFICATION x _____
ZONING _____

TRANSFER _____
BONDING REQUEST _____
OTHER _____

DEPARTMENT: Parks and Recreation

DATE: 2/28/2020

Description: Budget Modification in the Parks and Recreation budget to increase the revenue and expense lines to reflect unspent grant monies for three Parks and Recreation Grants:

- 1) NYSERDA Clean Energy Communities City Hall Energy Efficiency Upgrades Project
 - a. Increase General Account A1 1620.43389 NYS Grant \$26,238
 - b. Increase General Account A1 1620.5301 Contracted Services \$26,738
- 2) DEC Electric Vehicle Charging Station project at Building Safety
 - a. Increase General Account A1 7250.3889 NYS Grant \$9,360
 - b. Increase General Account A1 7250.5211 Other Equipment \$9,360
- 3) DEC Kingston Point Beach ADA Improvements Project
 - a. Increase General Account A1 7180.43889 NYS Grant \$39,400
 - b. Increase General Account A1 7180.302 Capital Improvements \$39,400

Estimated Financial Impact: \$ 0

Signature Kevin G. Murphy

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action _____

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Douglas Koop, Chairman		
Reynolds Scott-Childress Ward 3		
Anthony Davis, Ward 6		
Michele Hirsch, Ward 9		
Steven Schabot, Ward 8		

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Police Accountability Legislation

Suggested Action:

Attachments:

[20200310130022.pdf](#)

LKR

Whereas the City of Kingston endeavors to ensure that all residents have respectful, thorough, professional, and fair dealings with the officers of the Kingston Police Department;

Whereas individuals may experience what they believe to be unprofessional treatment in interactions with KPD officers;

Whereas such individuals should possess the power to have complaints reviewed/investigated by the City's Police Commission;

Whereas officers of the Kingston Police Department should possess the power to have complaints against them reviewed by the City's Police Commission;

Whereas the Police Commission has a long-established complaint process;

Whereas such processes should be reviewed regularly to ensure their efficiency, fairness, and openness;

We, the members of the Kingston Common Council, therefore urge the members of the City of Kingston Police Commission to consider a review of the complaint process with an eye to the following concerns:

Ensure the public knows that complaints may be

- made, not just to officers of the KPD, but to a wide array of public officials such as members of the Police Commission, the City Clerk, Mayor, Aldermen and -Women, the Ulster County District Attorney, as well as clergy;
- presented in a wide array of forms of communication (ie by telephone, in person, by surface mail, by email, or any suitable electronic form.

Ensure that complainants thoroughly understand the entire process before the review is initiated by the Commission;

Provide the option to complainants to decline to have their complaint investigated and reviewed by the Commission--in which case the complainant must make the request to end the complaint process in writing to the members of the Police Commission;

Provide support to complainants and officers to ensure they are clear about the process, feel respected, and can make informed decisions throughout any investigation/review;

Develop an appeals process for complainants and officers;

Produce, in a form readily available to the public, annual reports that describe the outcome of complaints with all necessary protections of the privacy of complainants and officers;
Consider means whereby witnesses to events related to a complaint may testify before the Commission;

Endeavor to review complaints and render decisions in sixty days from receipt of complaint or as soon as possible in complex cases;

Clarify to complainants and officers that decisions made and actions taken by the Commission do not preclude the bringing of criminal or civil charges;

Consider protocols that allow the calling of an emergency meeting by a majority of the members of the Commission if they hold that a complaint merits immediate attention.

Approved this ____ day of ____.

Signed: _____

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Mayor

Item Type: Proposed Resolution

Agenda Section:

Subject:

Charter Commission

Suggested Action:

Attachments:

[20200310130147.pdf](#)

(L+R)

CITY OF KINGSTON
Office of the Mayor
mayor@kingston-ny.gov

Steven T. Noble
Mayor



February 28th, 2020

Ms. Andrea Shaut
Aldерwoman-at-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, NY 12401

Re: City of Kingston Charter, Charter Commission

Dear President Shaut,

I believe we both share a strong interest in helping to make sure the governmental structure of the City of Kingston is one that is up-to-date and best situated to serve our residents. The City of Kingston Charter, which lays out the duties and functions of government, has not been significantly updated in 20+ years. I am excited to partner with the Common Council to create a Charter Commission that can research and develop suggestions on how we can best update our charter. I would respectfully request that this communication be shared with the appropriate committee, so that we can begin a joint discussion on what a Charter Commission could look like and the process of forming one.

