

# KINGSTON PLANNING BOARD ADOPTED POLICIES

(Last Updated 12/01/09)

**Policy #1:** Storm Water Management Plans shall be prepared using a 20-25 year storm. (Adopted 6/13/96). **1a:** To determine if a SPDES General Permit for Construction Activity is necessary, each project before the Planning Board will have to include a calculation of the land area to be disturbed as a result of the project, and the name and contact information of the individual making the statement. (Adopted 3/10/03)

**Policy #2:** When one or more trees are removed from the site, the applicants shall be required to incorporate like or compatible trees as part of an overall landscape plan or as street tree plantings adjacent to the site. The Board also will strongly encourage the use of trees in all new landscape plans. (Adopted 6/13/96)

**Policy #3:** As-built plans, certified by a licensed professional engineer and/or architect, must be submitted to Planning to be reviewed and approved demonstrating that the site work complies with Planning Board approval, before the City issues a Final Certificate of Occupancy, and when applicable, before the final release of a performance bond being held on the project. (Adopted 7/11/96, Amended 1/13/03, Amended 2/13/06). **3a:** If a performance bond or other satisfactory instrument is not provided to the City within 1 year of the date of the Planning Board authorization of amount, the applicant/developer must re-certify the detailed cost estimate, with approval from the City Engineer and the Planning Board. If a project is flipped to another developer, the cost breakdown numbers must be re-affirmed by the new project owner and in the case of the 1 year time frame lapsing is re-submitted to the City Engineer for approval and to the Planning Board. (Adopted 2/13/06). **3b:** If the Planning Board determines that a performance bond is required for the project, a building permit cannot be issued until a suitable bond is provided to the City of Kingston, in a form acceptable to Corporation Counsel, in an amount approved by the City Engineer, with a 10% contingency. (Adopted 10/10/06)

**Policy #4:** Lighting levels between 1-5 footcandles be used as the standard for site lighting. (Adopted 7/11/96). **4a:** Once lighting is installed per approved plans, if there is a problem of glare across property lines, the owner will be required to adjust or modify the fixture, correcting the situation, to the satisfaction of the City. (Adopted 8/12/99).

**Policy #5:** The gravel parking area shall be maintained as originally developed. Removal of vegetation and replacing lost stone shall be considered as part of regular maintenance. (Adopted 7/11/96, Amended 10/9/97).

**Policy #6:** "I/we, the applicant, understand that I/we must conform exactly to these plans as approved by the Planning Board, at a meeting held on \_\_\_\_\_, except as otherwise provided in the resolution granting site plan approval. Any and all changes, except as otherwise provided in the resolution granting site plan approval, will require a formal amendment by me/us to the Planning Board. I/we, the applicant, further agree to provide for continued upkeep necessary to maintain the landscaping in proper condition. (Adopted 11/14/96, Amended 2/12/01; Amended 5/14/07)

_____	_____	_____	_____
Sign	Date	Sign	Date
_____		_____	
Name (please print)		Name (please print)	

**Note:** Policy #6 is to be placed on the site plan and signed by the applicant/owner.

**Policy #7:** The Board adopted a policy limiting the length of time that a site plan application may remain “active”. After this time period, if no further action has been taken by the applicant, a new application and fee would be required. The Board approved the maximum time period as one year. (Adopted 2/14/97) 7a: If the Planning Board approved an application with contingencies, those conditions must be addressed within one (1) year of the Board’s decision, otherwise the approval is null and void and a new application fee would be required to carry out the project. (Adopted 10/9/01)

**Policy#8:** The Board may required that the applicant to designate a Clerk of the Works, preferably a qualified professional, who will be available and responsible for the daily activity on the project site. (Adopted 11/13/97). 8a: The project applicant must submit a project directory listing the name, address, phone number, e-mail and a description of responsibility of all persons who are contacts for the project, to the Planning Office. (Adopted 5/13/02)

**Policy #9:** The Board may require the applicant to have a licensed land surveyor mark out the actual building corners if new construction will be within 10’ of an adjacent property line, and/or if the setback is greater than 10’ and a variance is granted for the setback of the new construction. (Adopted 8/10/98)

