



CITY OF KINGSTON

BROWNFIELD OPPORTUNITY AREA STEP 3

Final Implementation Plan | Appendix C

December 2015

CONTENTS: BOA STEP 2 REPORT

PROJECT TEAM

New York Department of State
City of Kingston

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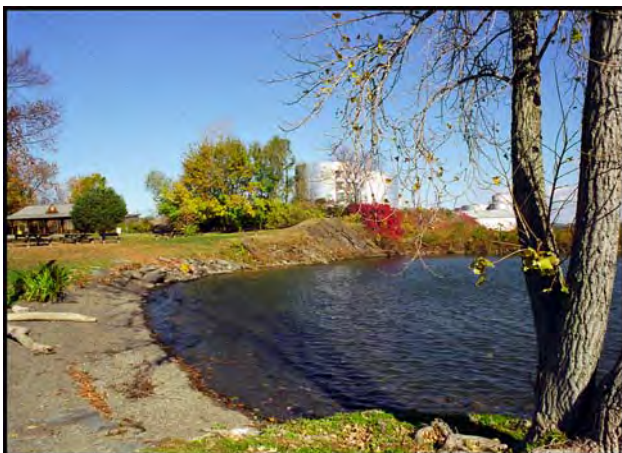
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City of Kingston, NY

Waterfront Brownfield Opportunity Area

Step 2 Nomination

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City of Kingston Brownfield Opportunity Area Table of Contents

<i>Executive Summary.....</i>	<i>4</i>
<i>Section 1: Project Description and Boundary.....</i>	<i>20</i>
A. BOA LEAD PROJECT SPONSORS	22
B. PROJECT OVERVIEW AND DESCRIPTION	22
C. RELATIONSHIP TO OTHER PLANNING INITIATIVES	25
D. BOA VISION, GOALS AND OBJECTIVES FOR THE BOA	28
E. BOA BOUNDARY & JUSTIFICATION	33
<i>Section II: Public Participation and Partners</i>	<i>37</i>
A. PUBLIC PARTICIPATION PLAN	38
B. TECHNIQUES TO INVOLVE PARTNERS.....	39
<i>Section III: Analysis of the Proposed BOA.....</i>	<i>41</i>
A. COMMUNITY AND REGIONAL SETTING	42
B. INVENTORY AND ANALYSIS	47
C. BROWNFIELD, ABANDONED AND VACANT SITES	78
D. ECONOMIC AND MARKET TRENDS ANALYSIS	98
E. SUMMARY ANALYSIS, FINDINGS, & RECOMMENDATIONS	109
 Tables	
Table 1: Zoning Table.....	51
Table 2: Site Location and Ownership.....	79
Table 3: Site Characteristics.....	86
Table 4: Land Ownership.....	97

Maps

Map 1: Community Context and BOA Area.....	24
Map 2: BOA Study Area Boundary.....	35
Map 3: Underutilized Sites.....	36
Map 4: Existing Land Use.....	52
Map 5: Zoning Districts.....	53
Map 6: Underutilized Sites.....	54
Map 7 Parks and Open Space.....	57
Map 8: Building Inventory.....	59
Map 9: Historic Districts.....	63
Map 10: Historic Sites and Buildings.....	64
Map 11: Transportation Systems.....	68
Map 12: Infrastructure and Utilities.....	71
Map 13: Natural Resources.....	76
Map 14: Natural Resource Image.....	77
Map 15: Strategic Sites	90
Map 16: Land Ownership.....	98

Illustrations

Illustration 1: Strategic Site 1: The Landing.....	89
Illustration 2: Strategic Site 2: Kosco Assemblage.....	93
Illustration 3: Strategic Site 3: Millens Assemblage.....	65
Illustration 4: Actions for Revitalization.....	115
Illustration 5: Western Portion of BOA – Recommendations.....	119
Illustration 6: Central Portion of BOA – Recommendations.....	120
Illustration 7: Eastern Portion of BOA – Recommendations.....	122

Appendices

Appendix 1: Glossary of Terms	136
Appendix 2: Property Inventory	138
Appendix 3: BOA Parking Study.....	143
Appendix 4: Phase One ESA Strategic Sites.....	175
▪ The Landing.....	176
▪ Kosco Strategic Site ESA.....	444

City of Kingston Waterfront Brownfield Opportunity Area



Executive Summary

Brownfield Opportunity Area Step 2 Nomination

Executive Summary

This executive summary outlines the key issues, opportunities and challenges affecting the City of Kingston's proposed Waterfront Brownfield Opportunity Area. It answers the question "how did we get here" and examines previous planning efforts as well as the companion parking study prepared as part of this report. The Summary also reviews the strong planning foundation which the BOA is built upon including numerous plans and studies.

A. The Brownfield Opportunity Area Program

The City of Kingston has worked with community members, partners and New York State agencies to prepare this Step 2 Nomination Study for the Brownfield Opportunity Area Program (BOA). This New York State Department of State program has been created to assist communities to foster redevelopment of brownfield properties. It enables local governments and community based organization to:

1. address a range of problems posed by multiple brownfield sites
2. develop locally-driven land use strategies, revitalization plans and implementation strategies
3. improve neighborhoods or portions of communities that have been affected by multiple brownfield sites
4. build consensus on the future uses of strategic or priority brownfield sites
5. establish the multi-agency and private-sector partnerships necessary to leverage assistance and investment to revitalize neighborhoods and communities

The program has three steps that are defined by New York State Department of State: a Pre-nomination Study, Nomination Study and Implementation Plan. This document covers the second step – the Nomination for the Waterfront BOA.

As the City and the nation grapple with economic downturn it is more important than ever that they work with the State and Federal governments to maximize access to technical assistance, grant funding and financing incentives to redevelop brownfield sites. The BOA process is also important because it underscores the City's planning goals of stimulating compatible redevelopment while protecting public, recreational and water-related or water-dependent commercial access to the waterfront. Nearby communities have faced intense residential development pressure. Taking former productive industrial land out of the mix puts even more pressure on the City to conserve waterfront resources and encourage complementary commercial and retail expansion.

Brownfield Opportunity Area Step 2 Nomination

B. Kingston Today and Yesterday

The City of Kingston is located on the western bank of the Hudson River approximately 54 miles south of Albany and 104 miles north of New York City. Kingston is the county seat of Ulster County and is a major regional commercial and business center. The City has significant frontage on the Hudson River and a lengthy and protected shore on Rondout Creek, a major tributary of the Hudson. Kingston is on the edge of the Catskill Mountains, which are home to the Catskill Park and the well-known Catskill resort areas. Interstate Highway 87, the New York State Thruway, crosses the western edge of Kingston and is connected to the city center by Interstate 587.

For over 150 years, a continuous flow of industry including rail yards, boiler facilities, a coal gasification plant, a bulk petroleum facility, and salvage and scrap metal yards have located along the Rondout Creek. The Hutton Brick Company, Cornell Steamship Company shops (currently used for offices and storage), Steelhouse Restaurant/ Millens Steel building, Island Dock, and Feeney's Boatyard remain as evidence of a once-thriving industrial complex. Several of these industries continue today, though the KOSCO oil tanks have been removed on the Kingston side of the Creek. Fear of environmental contamination associated with these types of industrial facilities and the potential for high liability and remediation costs have hampered previous efforts to redevelop many of the Rondout's industrial sites.

Today, however, increased willingness of developers to address the challenges of such sites, coupled with increased funding opportunities, environmental insurance and new remediation technologies provide new possibilities for successfully redeveloping the Rondout and areas like it along the Hudson River. Changing economic conditions have resulted in the abandonment of these historic industries and created opportunities for reuse of a number of sites. Lower Broadway, for example, has been extensively revitalized, creating a vibrant mixed-use area providing shops, restaurants, homes and offices.

C. BOA Unifies Waterfront Planning Initiatives

In moving forward it is important to understand the planning context and how the City arrived at this point. In 2001, the City began a planning process that created a formal structure for implementing its adopted Local Waterfront Revitalization Program. It outlined supplemental actions and regulations that would help to revitalize the Waterfront. Subsequent actions included revising zoning and developing and implementing waterfront design guidelines. This BOA project and companion parking study are the latest implementation tools pursued by the City.