Respectfully Submitted,

Steven T. Noble
Mayor

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Grants Management

Item Type: Proposed Resolution

Agenda Section:

Subject:

Kingston Point Rails Trail Phase 2 SEQR

Suggested Action:

Attachments:

[20200310130408.pdf](#)

(L+R)

CITY OF KINGSTON
Office of Grants Management
grants@kingston-ny.gov

Kristen Wilson, Director



Steven T. Noble, Mayor

February 28, 2020

Andrea Shaut, Alderman-at-Large
President of the Common Council
City Hall, 420 Broadway
Kingston, NY 12401

Re: Kingston Point Rail Trail Phase 2 SEQR

Dear President Shaut:

The Engineering Department and Office of Grants Management have been working with CPL (an engineering firm), the Trolley Museum, and the Kingston Land Trust on the design of the second phase of the Kingston Point Rail Trail from the Rondout Gardens trailhead to the intersection of the railroad with East Strand St. on the waterfront. This project is on the Kingston Greenline and the Empire State Trail.

The City applied for two grants in 2019 from the State through the Consolidated Funding Application. One of the two grants applied for, the Recreational Trails Program through the Office of Parks, Recreation, and Historic Preservation, was awarded in the amount of \$200,000 with a required match of \$250,000. Since the construction project is expected to cost nearly \$1 million, the City plans to seek additional funding for a potential construction start date in 2021. In the meantime, the City will continue with the design process.

We are at a point when we can move forward with SEQR for the project. A Short Environmental Assessment Form has been completed and is attached, and the project meets the criteria for an Unlisted Action. A coordinated review is not required, but since we have time, we can conduct one.

Attached you will find a proposed resolution for the Common Council to determine the project as an unlisted action and directing the Office of Grants Management to coordinate a review. For unlisted actions, there is not a requirement to designate a Lead Agency.

Please forward this communication to the appropriate committees for further discussion. Should you have any questions concerning this request, please do not hesitate to contact me.

Sincerely,

Kristen Wilson
Director, Office of Grants Management

Cc: Steven T. Noble, Mayor
Kevin Bryant, Corporation Counsel
John Schultheis, City Engineer

RESOLUTION ____ OF 2020

**RESOLUTION OF THE CITY OF KINGSTON COMMON COUNCIL DETERMINING THE
KINGSTON POINT RAIL TRAIL PHASE 2 PROJECT AS AN UNLISTED ACTION IN THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) PROCESS PURSUANT TO 6 NYCRR
PART 617 AND DIRECTING THE OFFICE OF GRANTS MANAGEMENT TO COORDINATE A
REVIEW OF THE ACTION**

Sponsored By: _____ Committee: Aldermen _____

WHEREAS, the Kingston Point Rail Trail Phase 2 Project design was initiated in 2019 with funding awarded in 2016 from the NYS Office of Parks, Recreation, and Historic Preservation Heritage Area Systems Program; and

WHEREAS, the Kingston Point Rail Trail Phase 2 Project will improve the access and safety for pedestrians and bicyclists on the Kingston Greenline and Empire State Trail and will improve access to the Trolley Museum; and

WHEREAS, the Kingston Point Rail Trail Project meets the criteria as an Unlisted Action under SEQR 6NYCRR Part 617, and it is not necessary for a Lead Agency to be designated; and

WHEREAS, the City of Kingston has completed the Short Environmental Assessment Form for the Kingston Point Rail Trail Phase 2 Project; and

WHEREAS, The City would like to conduct a coordinated review; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**

SECTION-1. That pursuant to 6 NYCRR Part 617, the City of Kingston Common Council hereby determines that this action is an Unlisted Action under SEQR.

SECTION-2. That the City of Kingston Common Council desires that a coordinated review take place.

SECTION 3. That the Office of Grants Management is directed to circulate a request to all involved and interested agencies, informing them of the decision to coordinate and seeking comment on the project and the short EAF.

SECTION-4. That this resolution shall take effect immediately.