**Policy #10:** The use of banners, flags or string devices, such as lights, flags etc... are expressly prohibited, with the exception of a grand opening, where they shall be allowed to be in place for a maximum of 30 days. (Adopted 1/21/99)

**Policy #11:** Signage, whether temporary or permanent, placed within the windows of a business, shall be limited to twenty percent (20%) of the total window area. (Adopted 1/21/99)

**Policy #12:** The emptying of dumpsters and deliveries/pick-ups are to be conducted during normal business hours, Monday – Friday, 9AM to 5PM. (Adopted 11/4/99)

**Policy #13:** When there are changes to the contact individual’s name, mailing address or phone number, the applicant is responsible for notifying the Kingston Planning Office within thirty (30) calendar days. (Adopted 3/12/01)

**Policy #14:** A site plan submittal to the Planning Board must contain the following underground statement: (Adopted 9/9/02)

Before undertaking any digging, drilling,  
blasting or disturbance to the ground in  
any way, for any reason, all individuals  
must contact  
DIG SAFELY NEW YORK at  
811 or [www.call811.com](http://www.call811.com)

**#14a:** Central Hudson requests those seeking approval for subdivision, site plan or other development which may be subject to utility easements to contact Central Hudson Special Services Division at 845-486-5258 to identify transmission utility easements, provide information, and answer any questions. For all new service connections with Central Hudson Energy Group, applicants or their representatives must contact the utility at their web site [www.chenergygroup.com/NewServiceSpecs.html](http://www.chenergygroup.com/NewServiceSpecs.html) or 845-334-3530, or for residential subdivisions over 4 lots, 845-486-5599.(Adopted 9/14/09).

**Policy #15:** Applicants presenting plans to the Kingston Planning Board will provide an analysis of zoning data (requirements and proposed) including, but not limited to all aspects of the lot and bulk schedules, off-street parking, identifying zoning and use breakdown in terms of square footage etc... (Adopted 10/15/02). 15a: “Applicants presenting plans to the Kingston Planning Board will provide a legend to define abbreviations and acronyms used in plan sets and submitted documents”. (Adopted 10/14/08).

**Policy #16:** As the property owner of # \_\_\_\_\_ I, \_\_\_\_\_, (please print) agree to follow all of the requirements for operating a Rooming/Boarding House listed above, referenced in the City of Kingston Zoning Ordinance Section 405-12 (B) and also understand that if I do not fully comply with these requirements that the special permit shall be subject to revocation. (Adopted 11/10/03)

**Policy #17:** Any applicant under review by the Planning Board for residential development of 10 units or more, must contact the Kingston City School District to provide a written statement identifying any potential impacts on the school system and whether these impacts can be accommodated or if mitigating measures are necessary. ( Adopted 7/12/04) **17a:** Applicants proposing non owner occupied residential housing, must complete and submit proof that the landlord Registration Application has been filed with the Building Safety Division also identifying managing agent and contact information pursuant to Local Law #3 of 2004 as amended by Local Law #3 of 2005. . (Adopted 7/12/04; Amended 10/11/05).

**Policy #18:** Applicants submitting proposals to the Kingston Planning Board for residential development and/or subdivision may be required to reserve parkland, or remit a fee in lieu of parkland, or provide a combination thereof, pursuant to Local Law #6 of 2004. (Adopted 2/14/05)

**Policy #19:** NOISE ORDINANCE COMPLIANCE \$300 “The City of Kingston Noise Ordinance, L.L. No. 1-1992, limits Noise Disturbance. Project sponsors must comply with all requirements of the law and should inspect the City Code to determine what measures need to be complied with or if a separate permit will be required both during and after construction”. (Adopted 12/11/06).

**Policy #20:** CONSULTING FEES, \$347-4: “The City Planning Board , in accordance with the Kingston City Code, Section 347-4, may require an escrow account for consultant services necessary to review an application, at their discretion”. (Adopted 2/9/09)

**Policy #21:** As the property owner of # \_\_\_\_\_, I, \_\_\_\_\_ agree to follow all of the requirements for the establishment of an Artist Loft listed above referenced in the City of Kingston Zoning Ordinance Section 405-46, and also understand that if these requirements are not fully complied with the special permit shall be subject to immediate revocation.  
Property Owners signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Adopted 11/9/09)