Brownfield Opportunity Area Step 2 Nomination

The BOA program unifies and advances previous plans and activities. The City of Kingston has invested a significant amount of time, effort and funding in planning for and implementing waterfront redevelopment. The vision and goals developed during the Pre-Nomination Study (LWRP Waterfront Implementation Plan) form the basis for future investments and activities at public and private levels. This Step 2 BOA Nomination draws from prior planning initiatives, identifies commonalities, focuses on environmental conditions, fills gaps in analysis and advances a unified framework for implementation. Important previous efforts include:

1. New York State Heritage Cultural Park Designation and Planning (1999)
2. New York State Local Waterfront Revitalization Program (1992)
3. City of Kingston Waterfront Zoning Revisions (1992)
4. Local Waterfront Implementation Plan (2002)
5. Mid Hudson Land Revitalization Environmental Site Characterizations (2002)
6. Marine Infrastructure Assessment (2002)
7. City of Kingston Waterfront Design Standards (2002)
8. AVR Project Review and Environmental Assessment (2003)

D. Public Involvement

The City of Kingston is the lead project sponsor for the BOA Nomination. The BOA planning process builds on a broad consensus that has emerged over the past decade. The implementation approach has identified critical policies and partnerships between government agencies, developers, waterfront businesses and property owners.

The City has established positive working relationships with various community based organizations and advocacy groups including homeowners, renters, property owners and business owners, the Heritage Area Commission, the Friends of Historic Kingston, Friends of the Rondout, the New York State Department of State, the Hudson River Valley Greenway, the Kingston Planning and Zoning Boards, and the County Planning Board. Non-profit and advocacy groups include Scenic Hudson, Hudson River Maritime Museum, and Kingston Trolley Museum. A new Advisory Committee was formed to guide the BOA process. In the BOA public workshop held on October 1, 2007, over fifty participants reviewed the vision and goals and discussed their ongoing relevancy. The participants agreed that the current vision statement, listed below, reflected their ongoing hopes for the BOA.

The process to seek BOA status for the waterfront builds upon extensive prior public involvement. During the development of the LWRP Implementation Plan, there were many public meetings, work sessions, public hearings and presentations. The City launched the initial waterfront planning process in November 2001 with a major public visioning workshop designed to expand citizen awareness of waterfront

Brownfield Opportunity Area Step 2 Nomination

issues and future trends. More than eighty residents, property owners and business owners attended the meeting to share ideas and ask questions.

E. Community Vision and Goals

The vision for the waterfront described at the BOA public workshop remains unchanged from the statements arrived at during the waterfront implementation planning process.

The Kingston waterfront will be an attractive, active, walkable, culturally vibrant district with strong linkages to the rest of the City of Kingston. Shops, restaurants, recreational opportunities, museums, and events will attract visitors and residents seven days per week all through the year. New development will be consistent with established character and will highlight the area's historic and natural resources. Trails, parks, marinas, and boat launches will maximize access to the waterways, creating high-quality recreational opportunities, and optimizing meaningful, permanent public access to the waterfront.

The following implementation goals were also identified:

- Goal 1: Increase amenities and facilities to attract and serve waterfront visitors.
- Goal 2: Provide goods, services, and housing options to support local waterfront residents and businesses.
- Goal 3: Enhance public access to the waterfront.
- Goal 4: Enhance passive and active recreational opportunities.
- Goal 5: Ensure that the design of new development is consistent with natural and historic character.
- Goal 6: Facilitate clean-up and reuse of industrial sites.
- Goal 7: Improve transportation access and parking.

F. The Waterfront Brownfield Opportunity Area

The BOA offers incredible natural, recreational, and economic resources that are a key to the economic prosperity of the City. They are also regional assets, attracting tourists, visitors and new residents to live in and around the historic Rondout district and to take advantage of the City's recreational resources at Kingston Point Park and Kingston Beach. Protecting these finite resources has been a central priority for the City leadership, residents, and nonprofit organizations and property owners.

The City of Kingston Waterfront Brownfield Opportunity Area is a strategically located and developable portion of the Rondout and Hudson River Waterfronts and portions of the nearby Rondout and Ponckhockie neighborhoods. These areas have long been affected by the environmental conditions and heavy industrial uses. Property values in these neighborhoods are not as high as surrounding City

Brownfield Opportunity Area Step 2 Nomination

neighborhoods. The neighborhood residents view the BOA process as another step in revitalizing the area and addressing environmental justice concerns. Developer interest in the waterfront has been strong and a master developer has purchased or optioned a number of key sites.

The Rondout Creek waterfront BOA is a narrow commercial and industrial area, containing 172 acres of land along Rondout Creek, from Block Park to the juncture with the Hudson River in the area of Kingston Beach. Most of the brownfield underutilized and vacant sites are located on 67 acres known as the Rondout Waterfront located between Dock Street and the western edge of Kingston Point Park. Many of the parcels contain active businesses that are non-conforming uses under current zoning regulations. Very few of the businesses are water-dependent or water-related uses. Industrial uses include the Kingston Wastewater Treatment Plant, a metal fabricator, a boat marina and vacant industrial lands. Former uses include two auto/metal recycling facilities and two tank farms. Commercial and non-profit uses include two restaurants including the Steelhouse and Rositas, and two museums including trolley and maritime museums. Many of the industrial uses are currently involved in environmental assessment or clean-up.

The key challenges to redevelopment in the Rondout area are site configuration, property ownership patterns, and potential site contamination by prior industrial uses. The BOA is in many parts very narrow, with frontage on the Rondout and/or the Hudson that is less than 150 feet deep. Even in the wider areas, the redevelopment tract does not have extensive depth, in places reaching approximately 1,000 feet from the water's edge. Access to the BOA is limited. Though there is access from Route 9W and from Broadway, the addition of new road connections would be difficult and further restrict the area available for easy redevelopment.

A large proportion of the land in the BOA is owned by the City of Kingston. These lands are not available for redevelopment since they are public infrastructure or recreation areas. The remaining acres are owned by a number of private property owners. Since the Pre-Nomination Study was completed a private developer has purchased or optioned a number of parcels and now controls significant acreage in the BOA. The developer's plans for reuse closely follow the land use recommendations outlined in the Pre-Nomination Study and further detailed in this Step 2 Nomination. That reuse plan calls for development of a mixed use area including public space, a waterfront promenade, active trolley service, adequate parking, public recreation, view corridors from nearby neighborhoods, a mix of low rise (two to three story) buildings with retail on the first floors and offices or residences on the upper floors, restaurants and services to serve recreational boaters and connections to existing and new cultural attractions.

Specifically, the area has been identified for the Kingston Waterfront BOA because it contains existing and former industrial uses suspected of being brownfields that

Brownfield Opportunity Area Step 2 Nomination

are strategically located along a key stretch of Rondout and Hudson River Waterfront. The property underperforms from a tax base perspective. Its improvement will protect community assets and improve adjacent low and moderate income neighborhoods and in doing so will addresses environmental justice issues including the long term lack of public waterfront access.

G. Comprehensive Environmental Audit

The underpinning for the waterfront planning and this BOA nomination is a comprehensive environmental audit prepared as part of the waterfront implementation plan by the Mid Hudson Land Revitalization Partnership. To facilitate analysis, the BOA was broken into three separate “environmental evaluation sectors”. Overall, the study encompassed sixty-three (63) contiguous or nearly contiguous tax parcels. The sixty-three (63) parcels were divided into twenty-seven (27) groups, based on commonalities, and one Phase I Environmental Assessment (ESA) report was prepared for each group.

A Strategic Cluster Report summarized results and findings. It observed that current uses of the Kingston waterfront include businesses that have resulted in degraded environmental conditions along the waterfront. The report concluded that some, if not all of the parcels evaluated as part of Kingston’s BOA program, have some potential environmental problems related to the industrial focus of the waterfront in the late 1800’s and early 1900’s. There may also be construction related issues due to the nature of the materials that were used to build up the lands along the River and fill in large portions of the waterfront areas. For the most part, it is anticipated that degraded environmental conditions typical of the region can be remediated using readily available, traditional cleanup alternatives.

H. Strategic Sites

Three strategic sites have been identified in the BOA designation process. They can anchor future development efforts and are the key parcels necessary for the overall redevelopment plan to be completed most efficiently. Based upon the Phase One Site Assessments, the City of Kingston and its partners identified three priority assemblages. These sites were selected because they are strategically located, preferred by the neighborhood, have a high capacity for redevelopment, can catalyze other economic investment, and have historical uses that indicate a significant chance of environmental contamination which requires additional investigation.