Submitted to the Mayor this ____ day of

Approved by the Mayor this ____ day of

_____, 2019

_____, 2019

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2019

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES COMMITTEE REPORT

DEPARTMENT: Grants Management DATE:

Description:

RESOLUTION OF THE CITY OF KINGSTON COMMON COUNCIL DETERMINING THE KINGSTON JOINT RAIL TRAIL PHASE 2 PROJECT AS AN UNLISTED ACTION IN THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR) PROCESS PURSUANT TO 6 NYCRR PART 617 AND DIRECTING THE OFFICE OF GRANTS MANAGEMENT TO COORDINATE A REVIEW OF THE ACTION

Signature _____

Motion by _____

Seconded by _____

Action Required:

SEQRA Decision:

Type I Action _____

Type II Action X

Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

<u>Committee Vote</u>	<u>YES</u>	<u>NO</u>
Jeffrey Ventura Morell, Chairman Ward 1		
Rita Worthington, Ward 4		
Don Tallerman, Ward 5		
Reynolds Scott-Childress, Ward 3		
Patrick O'Reilly, Ward 7		

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Kingston Point Rail Trail Phase 2			
Name of Action or Project: 89 East Strand Street, Kingston, NY 12401			
Project Location (describe, and attach a location map): Former rail line from Rondout Bridge No. 3 to the west and East Strand Street to the east			
Brief Description of Proposed Action: This project involves the conversion of a former rail line to an asphalt trail for passive recreation. Improvements will include asphalt pavement, concrete masonry retaining walls, ornamental fencing, site furnishings, interpretative signs, tree planting, and seeding.			
Name of Applicant or Sponsor: City of Kingston Office of Grants Management		Telephone: (845) 334-3962	
		E-Mail: kwilson@kingston-ny.gov	
Address: Kingston City Hall, 420 Broadway			
City/PO: Kingston		State: NY	Zip Code: 12401
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: New York State NYS Office of Parks, Recreation and Hist. Pres.		☐	☒
3. a. Total acreage of the site of the proposed action?		7.85 acres	
b. Total acreage to be physically disturbed?		2.41 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		7.85 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): wastewater treatment and apartments			
☒ Parkland			

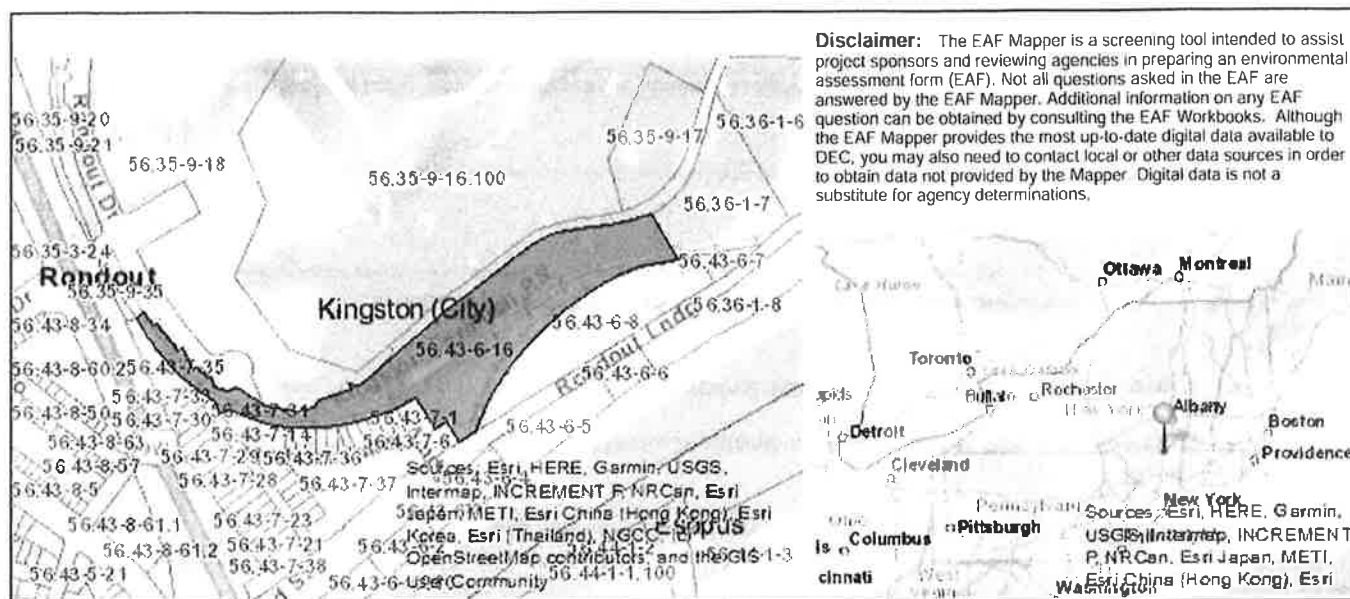
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ The project does not include any toilet facilities	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Cornell Shops Building USN 11140.000019, Cornell Steamboat Co. Boiler Shop USN 11140.000020	NO	YES	
	☐	☒	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Approximately 9,850 sf of the trail will pass through the 100 year floodplain. The trail will be constructed at existing grades. _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Shortnos...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☒
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☐	☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
A dry well is proposed to receive Trolley Museum roof water and storm water from behind the NYS Trolley Museum		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
A dry well is proposed to receive Trolley Museum roof water and storm water from behind the NYS Trolley Museum	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
City of Kingston Wastewater Treatment Plant 103-183 East Strand Street, Kingston, NY 12401	☐	☒
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>JOHN SCHULTHEIS</u> Date: <u>2/27/20</u> Signature: <u>[Signature]</u> Title: <u>City Engineer.</u>		

PRINT FORM

EAF Mapper Summary Report

Wednesday, December 11, 2019 10:42 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Northern Long-eared Bat, Indiana Bat, Least Bittern
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Mayor

Item Type: Informational Purposes

Agenda Section:

Subject:

NYS Historic Preservation, Kingstonian

Suggested Action:

Attachments:

[20200310130549.pdf](#)

Tinti, Elisa

(L+R)

From: Noble, Steve
Sent: Tuesday, February 25, 2020 9:56 AM
To: Alderman
Cc: Tinti, Elisa; Gartenstein, Daniel; Bryant, Kevin; Verspoor, Roy
Subject: Kingstonian Letter from SHPO
Attachments: Kingstonian Response 2-14-2020.pdf

Dear Common Council Members,

I am in receipt of a letter from the NYS Historic Preservation Office related to the Kingstonian Project. I understand that the Common Council will be discussing various aspects of the Kingstonian project moving forward and I want to share this information with you.

Thank you,

-Steve

Steven T. Noble
Mayor, City of Kingston
420 Broadway
Kingston, NY 12401
845-334-3902
www.kingston-ny.gov



Parks, Recreation and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

February 14, 2020

Meghan Ferrelli
Empire State Development
433 River Street/Headley Place
Troy, NY 12180
(via email only)

Re: ESD
Kingstonian Redevelopment Project
Fair Street at North Front Street, Kingston, Ulster County
19PR00786

Dear Ms. Ferrelli:

As you may be aware, on February 10th our office met with the development team, city officials and ESD staff to discuss this undertaking. The meeting focused specifically on potential impacts associated with this redevelopment project on historic resources as outlined in Section 14.09 of New York State Parks, recreation and Historic Preservation Law (14.09).

In our previous correspondence, we noted that the scale, parking entry, hotel reconstruction, and the loss of Fair Street Extension could have adverse impacts on the National Register listed Kingston Stockade Historic District. At our meeting we spent significant time reviewing the evolution of the design plan based upon local input and guidance from this office.

After considering the material presented at our meeting and the subsequently submitted information, we have found that the evolution of the proposal has addressed many of the open preservation issues raised by this office. We note that the introduction of brick, a variety of siding materials and colors has helped to break up the original monolith look of the complex. We also note that the now more open plaza area and intact location of Fair Street Extension, now used for parking garage entry, retains this opening in the district's streetscape. The building façade along Front Street has been redesigned to more appropriately approximate the height and form of the buildings that once occupied that block. Furthermore, the parking garage opening has been redesigned to deemphasize it in the streetscape and as viewed from Wall Street (looking north). The removal of the former Kingstonian Hotel, which is not identified as contributing to the Kingston Stockade Historic District, is being replaced with a structure based largely upon the form of the existing building and historic images of the structure before it was extensively remodeled with the removal of its architectural details. The reestablishment of this vibrant architectural component at this corner of the district will aid in minimizing the views of the large housing complex that will extend further north along the upper section of the former North Front Street Extension.

Based on the redesign material submitted, it is the opinion of the Division for Historic Preservation that the project, as now proposed, has minimized its direct and indirect impacts on the listed Kingston Stockade Historic District. As such, it is now our opinion that the project will have No Adverse Impact on the district.

Division for Historic Preservation

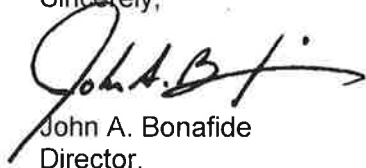
P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.parks.ny.gov

Our determination considers that the archaeological monitoring program, which was previously established, will be followed with ongoing consultation with this office as needed.