Phase I Environmental Site Assessments have been completed for two of these properties. While some concerns have been identified and future analysis is necessary, none of the findings represent a substantial obstacle to redevelopment. The willingness of property owners to work through the Voluntary Clean Up

Brownfield Opportunity Area Step 2 Nomination

Program and other DEC initiatives is promising in expediting redevelopment. The three strategic sites are:

1. **The Landing**

Kingston Landing is located southeast of the intersection of North Street and East Strand, bordered on the north and the west by B. Millens Recycling operations. This 3.77 acre site is vacant land and marshland located at the mouth of the Rondout Creek. It offers unobstructed views of the Hudson River, Kingston Point Lighthouse and surrounding environs. The property was acquired by Historic Kingston Waterfront Corporation, LLC in April 2007. The site is reclaimed land. During the 1970's a portion of the eastern area was reclaimed using fill material. About half of the parcel is submerged at high tide. The western half of the property is marshland. There is a boat launch ramp to the Rondout Creek at the southwest corner of the property. The property has 215 feet of frontage along the east side of North Street. There are currently no on-site structures. The site was formerly used as a marina from the early 1970's to the 1980's. The most appropriate reuse for this property is likely to be a destination project that will take advantage of its prominent location, such as a high-end restaurant.

2. **KOSCO**

This site is a 4.14 acre facility on the south side of East Strand, adjacent to L & M Auto Parts. The site was acquired by Robert Ianucci's Historic Kingston Waterfront Corporation, LLC in April 2007. The site is currently unoccupied and was the location of the Kingston Oil Supply Company (KOSCO) Service Department. Until recently the site was the base for 25 technicians for residential and commercial heating customers and marine fueling terminal. Tanks were removed from the site within the last two years. The site is surrounded by a chain link fence and includes four one-story structures. The areas of the former above ground storage tanks are open, but the rings at the base of the former tanks remain as do the remnants of the concrete spill containment dikes and earthen berms around the former tanks. Historically, the site was used for rail operations.

3. **Millens and Son Scrap Metal Recycling**

B. Millens & Son Scrap Metal Recycling operates its vehicle and equipment maintenance facility on the north side of East Strand Street. The site includes a small brick and concrete block structure built at the front of the lot that is used for vehicle and equipment maintenance and storage. A gravel area to the east of this building is used to store trailers, miscellaneous heavy equipment and scrap metal in roll-off containers. Historically the site has been used for cement works, storage and vehicle maintenance.

Brownfield Opportunity Area Step 2 Nomination

The Landing and KOSCO sites assemblages are the critical areas for redevelopment. The KOSCO site is strategically located adjacent to the Millens Property and the Central Hudson Former Coal Gas Facility, which is also under consent order. The Millens Site has been recently added to the State list in the second half of 2008 and there is a consent order for that site as well.

I. Parking Study

As part of this BOA planning process, the City commissioned a full parking strategy addressing needs of the adjacent Rondout area and parts of the BOA. The results of this study indicate that there is currently a marginally sufficient supply of parking within the Rondout area. Based on the review of the Kingston Waterfront Development Implementation Plan and the continued build out of the BOA, it is projected that anywhere from 1,656 to 1,956 additional parking spaces may be required to accommodate full buildout.

Given the relative scarcity of land in the Rondout and the high cost of parking, the Parking Study recommends movement away from conventional parking solutions to parking management strategies. The study identifies a range of short term strategies including providing parking information to users, adopting a special event parking management plan, creating shared parking opportunities, and providing bicycle facilities. Long term recommendations include expanding trolley services, developing remote parking facilities, redesigning existing parking facilities, regulating parking, improving pedestrian conditions, and addressing spillover parking.

J. Summary Of Findings From The Inventory And Analysis

The following findings come from the BOA inventory and analysis:

1. Zoning

The BOA is covered by five zoning districts that allow a range of uses suitable for all redevelopment scenarios outlined. A set of design standards are in place to shape new development in the Rondout Creek and Hudson River waterfront districts. An identified task to be explored in the Step 3 BOA planning is to consolidate and amend zoning for added consistency.

2. Infrastructure

The City is advancing a number of infrastructure projects and evaluations in the BOA including development of surface or future structured parking, roadway

Brownfield Opportunity Area Step 2 Nomination

repair to improve bicycling and pedestrian friendliness, restoration of the trolley line, repair of marine infrastructure, and development of a waterfront promenade.

3. Water and Sewer

The entire BOA is served by municipal water and sewer. There are no active landfills within the City of Kingston's waterfront area. The Rondout Creek waterfront is also serviced by a storm drainage system in the same general areas serviced by the sanitary system. There are few specific issues related to groundwater that have been identified to date, although the water table is only two to three feet below the surface.

4. Kingston Point Park

The Park is a beautiful amenity for the Hudson and Rondout waterfronts. Today parts of the site have been restored with landscaping, picnic pavilions, and a bridge connecting the park's mainland to the peninsula from the park to the Rondout waterfront and the trolley tracks (the location of the former Day Line boat dock).

5. Historic Resources

The BOA is not in an existing historic district though it is close to The Rondout/West Strand Historic District and the Chestnut Street Historic District. The BOA contains National and State Register listed historic resources including the Port Ewen Suspension Bridge, Rondout Lighthouse, and the S. & W. B. Fitch Bluestone Headquarters. Buildings eligible for National Register listing include the Millens Steel Building and the Cornell Steamboat Company Shops.

6. Transportation

Kingston's waterfront area is accessible via an interconnecting network of local streets, state highways, and the interstate system. NYS Route 9W crosses the Rondout Creek at Kingston. This portion of 9W is part of the proposed Scenic Roads System for the Hudson Valley

7. Erosion

There are no known significant erosion problems associated with the steep slopes within the BOA. The NYSDEC has classified water quality in this section of the Hudson River as Class A. A number of freshwater wetlands are located within the BOA.\

Brownfield Opportunity Area Step 2 Nomination

8. Flooding

Land immediately adjacent to the Rondout Creek and Hudson River are subject to flooding, and the City has been awarded a grant from NYS DOS to undertake an engineering study to look to mitigate flooding and design a stormwater system to support redevelopment.

9. Scenic Vistas

A number of scenic vistas do exist within the BOA that are significant including Hasbrouck Park, Kingston Point Park the Kingston Point Lighthouse, the tip of Island Dock, and the Port Ewen Suspension Bridge.

10. Tax Base

The Waterfront BOA “underperforms” from a tax base perspective. While the area represents more than three percent of the City’s assessed land area, it accounts for less than one-half of one percent of the tax base, in large part because of real and perceived environmental contamination.

K. Economic and Market Analysis

Since 2000 Kingston has experienced the same impacts as the surrounding Mid Hudson Valley including skyrocketing housing costs, continual immigration from the greater NYC metro area, and more recently, a slowing climate for economic development as investors react to national economic trends. Major housing projects have been proposed for land adjacent to Kingston Beach. The City has been fortunate that a significant number of waterfront parcels have been purchased by one developer and plans for redevelopment are proceeding.

Though interest in waterfront development has not stopped, the availability of additional incentives may be necessary to keep development initiatives alive. Like much of the Mid Hudson Valley, the City’s market is influenced by the NYC Metro market that is expected to be suppressed for some time. The BOA grew significantly in population and housing units between 1990 and 2000, though the pace has slowed considerably over the past few years.

Incomes among Rondout area residents were slightly lower in 2000 than the city as a whole, but are increasing faster than other city neighborhoods. In 2008 projections indicate that these trends are continuing. In-migration of some second homeowners indicates an increased need for goods and service providers, including food stores, dry cleaners, barbershops and beauty salons, card and gift shops, restaurants and video stores.

Brownfield Opportunity Area Step 2 Nomination

The future market profile for Kingston's waterfront is heavily influenced by its site characteristics. Given the narrowness of the Strand Street corridor and limited transportation access, the concepts for the reuse of the sites in the BOA have been focused on projects that will make maximum use of the land available and at the same time not generate large volumes of traffic or a large demand for parking. New uses should be focused on projects to serve well-defined audiences and on the development of mixed use residential development as the market allows. The three primary market opportunities identified included neighborhood residents, recreational boaters and other visitors and waterfront tourists.

1. **Neighborhood Residents** The first market is providing services and amenities for neighborhood residents. The need for additional services and types of shops was expressed in the public meetings and appears to be a legitimate concern, especially since further residential development in the area adjacent to the waterfront is contemplated. In the BOA public workshop this was identified as an ongoing need. The City enjoys a growing arts and cultural community. Kingston was named one of the nation's top ten "Best places for Artists" along side NYC, Los Angeles and Sante Fe. As the cost of housing, loft and gallery spaces further downstate continues to climb, Kingston is a growing destination for artists of all kinds looking to become new neighborhood residents.

2. **Recreational Boaters**

The second market is providing services and shopping/dining opportunities to recreational boaters who come to the Kingston/Rondout Creek marinas. The boating market is substantial in terms of number of participants and relative affluence. The Rondout offers an excellent harbor, though the potential for additional slips on the Rondout is limited. Improvements have been made in the infrastructure to support this use in recent years and additional projects are planned. Additional transient slips offer the strongest market for local goods and services, though the economics of operating a marina encourage the construction of seasonal slips.

3. **Tourists**

Finally, the waterfront offers an opportunity for the City to expand its position as a tourist market to other visitors and tourists. The entire Hudson Valley is an attractive market and Kingston's proximity to the NYC metro area offers significant opportunities. Kingston offers opportunities in each of the three most popular vacation activities: shopping, outdoor activity and visiting historic sites, though these activities need enhancement to make them more attractive. As the economic climate has changed, many travelers have taken trips closer to home and for a limited duration. Given the enormous population base in the Greater

Brownfield Opportunity Area Step 2 Nomination

NY Metropolitan area, Kingston is well positioned to capitalize on this tourism trend.

L. Recommendations

All land in the BOA is available for redevelopment other than City owned land used for the Sewer Treatment Plant, Kingston Point Park and Kingston Beach. Certain historic properties should be maintained and a few like the Millens Steel Building and Cornell Building are already being adaptively reused. The alignment for the trolley line should be maintained since it can provide a unique public transportation asset in the future.

Maintaining the BOA as an integrated part of a waterfront district offering services, retail, restaurant, recreation and visitor amenity uses has been proven to be the highest and best use of this area. The future land use recommendations are wholly consistent with the City's adopted Waterfront Implementation Plan. The existing zoning allows for a wide array of compatible uses and adopted design guidelines will help ensure that it is an attractive and walkable mixed use area without slowing investment.

A range of positive development impacts are anticipated including improved land value reinvestment, consolidated ownership and the assembly of key sites. It will result in a master planned district with shared design guidelines and continuous public access. Underutilized land that is performing poorly from a tax base perspective will be transformed into high value property. Planned uses will meet clearly identified target markets including neighborhood residents, recreational boaters and visitors. New jobs will be created by the planned uses and increased sales tax revenue will flow to Ulster County and the City of Kingston. The plan will require the relocation of certain long term property owners to industrial lands yet to be identified. In consultation with some existing property owners, the City has learned that their current waterfront location is not desirable. Few move goods by barge anymore and the area is not readily accessible from a transportation perspective for major industrial goods movement.

The future land use plan includes a series of recommendations for projects that are needed to support the overall waterfront redevelopment. In addition, recommendations are provided for each of three sub areas including the Western Sub Area, Eastern Sub Area, and Central Sub Area.

Brownfield Opportunity Area Step 2 Nomination

M. Recommendations And future Waterfront Land Uses

The preferred future land use plan includes a full range of improvements proposed to support a mixed-use Rondout waterfront including new commercial development, trail and recreational projects, shoreline infrastructure needs, transportation improvements, and support for local museums among other actions. This preliminary future land use plan builds upon recommendations from the City's LWRP, Waterfront Implementation Plan, Economic Trends Analysis, Marine Infrastructure Analysis, Waterfront Parking Study and Phase One Environmental Site Characterizations and Assessments.

1. BOA-wide Preliminary Land Uses and Improvements

- a. Public Access* - Public access will be provided along the waterfront in a riverfront trail and promenade.
- b. East Strand Reconstruction* – As funds allow, East Strand will be reconstructed to accommodate cars, pedestrians, bicyclists, trolley service, and local business delivery needs.
- c. Trolley Service* - Trolley service will be provided along the entire length of the BOA, with service operating from West Strand Park to the former Day Line boat dock.

2. Western Portion of the BOA Preliminary Land Uses

The western part of the BOA includes Island Dock, Block Park and West Strand Park. The preferred land use plan calls for Island Dock to become a new recreation node on the waterfront. A private purchaser is exploring alternative uses including residential, recreation and marina uses. Proposed improvements include dredging, development of a boat launch, additional transient slips, a crew pavilion, park and trails facilities, new pedestrian connection from the east end of Island Dock to West Strand Park, and new parking near Block Park.

3. Central Portion of the BOA Preliminary Land Uses

The preferred land use plan calls for the East Strand area to become a commercial/entertainment node with museum enhancements, recreational amenities, reuse of existing historic structures, development of more than 200,000 sq. ft. of new retail, office and commercial and residential space, a destination restaurant and entertainment venue at Kingston Landing, and a transient marina.

Brownfield Opportunity Area Step 2 Nomination

4. Eastern Portion of the BOA Preliminary Land Uses

The preferred land use plan calls for enhancing Kingston Point Park. Possible improvements include construction of a carousel, reconstruction of the former historic amusement park, construction of an amphitheater with floating stage, restoration of the Day Line boat dock, and possible creation of an environmental education center.

N. Strategic Sites Preliminary Future Land Use

1. Kingston Landing

The community has identified the highest and best future use for this site as a “destination property”. Uses might include a high-end restaurant, banquet facility or hotel. While the property would support a wider variety of uses including residential or commercial, participants felt that the magnificent location offering unobstructed views of the Hudson River, Kingston Point Lighthouse and surrounding environs could position it to be marketed for a destination use. Phase Two Site Assessment would be required prior to redevelopment.

2. The KOSCO Property

The community has identified the highest and best future use for this site as part of the overall mixed use development plan that will include parking, a waterfront promenade, low-rise buildings accommodating retail uses on the first floor and residential uses above. Phase Two Site Assessment will be necessary to proceed with redevelopment.

3. The Millens Property

The City of Kingston could not gain access to the Millens property during preparation of the Step 2 BOA Nomination so investigation of this site should be pursued as a Step 3: BOA Implementation/Site Assessment task. Like the KOSCO property, the community has identified the highest and best future use for this site as part of the overall mixed use development plan.

O. Progressing to BOA Step 3: Implementation Strategy

In progressing to BOA Step 3: Implementation Strategy/Site Assessments, the City of Kingston will focus on brownfield remediation, redevelopment of sites with waterfront oriented uses that will create jobs and tax ratables, maintaining the connection between the nearby neighborhoods and increasing public access.

Brownfield Opportunity Area Step 2 Nomination

1. **Community Participation**

The City will evaluate the composition of the Advisory Committee and make adjustments as necessary.

2. **Implementation Strategy**

The City will build upon the environmental information it has produced on all sites, information that is available from two consent orders and two Brownfield Clean-Up Agreements (BCP) as well as Environmental Site Assessments for other adjacent sites including the AVR development project.

- a. Groundwater Use* - As part of GEIS, the City will determine issues related to groundwater use in the BOA.
- b. Infrastructure Improvements* - The City will describe the range of improvements already underway and planned to establish the future land use pattern. Key public investments will include improvements to the sewage treatment plant, transportation infrastructure and relocation assistance for the existing waterfront recycling uses.
- c. Future Land Uses Described* - The City will describe the specific land use alternatives for the three strategic sites in this BOA (Kingston Landing, KOSCO Properties and B. Millens and Sons property).
- d. Cost Benefit Analysis* – The analysis will update the fiscal impact assessment, estimating acquisition, remediation, and redevelopment costs and identifying site-specific infrastructure improvements.
- e. Land Use Implementation Tools* - The City will evaluate the adequacy of land use implementation techniques to ensure desired land uses. This effort will include evaluating whether consolidation of existing zoning districts would be

3. **Implementation Projects**

a. Construction Ready Projects

The City will describe the redevelopment, transportation, infrastructure, public access points and environmental projects. A range of infrastructure projects have been identified including improving maritime infrastructure and harbor facilities and expanding and maintaining assets like the Maritime Museum and Trolley Museum. Known transportation improvements include development of sidewalks and other amenities to make the BOA more

Brownfield Opportunity Area Step 2 Nomination

pedestrian and bicycle friendly, and reestablishing the trolley the entire stretch of the waterfront BOA. Projects to improve public access to the waterfront including the walkway and plazas will be designed as part of site plans. Improvements to Kingston Point Park and Kingston Beach have been identified and can be constructed.

b. Preconstruction Activities

The City will identify preconstruction activities necessary to lead to Construction Projects in the BOA including: conceptual design of transportation, infrastructure and environmental programs; environmental impact assessments and declarations; remedial investigations, action plans, and site clean-ups; archeological investigations and engineering assessments of infrastructure.

c. Other reports and studies

Other reports and studies may include: archaeological investigation; visual simulation; market updates; evaluation of stormwater and flooding considerations; shoreline protection plan (With the Army Corps); endangered species identification and protection strategy; parking and circulation update; ranking of infrastructure improvement requirements; soil borings and perhaps compaction testing given shallow water table; and development of a plan to meet FEMA considerations.