We also understand that the development team has committed to introduce a series of interpretive panels/kiosks/materials relating to the history of the district and larger community. Additional informational material will be developed in conjunction with the city's cultural/historical associations and institutions. We would appreciate an opportunity to be apprised on the development of these materials and their ultimate placement locations.

If I can be of any further assistance, I can be reached at john.bonafide@parks.ny.gov or (518) 268-2166.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Bonafide", with a stylized flourish at the end.

John A. Bonafide
Director,
Technical Preservation Services Bureau
Agency Historic Preservation Officer

cc: Hon. Steve Noble (via email)
Suzanne Cahill (via email)
Bradley W. Jordan (via email)
Meghan Taylor, ESD
R. Daniel Mackay, OPRHP (via email)

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Common Council

Item Type: Proposed Resolution

Agenda Section:

Subject:

Commercial Vacancy Tax

Suggested Action:

Attachments:

[20200310130729.pdf](#)

Tinti, Elisa

(L+R)

From: Shaut, Andrea
Sent: Friday, February 21, 2020 8:23 PM
To: Noble, Steve
Cc: Tinti, Elisa; Tallerman, Donald
Subject: RE: KUBA Letter

Thank you.

Elisa - can you please include this in the agenda packet for March's Laws & Rules meeting?

Respectfully,

Andrea Shaut

Council President, City of Kingston

From: Noble, Steve
Sent: Friday, February 21, 2020 9:43 AM
To: Shaut, Andrea
Cc: Tinti, Elisa; Tallerman, Donald
Subject: KUBA Letter

Dear President Shaut,

Please see the attached letter I recently received from KUBA. I believe that this letter would be helpful in the discussion of Alderman Tallerman's Proposal for a Commercial Vacancy Tax and would ask that you include this letter as part of that discussion. I agree with KUBA that the City must research and attempt to create the appropriate policies to reduce the amount of properties that are being "warehoused" by property owners in our City.

Thank you,

-Steve

Steven T. Noble
Mayor, City of Kingston
420 Broadway
Kingston, NY 12401
845-334-3902
www.kingston-ny.gov



February 10, 2020

Honorable Mayor Steve Noble
City of Kingston
c/o City Hall
420 Broadway
Kingston, NY 12401

Dear Mayor Noble,

The Kingston Uptown Business Association (KUBA) is pleased with the recent development and investment in the Stockade and Uptown business area. Long-underutilized properties are now beginning to reach their full potential. Businesses, shops, and restaurants are again proud to call Uptown home and thrilled to see this progress continue. This tide of investment brings opportunity and growth and - as the old saying goes - a high tide raises all boats.

However, much to our dismay, we have heard from numerous KUBA members and other Uptown residents that there are some properties that are not being utilized at all, standing vacant and unused. There are glaringly visible examples throughout our highly trafficked business district, including properties on Wall and North Front Streets – arguably the heart of the Uptown/Stockade district. Neighboring business owners were initially delighted when underutilized buildings were purchased. However, months and some cases, years have passed with these properties standing visibly derelict in the heart of an otherwise vibrant community.

KUBA would like to encourage the City to look at these underutilized properties to determine if these owners could be encouraged to actively participate and create a renaissance. I would gladly offer KUBA's participation (along with the City's, obviously) in hosting and/or partaking in such activities and discussions.

We realize that this challenge is likely occurring city-wide and this communication is in no way targeted at any specific entity or entities. Our goal is simply to bring this issue to the City's attention as properties seemingly warehoused by investors do nothing to help our neighborhood or the City of Kingston.

We look forward to guidance from your office.

Respectfully,

A handwritten signature in black ink, appearing to read 'Elenie Loizou', with a large, stylized loop at the end.

Elenie Loizou
President
KUBA

cc: Alderman - At - Large
Andrea Shaut

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Mayor

Item Type: Informational Purposes

Agenda Section:

Subject:

Kingstonian Zoning Map Amendment

Suggested Action:

Attachments:

[20200310130920.pdf](#)

L+R

Ulster County Planning Board



Dennis Doyle, Director

RECOMMENDATION

James L. Noble, Jr.
Common Council
420 Broadway
Kingston, N.Y. 12401

REFERRAL NO: 2020-010

DATE REVIEWED: 2/5/2020

Re: Kingstonian Development Group, LLC – Zoning Map Amendment

Summary

The applicant has petitioned the City of Kingston to extend the City's Mixed-Use Overlay District to a 0.313-acre parcel located to the north of its existing northern boundary at 9-21 North Front Street. The request is directly related to the applicant's current application for a mixed-use development, which includes a proposed hotel, market-rate apartments, parking garage, and retail and commercial spaces. The project also proposes to close Fair Street creating a Pedestrian Plaza at the North Front Street level and access to the parking garage below. The project will require a special permit, site plan, and lot line revision approvals from the City of Kingston's Planning Board to proceed. In addition to the zoning map change, the Common Council would also appear to need to approve the sale of the property, the closing of the Fair Street, and perhaps funding associated with the Downtown Revitalization Initiative (DRI). This the second time this zoning petition has been referred (previously Referral #2019-159) now that the City Planning Board has completed its SEQRA process and issued a Negative Declaration.

The following materials were received for review:

- Referral Form
- Zoning Petition dated 6/4/19
- Memo to Eric Kitchen, Code Enforcement Officer, from Riseley and Moriello dated 8/28/19
- Verification Form
- Parcel Description
- Existing Conditions Map
- City Zoning Map
- Preliminary Site Plan
- Negative Declaration
- Description of the 0.313-acre parcel

Discussion

The Ulster County Planning Board (UCPB) considered several key factors in rendering its recommendations for the proposed zoning change. This included consistency with the City's Comprehensive Plan, an analysis of the history of the Mixed-Use Overlay District including a review of the Generic Environmental Impact Statement (GEIS) and the purposes found therein, the current zoning standards for the Mixed-Use Overlay District, as well as the petition submitted by the applicant and more recently the Negative Declaration by the City Planning Board as well as the zoning enforcement officer's ruling that interprets the zoning statute to allow for the construction of new buildings without the application of a set aside for affordable housing in the MUOD.

*2020-010 Kingstonian Development Group, LLC.
Zoning Map Amendment*

The UCPB also noted the history of the efforts by the City to encourage the development of the site and the current proposed use of DRI funding to encourage site development.

The UCPB's response to the rezoning proposal was and remains in this follow-up referral response contextual to the broader issues confronting the City as it considers the project. However, its focus is on the affordable housing component of the Mixed-Use Overlay District and the District's overall applicability to the entire project. In reading this response we ask all to understand that the UCPB endorses the redevelopment of this site with the caveat that the City's plans and policies have meaning heightened by the use of public lands and funds while tempered with finding solutions within a discussion of the needed public support.

The Board would note that reviews of this nature tend to focus on items that should be changed or addressed as part of the approval process. What is lost in this focus, is the overall benefit of projects, with reviewing agencies often tagged as being negative or missing broader the objectives. To be sure, the Ulster County Planning Board (UCPB) understands the broader objectives as noted above both from the standpoint of meeting the City's need and from overall good planning practice. Creating density on underutilized lots in urbanized areas with appropriate infrastructure is simply the right thing to do. We have not questioned the overall project but rather highlighted the need to meet the multiple objectives in the City's own plans in particularly affordable housing.

Consistency with the Comprehensive Plan

In our previous response, we noted strategies 1.12 and 1.1.5 which call for "affordable housing for any new or expanded residential building or development project" and to "Abandon mixed-use overlay district in favor of city-wide standards for adaptive reuse and affordable housing".

Since that response, the City's Zoning Enforcement Officer issued an interpretation that new construction needs not to provide any affordable housing. At the same time, the applicant has agreed to spread fourteen affordable units throughout the proposed complex or 10% of the proposed apartments. This has been accomplished by the addition of units (1 story) to the proposed structure. This combination of actions effectively results in the meeting UCPBs prior required modification for the rezoning which was to "Provide for Affordable Housing".

Recommendations

Provision of Affordable Housing

The UCPB appreciates the offer by the applicant to amend the project so as to include affordable housing. The decision of the zoning enforcement officer that no affordable units are needed leads us to recommend that the affordable housing requirement be added to the approval process for the MUO District.

Required Modification

As stated previously the UCPB's overarching goal was to provide for the inclusion of affordable housing. The voluntary provision offered by the developer is offset by the ruling of the ZEO that none is needed. The leads us to a required modification that the affordable housing element as offered by the developer should be made a requirement of the project rather than voluntary and that requirement should be enshrined in the City's planning approvals in a manner that defines affordability and the timeframe (if necessary) for the units to remain so. There are multiple ways to accomplish this that may not be directly tied to the rezoning however we ask that the City include it as part of the reasoning behind such action.