4. State Environmental Quality Review

The City will prepare all documents necessary to comply with the SEQRA. If a positive determination is made, a scoping session shall be conducted and a GEIS prepared.

Section 1: Project Description and Boundary



Brownfield Opportunity Area Step 2 Nomination

Section I: Project Description and Boundary

This section of the report defines the BOA and provides background information detailing why it was selected. Other plans and studies, especially the City's LWRP Waterfront Revitalization Program provide additional significant and specific analysis and justification. That report is included by reference and available at Kingston City Hall.

Introduction

The Brownfield Opportunity Areas (BOA) Program is a New York State Department of State program that has been created to assist communities to foster redevelopment of brownfield properties. It enables local governments and community based organization to:

- address a range of problems posed by multiple brownfield sites
- develop locally driven land use strategies and revitalization plans and implementation strategies
- improve neighborhoods or portions of communities that have been affected by multiple brownfield sites
- build consensus on the future uses of strategic or priority brownfield sites
- establish the multi-agency and private-sector partnerships necessary to leverage assistance and investments to revitalize neighborhoods and communities

The program has three steps that are defined by New York State Department of State as follows:

- **Step 1: Pre-Nomination Study** is intended for communities that lack information about brownfields that are impacting their community. The Pre-Nomination Study provides a preliminary description and analysis of the proposed Brownfield Opportunity Area. The City of Kingston's 2002 Waterfront Implementation Plan and previous plans and studies including the Urban Cultural Park Master Plan and Local Waterfront Revitalization Plan (LWRP) formed the basis for Kingston's Pre-nomination report which has been accepted by the New York State Department of State.
- **Step 2: Nomination Study** is intended for communities that have enough information to generate a Pre-Nomination Study on their own, but need assistance to prepare a Nomination that thoroughly describes existing conditions, issues and opportunities. The Nomination provides an in-depth and thorough description and analysis, including an economic and market trends analysis, and inventory of existing conditions, opportunities, and reuse potential for properties located in the proposed BOA with an emphasis on the identification and reuse potential of strategic brownfield sites that are catalysts for revitalization. This document is the nomination study.

Brownfield Opportunity Area Step 2 Nomination

- **Step 3: The Implementation Strategy and/or Site Assessments.** The Implementation Strategy undertakes and completes identification of techniques and actions to implement the BOA plan and describes how the requirements of the New York State Environmental Quality Review Act have been met. Site assessments may be completed for strategic brownfield sites that are identified in the Nomination, concurrent with progress on the Implementation Strategy. Key findings from the site assessment reports are factored into the Implementation Strategy. Remedial investigations are used to design a conceptual level remediation strategy for priority brownfield sites. Once this Step 2 Nomination Study is accepted by NYSDOS the City of Kingston will prepare at BOA Step 3: Implementation Strategy.

A. BOA LEAD PROJECT SPONSORS

The City of Kingston is the lead project sponsor for the City of Kingston Waterfront Brownfield Opportunity Area program, continuing its leadership role from other planning processes. The City has established positive working relationships with various community based organizations and advocacy groups and will work with them to implement the full range of environmental and community development goals described in this nomination.

The BOA development process builds upon extensive prior public involvement including many public meetings, work sessions, public hearings and presentations, generally held in venues on the Rondout Waterfront or in City Hall. The BOA Advisory Committee was formed to guide the BOA nomination process. The committee met in a public session in October 1, 2007 to orient the community to the BOA process, review preliminary findings and identify strategic sites. The BOA Advisory Group members from previous planning efforts included homeowners, renters, property owners and business owners, the Heritage Area Commission, the Friends of Historic Kingston, Friends of the Rondout, the New York State Department of State, the Hudson River Valley Greenway, the Kingston Planning and Zoning Boards, and the Ulster County Planning Board. Non-profit and advocacy groups included Scenic Hudson, Hudson River Maritime Museum, and Kingston Trolley Museum.

B. PROJECT OVERVIEW AND DESCRIPTION

This overview and description builds on the information presented above and is expanded in the following inventory and analysis. It outlines the opportunities and constraints facing the waterfront as redevelopment actions are selected and the Step 3 Implementation Plan is prepared.

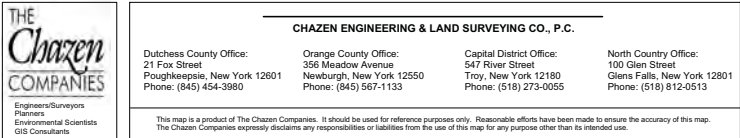
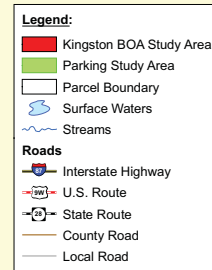
The proposed City of Kingston Waterfront Brownfield Opportunity Area is a strategically located and developable portion of the Rondout and Hudson River Waterfronts and adjacent inland parcels. Much of the BOA's redevelopment potential

Brownfield Opportunity Area Step 2 Nomination

has been limited by its long industrial history. For over 150 years, a continuous flow of industry including rail yards, boiler facilities, a coal gasification plant, a bulk petroleum facility, and salvage scrap metal yards have located along the Creek. Several of these industries continue today. Fear of environmental contamination associated with these types of industrial facilities and the potential for high liability and remediation costs have significantly hampered previous efforts to redevelop many of the Rondout's industrial sites. The adjacent Rondout and Ponckhockie neighborhoods are negatively affected by the real and perceived environmental conditions in the area.

The area contains a 172 acre stretch of land along Rondout Creek, from Block Park to the juncture with the Hudson River in the area of Kingston Beach. Most of the brownfield, underutilized and vacant sites are located on 67 acres known as the Rondout Waterfront which is not large and is in many parts very narrow, in places less than 150 feet, with frontage on the Rondout and/or the Hudson. Even in the wider areas, the redevelopment tract does not have extensive depth, in places reaching approximately 1,000 feet from the water's edge. The parcel configuration and size, perhaps more than any other variable, is driving the range of appropriate future land uses. Though there is access from Route 9W and Broadway, the addition of new road connections would be difficult and further diminish the area available for redevelopment.





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Brownfield Opportunity Area Step 2 Nomination

C. RELATIONSHIP TO OTHER PLANNING INITIATIVES

The BOA program unifies and advances previous plans and activities. The City of Kingston has invested a significant amount of time, effort and funding in planning for and implementing waterfront redevelopment. Their efforts to define a future land use plan for the Brownfield Opportunity Area reflects the City's collaboration with many planning partners (both public and private), nonprofit organizations, State and Federal agencies and property owners. The vision and goals developed during the Pre-Nomination Study form the basis for future investments and activities at public and private levels. This Step 2 BOA Nomination draws from prior planning initiatives, identifies commonalities, focuses on environmental conditions, fill gaps in analysis and creates a unified framework for implementation.

This BOA Program builds upon a series of important planning initiatives which are incorporated by reference and available at Kingston City Hall:

1. New York State Heritage Cultural Park Designation and Planning (1999)

Kingston is one of 17 New York State Office of Parks, Recreation, and Historic Preservation - designated Urban Cultural Park Heritage Areas. The core theme for the Kingston Heritage Area is transportation, with architectural history and government as supporting themes. Designation as an Urban Cultural Park, with the subsequent name change to Heritage Area in 1999, has enabled Kingston to take advantage of a number of programs that have contributed to the waterfront's revitalization. Heritage Area efforts included economic development and revitalization programs, outreach programs, and events that interpret the history of the area, creation of a waterfront visitor center (the first of any of the designated Urban Cultural Parks), assistance to the waterfront trolley, and events such as concerts in West Strand Park and the annual waterfront Shad Festival.

2. New York State Local Waterfront Revitalization Program (1992)

The genesis for the BOA planning effort is the 1992 City of Kingston Local Waterfront Revitalization Program (LWRP). The LWRP provides the direction and a policy basis for the BOA Program and for all of Kingston's waterfront redevelopment efforts by defining waterfront zoning districts and establishing policies for public access and open space.

3. City of Kingston Waterfront Zoning Revisions (1992)

The 1992 LWRP resulted in two waterfront zones that continue to accommodate the land uses proposed in the Waterfront Implementation Plan and have not been updated. Most of the BOA is located in two zoning districts including River Front Residential (RF-R) and River Front – Hudson Area (RF-H). There are also

Brownfield Opportunity Area Step 2 Nomination

areas across East Strand that have Manufacturing (M-2), Commercial (C-2) and One Family Residential (RRR) zoning. These districts afford priority to water dependent uses, achieve public access to the BOA, control development, create distinct Hudson River and Rondout Creek waterfront districts and to implement the policies and purposes of the City of Kingston Local Waterfront Revitalization Program.

4. Local Waterfront Implementation Plan (2002)

Beginning in 2001 development of the waterfront implementation plan began. It created a formal structure for implementing the adopted Local Waterfront Revitalization Program and supplemental actions developed as a part of the planning process. The environmental background required for the comprehensive waterfront redevelopment plan is provided in the appendices Strategic Cluster Report for the Rondout Creek/Hudson River waterfront area and complete Phase One Site Assessments for strategic sites/assemblages described elsewhere in this narrative. The Implementation plan also included and fiscal impact analysis and evaluation of marine infrastructure. This study became the basis for the City's Brownfield Opportunity Area Step 1 Pre Nomination.

a. Three LWRP Implementation Plan Study Areas

In the LWRP Implementation Plan three sub-areas were defined:

- i. **The Primary Study Area (Rondout Creek Waterfront)** containing 67+/- acres. This area contains all of the brownfield and underutilized sites included in the BOA. The key challenges to redevelopment along the Rondout Waterfront identified site configuration, property ownership patterns, and potential site contamination by prior industrial uses.
- ii. **The Secondary Study Area (Hudson River Waterfront)** The Hudson River waterfront has only two large parcels that are anticipated to be redeveloped as Planned Unit Developments. For this reason, and to focus planning on the multiple Rondout parcels, the Hudson Riverfront was not considered in the LWRP Implementation Plan.
- iii. **Kingston Point Park** lies between the primary and secondary study areas at the end of Delaware Avenue on Kingston Point. The park includes both passive and active recreation opportunities. The area known as Kingston Point Rotary Park provides a peaceful bucolic setting, with spectacular views of the Hudson River. This portion of the park consists of about 2.5 acres of land on the western bank of the Hudson River.

Brownfield Opportunity Area Step 2 Nomination

b. Three Sub-Areas in the Primary Study Area

The **Primary Study Area** was further broken down into **three Sub-Areas**:

- i. **Island Dock Area** - This sub-area included Island Dock, Block Park and West Strand Park. It is bounded on the west by Block Park and on the east by the Route 9W Bridge.
- ii. **East Strand** - The East Strand sub-area begins at the Route 9W Bridge and continues eastward to Kingston Landing and the lighthouse jetty. Its eastern border is formed by Kingston Point Park.
- iii. **Kingston Point** - This sub-area is made up of Kingston Point Park, the Heritage Oil redevelopment site, and Kingston Beach. Kingston Point Park offers excellent recreational opportunities, views of Rondout Creek and the Hudson River, and significant natural areas. The Heritage Oil site is the largest privately held parcel in the primary study area. Its prominent location on the Hudson River makes it an important anchor for the waterfront. Kingston Point Beach is the only public beach in the City and provides water access for swimmers, a boat launch, a large parking lot and parking overflow in a lawn area. The entire sub-area has excellent visibility from both the Hudson and the Rondout, making it the gateway to the entire study area from the water.

5. **Mid Hudson Land Revitalization Environmental Site Characterizations (2002)**

Funding for environmental audits completed in 2002-2003 was provided by Mid-Hudson Land Revitalization Partnership, a regional brownfields initiative funded by a grant from the U.S. Environmental Protection Agency to Ulster County and administered by Mid-Hudson Pattern for Progress. The Chazen Companies were selected by the Mid-Hudson Land Revitalization Partnership (MHLRP) to complete Phase I Environmental Site Characterizations of 27 clusters on the Rondout Creek and Hudson River waterfronts in the City of Kingston as a part of an U.S. Environmental Protection Agency Brownfields Pilot Project. Together these cover all BOA sites.

The purpose of this effort was to complete a preliminary assessment of environmental risks in the waterfront redevelopment area and to identify additional assessment needs and establish a very general set of “ball park” costs for further assessment and site clean up. The study further attempted to identify the opportunities and constraints to redevelopment in the context of the recognized environmental conditions.

Brownfield Opportunity Area Step 2 Nomination

6. Marine Infrastructure Assessment (2002)

The waterfront planning process included a detailed assessment of marine infrastructure for the Rondout Creek and Hudson River. The assessment included an evaluation of the presence and condition of the Rondout Creek bulkheads and the bulkheads along the west bank of the Hudson River adjacent to the Brickyard and the Tilcon properties. The evaluation also addressed the condition of the Kingston Point Causeway, the potential for pedestrian access along the jetty leading to the Kingston Lighthouse and Hudson River water depths.

7. City of Kingston Waterfront Design Standards (2002)

In keeping with the Local Waterfront Revitalization Plan developed by the City, Waterfront Design Standards were created to protect the existing historical development along the Rondout Creek waterfront, and promote new development which enhances the visual appearance of the City. The standards are intended to act as a tool for developers and planners to help streamline the design approval process by specifying the desired development characteristics upfront during the design process.

8. AVR Project Review and Environmental Assessment (2003)

The AVR project has undergone a seven year GEIS process for the development of a new "neighborhood" based on neo-urbanist style. The GEIS has been accepted. The project, Hudson Landing, will be built in phases as the demand dictates and has the potential of adding 3,000+ to the population of Kingston over 15-20 years. Kingston's largest population was 29,000+ and in recent 2000 Census counts, down to 23,456. AVR is cleared to advance the infrastructure development and will be required to bring each development phase to the Planning Board for detail site review.

D. COMMUNITY VISION, GOALS AND OBJECTIVES FOR THE BOA

The BOA program is a vision-driven effort that builds on the City's previous visioning efforts for the waterfront as part of the LWRP Waterfront Implementation Plan, Waterfront Design Standards as well as previous planning efforts over the past 15 years. It provides a reference point for the rest of the plan, especially for the recommendations which follow.

Brownfield Opportunity Area Step 2 Nomination

1. Vision Statement

The vision described at the BOA public workshop remains unchanged from the vision selected during the BOA pre nomination waterfront implementation planning process. It is consistent with other plans and with Scenic Hudson's Principles of Sound Waterfront Development and the Greenway Criteria.

<http://www.hudsongreenway.state.ny.us/AbouttheGreenway/GreenwayCriteria.aspx>
<http://scenichudson3.org/rivercomm/riverfronts/principles.htm>

The community process for the BOA Program builds upon the earlier public participation efforts. More than eighty residents, property owners and business owners attended the 2003 Visioning Workshop. Participants identified the waterfront as a critical asset for the city. Visual and physical access to the shoreline, water, wetlands, wildlife, and other natural resources were particularly important to residents. They felt that new development must not only accommodate, but also enhance the waterfront's natural resources.

The community developed a vision statement, assumptions, "givens" and set of seven goals to guide the waterfront planning process based on feedback from the visioning workshop and a later community action planning workshop, and issues identified by the Advisory Committee. The goals address waterfront amenities, development needs, access, recreational opportunities, design, site clean-up and reuse, transportation and parking needs.

In the BOA public workshop in October 1, 2007 more than fifty participants reviewed the vision and goals and discussed their ongoing relevancy. The participants agreed that the current vision statement reflected their ongoing hopes for the BOA. The vision statement, assumptions, givens and goals are summarized below.

"The Kingston waterfront will be an environmentally sustainable, attractive, active, walkable, culturally vibrant district with strong linkages to the rest of the City of Kingston. Shops, restaurants, recreational opportunities, museums, and events will attract visitors and residents seven days per week all through the year. New development will be consistent with established character and will highlight the area's historic and natural resources. Trails, parks, marinas and boat launches will maximize access to the waterways, creating high-quality recreational opportunities, and optimizing meaningful, permanent public access to the waterfront."