Mixed-Use Overlay District Long-Term – Advisory Comment

The determination of the zoning enforcement officer regarding the requirement for affordable housing as a component of new construction illuminates a compelling need to follow the recommendations in the Comprehensive Plan and abandon the Mixed-Use Overlay District in favor of establishing City-wide

*2020-010 Kingstonian Development Group, LLC.
Zoning Map Amendment*

inclusionary zoning for affordable housing for new multi-family development per Strategy 1.1.5. The linkage between new construction and affordability should be strong such as the language used in the existing MUOD which states "the planning board shall deny ..."

Rezoning of Lower Fair Street

The zoning petition relates solely to a 0.313-acre parcel of land on which a project structure will sit. It is unclear whether lower Fair Street needs to be included as part of this rezoning or whether the existing zoning can be utilized to carry the Project forward. The question will remain a public street, since it will be accessing the proposed parking garage, or will become private in nature may help to answer this question.

Advisory Comment

It should be clarified whether or not it is necessary to include lower Fair Street as part of the zoning action. The UCPB has no objection to this should it be deemed necessary.

Public/Private Partnership - Advisory Comments

The Board reiterates its prior comment on the lack of data on the public funding and/or PILOT that is necessary to accomplish the Project.

Reviewing Officer



Robert A. Leibowitz, AICP
Principal Planner

Cc: Gio Gagliardi, UCPB
John Bonavita-Goldman, UCPB
Suzanne Cahill, Planning Director
Elisa Tinti, City Clerk

Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Assessor

Item Type: Proposed Resolution

Agenda Section:

Subject:

BAR Appointment

Suggested Action:

Attachments:

[20200310131043.pdf](#)

Tinti, Elisa

From: Baker, Daniel
Sent: Tuesday, February 25, 2020 10:32 AM
To: Morell, Jeffrey
Cc: Scott-Childress, Reynolds; Tinti, Elisa; Shaut, Andrea; Worthington, Rita; O'Reilly, Patrick; Tallerman, Donald
Subject: Board of Assessment Review (Candidate Withdrew)
Importance: High

Alderman Morell,

I regret to inform you that that Donna Martin, the person passed thru committee this past Wednesday to fill the Vacant 5 year term on the Board of Assessment Review has informed me today that she has to withdraw her name from consideration.

This means that we need to appoint someone at the L&R committee meeting.

We need to find another person to fill this 5 year term. This is time sensitive.

Please advise if you need me to speak with an applicant.

Thank you.

Dan

Daniel Baker

City of Kingston

Assessor

(845) 334-3912

dbaker@kingston-ny.gov

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Laws and Rules Committee Agenda Item Report

Meeting Date: March 18, 2020

Submitted by: Dee Sills

Submitting Department: Mayor

Item Type: Informational Purposes

Agenda Section:

Subject:

Public Works & Parks & recreation Collaboration

Suggested Action:

Attachments:

[20200312125832.pdf](#)

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CITY OF KINGSTON

Office of the Mayor

mayor@kingston-ny.gov

Steven T. Noble
Mayor



January 31, 2020

Ms. Andrea Shaut
Alderwoman-at-Large
President of the Common Council
Kingston City Hall
420 Broadway
Kingston, NY 12401

Re: Public Works and Parks & Recreation collaboration

Dear President Shaut,

With the impending retirement of Kevin Gilfeather, Superintendent of Parks and Recreation, I have been working with my staff to develop a long-term plan that supports the continued operations of our incredible parks and programming and identifies opportunities for improvement.

As part of this process, I have been in discussion with not only the leadership of Parks and Recreation, but also of the Department of Public Works. While each Department serves critical and unique functions, I believe wholeheartedly that these departments can and should work closer together for the benefit of our community. By collaborating together, we have the opportunity to improve our system so that the services to our community and taxpayers are delivered in an economical, efficient and sustainable manner.

I am respectfully requesting that this matter be referred to both the Finance and Laws and Rules Committees. I will be in attendance at both of these meetings to present my proposal and answer any questions the Council may have. Additional documents supporting this proposal will be sent under separate cover, prior to these meetings, so that the Council members may familiarize themselves.

Thank you for your consideration.

Respectfully submitted,

Steven T. Noble
Mayor