2. Waterfront Goals

The overarching goal expressed in this BOA Step 2: Nomination is to address the environmental needs of the waterfront BOA and address site contamination and environmental remediation. The City's waterfront goals reflect numerous public

Brownfield Opportunity Area Step 2 Nomination

policies adopted by the City of Kingston, Ulster County, adjacent communities and other regional organizations such as Scenic Hudson. The creation of the BOA framework will function as an extension of revitalization efforts from downtown, creating positive spillover effects into adjacent portions of the City. Based on the ensuing discussion with the public, the City has adopted the following goals that are incorporated into this Step 2 BOA Nomination:

a. *Goal: Facilitate clean-up and reuse of brownfield and underutilized sites.*

One of the waterfront's biggest challenges is the reality and perception of environmental damage caused by its long industrial history. This BOA Program identifies specific strategies and resources to facilitate contaminant remediation and reuse of waterfront industrial sites, relocating heavy industry and repopulating the area with new businesses and light industry that can help further diversify the City's tax base. The development of a land use strategy for the various vacant and underutilized parcels in the BOA is a key to improving the viability of the BOA's diverse economic base by promoting logical and complimentary connections between land uses. The identification of potentially unsafe contaminants on parcels within the district, in preparation for remediation activities that will improve neighborhood revitalization opportunities, will be detailed in BOA Step 3: Implementation Strategy. The remediation of contaminated parcels and their preparation for redevelopment will remove a blighting influence on the community, and begin the physical process of community renewal.

b. *Goal: Improve transportation access and parking.* Significant new waterfront development will require substantial transportation access improvements. A multi-modal transportation strategy is needed to encourage waterfront visitors and residents to walk, bike and take transit. An extensive trail system will allow people to walk or bike to all attractions on the waterfront. Expansions of the trolley service and jitney service on the waterfront will allow visitors to circulate without using an automobile. East Strand Street will be reconstructed, as funds allow, to create a more bike and pedestrian friendly environment with sidewalks, street trees, bike paths and other amenities. As a companion project to the BOA Program process, an initial parking strategy has been prepared and is attached in Appendix 3.

c. *Goal: Provide goods, services and housing options needed to support local waterfront residents and businesses.* The BOA strategy is consistent with efforts to provide new waterfront and neighborhood amenities including increased waterfront access, new parks and improvements to existing parks. Planned and newly expanded retail and commercial opportunities include both resident-based and visitor-based businesses to improve access to goods and services on the waterfront. The City has advanced the waterfront design standards for the area and codified zoning and design changes to facilitate

Brownfield Opportunity Area Step 2 Nomination

redevelopment and encourage environmental clean up of contaminated property.

- d. Goal: Enhance public access to the waterfront.* The City of Kingston has committed to providing comprehensive public access to the Rondout Creek and Hudson River waterfront including future development of a promenade that would provide pedestrian and bicycle access from Block Park to Kingston Point Park and extending northwards along the Hudson River shore. View corridor protections and access point provisions are planned to ensure that new development encourages access to the water. Substantial park enhancements offer opportunities for increased waterfront access.
- e. Goal: Enhance passive and active recreational opportunities.* The revitalized BOA will offer improved waterfront recreational uses. These range from enhancements at Block and West Strand Parks to the development of new waterfront recreational facilities on Island Dock and along East Strand adjacent to the Ponckhockie neighborhood. Recreation improvements may include trails, marinas, facilities for non-motorized boats, a community skating rink and significant improvements at Kingston Point Park such as a floating stage.
- f. Goal: Ensure that the design of new development is consistent with natural and historic character.* The Kingston waterfront's rich architectural history and natural resources are some of its strongest assets. Kingston's Rondout and Hudson River waterfronts are New York State-designated Significant Habitat Areas. Development in the BOA will be shaped by adopted design standards to ensure that future development protects and enhances environmental and historic resources.
- g. Goal: Increase amenities and facilities to attract and serve waterfront visitors.* The Kingston waterfront offers a strong base of attractions, stores, restaurants and events to attract tourists and boaters to the area. The BOA nomination compliments other efforts to enhance and significantly expand facilities that will draw visitors to the waterfront throughout the year and expand the amount of time spent in each visit.

3. Waterfront Objectives

The project objectives document expected results and outline the key implementation methodology.

- a.* Sustainable tax base enhancements are the development priority. Proposed land uses must address the needs of both residents and tourists.

Brownfield Opportunity Area Step 2 Nomination

- b.* This will be a phased and incremental development strategy that will show significant accomplishments in the Rondout waterfront in the first five years of implementation.
- c.* Future land uses will drive clean up standards so that environmental issues are addressed in a cost-effective manner that is fully protective of human health and the environment.
- d.* The City will work with existing industrial property owners to address land use conflicts in a manner that respects the business and economic needs of current property and business owners.
- e.* Connections to the Rondout Creek will be enhanced for recreation and tourism opportunities.
- f.* The development strategy will be practical and implementable with the staff and financial framework reasonably believed to be available to the City and its partners over the planning horizon.
- g.* Land-intensive uses, such as large-scale commercial, offices or residential development will be limited.
- h.* The city will make a concerted effort to package and market the BOA as one development site.

4. Waterfront “Givens”

A set of “givens” were also prepared. The “givens” include several projects that address key issues identified during the initial outreach and research phase; these were taken as “given” that, they would ultimately be included in the preferred land use alternatives.

- a.* There will be public access along the waterfront in a riverfront trail.
- b.* The museums will be clustered in a district and supported by the overall redevelopment strategy.
- c.* Trolley service will begin at West Strand Park and continue east along the length of the BOA.
- d.* Redevelopment of the BOA area will be mixed-use with no single use dominating, creating an active corridor throughout the day and all through the year.

Brownfield Opportunity Area Step 2 Nomination

- e.* The waterfront will be developed to maximize multi-modal access, with high-quality pedestrian connections.

E. BOA BOUNDARY & JUSTIFICATION

1. Boundary Description

The BOA is the waterfront area of Kingston along Rondout Creek, from Block Park to the juncture with the Hudson River. The subject area is approximately 172 acres in size, having a variety of on-going operations in place. It is roughly bounded by the Rondout Creek and Hudson River, Strand Street, Dock Street and Kingston Point Park. The boundary includes all properties adjacent to the Hudson River or Rondout Creek:

- a.* On the west, the BOA begins at the intersection of Strand Street and Abeel Street.
- b.* Running east, the BOA includes Strand Street and Dock Street (including all of Island Dock) to the foot of Broadway. This section of the BOA is on the Rondout Creek, includes Island Dock and the historic resources and nonprofit uses in the core of the Rondout district at the foot of Broadway – a main artery in the City.
- c.* The center of the BOA follows Strand Street along the entire Rondout Creek waterfront including all water adjacent properties.
- d.* On the North side of Strand Street the boundary includes the site of the former KOSCO oil tanks adjacent to Tompkins Street and the residential properties along Strand Street between Gill Street and Tompkins Street to ensure that the BOA guard against excessive impacts on the adjacent neighborhood as redevelopment occurs.
- e.* The BOA follows Strand Street to the Intersection with North Street and Delaware Avenue. It includes all property east of Delaware Avenue including Kingston Beach. It also includes all properties on North Street between the intersection with Strand and the Hudson and Rondout waterfronts including Heritage oil and Kingston Point Park. The public lands (Beach and Park) are included because they are critical amenities to encourage high value reinvestment – but are not brownfield properties.

Brownfield Opportunity Area Step 2 Nomination

2. Justification for the Proposed BOA Boundary

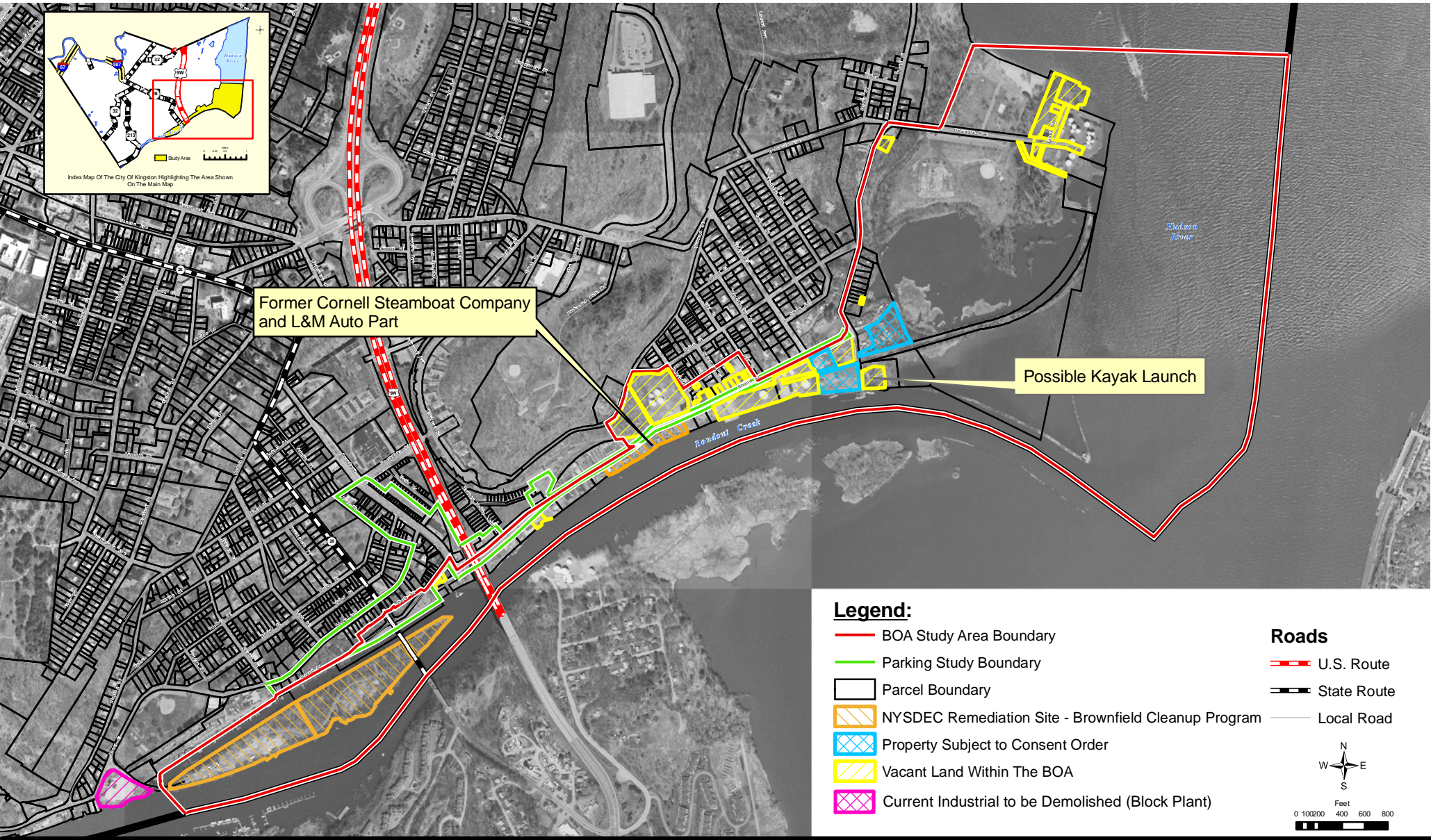
This area has been identified for the Kingston Waterfront BOA because it contains existing and former industrial uses suspected of being brownfields that are strategically located along a key stretch of Rondout and Hudson River Waterfront.

The area includes the entire length of the Rondout Creek from Island Dock on the west to the Kingston Point Park and Kingston Beach at the junction with the Hudson River on the west. The creek's edge, marine infrastructure, water quality and boating access are all critical to the City's healthy future. The Roundout Creek is a vital tourism link connecting regional destinations with one of Kingston's finest historic districts and Urban Cultural Park.

The BOA is underutilized and therefore generates lower tax revenues than other commercial areas of the City. Changing economic conditions have resulted in the abandonment of historic industries and created opportunities for reuse of a number of sites. In the adjacent area, Lower Broadway has been extensively revitalized, creating a vibrant mixed-use area providing shops, restaurants, homes and offices. The BOA links these assets with others at Kingston Point Park and Kingston Beach. The area offers opportunities to develop new business locations, open space and a waterfront esplanade the entire length of the waterfront and provide additional access to the Rondout Creek and Hudson River where private property currently prohibits access.

The area includes Kingston Point Park and Kingston Beach recreation area. The park is a significant community asset, and the revitalization of the BOA will have a strong link with the ability to connect the residential areas with opportunities for passive and active recreation. The inclusion of this park is an integral neighborhood component towards achieving the BOA vision of reconnecting the City to the Rondout Creek and Hudson River.

The approach will improve adjacent low and moderate income neighborhoods and address environmental justice issues including the long term lack of public waterfront access. The future land use plan should remove visual and access barriers for the neighborhood to their waterfront. The inclusion of community accessible recreation facilities discussed in the Step 1: Pre-nomination Study and 2002 Waterfront Implementation Plan such as a community ice skating rink could also strengthen community connections and draw residents from all city neighborhoods as well as visitors.



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City Of Kingston Brownfield Opportunity Area

Brownfield Opportunity Area Map

City of Kingston
Ulster County, New York

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Date:	03/21/2007
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Project:	10704.00
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Section II: Public Participation and Partners



Brownfield Opportunity Area Step 2 Nomination

Section II: Public Participation and Partners

Effective outreach to the public is a hallmark of Kingston's planning efforts and an important underpinning for the BOA planning process.

A. PUBLIC PARTICIPATION PLAN

The City has a comprehensive approach to provide members of the public with information during the development of the BOA Program and any subsequent investigation and/or remediation of the strategic brownfield sites identified in the area. The public information and involvement program is being carried out by the City with the assistance of consultants. City Staff are available in person, by telephone and e-mail to answer any questions from citizens, organizations and property owners about the planning process and the BOA Program.

The City has prepared, updated and maintained a community contact list, which includes the names, addresses, telephone numbers and e-mail addresses of individuals and organizations with a stake in the proposed BOA to be used on a regular basis to keep the contacts informed of progress on the plan. They provide opportunities for the community to review BOA materials including the vision statement, goals, description of the area, site assessments and maps developed during the nomination process. The City has presented information to the public and encourages feedback on identified future uses and implementation techniques for revitalization. The City has kept the public informed about the status and results of environmental site assessments that are underway or have been completed for priority brownfield sites.

This process builds upon the public involvement accomplished under the waterfront implementation planning effort. An advisory Committee made up of waterfront business and property owners, and other private, public and non-profit stakeholders was formed to oversee the planning process. The committee met periodically during the planning effort to set priorities, review materials and identify potential strategies for redevelopment. Community feedback from an extensive community outreach effort supplemented Advisory Committee input to guide the plan direction. The project team also met with Rondout Creek and Hudson River property owners to understand their business needs and plans for their waterfront properties.

Brownfield Opportunity Area Step 2 Nomination

B. TECHNIQUES TO INVOLVE PARTNERS

A new Advisory Committee has been formed to oversee the BOA nomination. It is a diverse group with representation from public, private and nonprofit sectors.

▪ David Ashton	BOA Program, NYSDOS
▪ Michael Bernholz	Business Owner (marina)
▪ Suzanne Cahill	Planning Director, City of Kingston
▪ Mark Castiglione	Hudson River Greenway
▪ Tom Collins	Realtor
▪ Bonnie Devine	NYSDOS
▪ Dennis Doyle	Ulster County Planning
▪ Lori Du Bord	Congressman Hinchey's Office
▪ Steve Finkle	Economic Development Director, City of Kingston
▪ Kevin Gilfeather	Parks and Recreation Director
▪ Huntley Gill	Historic Hudson River
▪ Sandy Henne	Business Owner (Hudson River Cruises)
▪ Scott Herrington	Kingston City Docks
▪ Rob Ianucci	Principal, HHR Properties
▪ Evan Jennings	Trolley Museum
▪ Steve Ladin	Administrator, Trolley Museum
▪ Ann Loeding	Resident, Tug Boat Captain
▪ Jon McGrew	Trolley Museum President
▪ Rob Senor	Alderman, Ponckhockie and Rondout
▪ James M. Sottile	Mayor, City of Kingston
▪ Ned Sullivan	President, Scenic Hudson
▪ Jack Weeks	President, Hudson River Maritime Museum
▪ Larry Zelinski	Business Owner (shop)

In addition to Advisory Committee meetings, a community workshop was held in October 1, 2007 to present information about the BOA nomination process. Outreach for that workshop included newspaper articles, public notices and flyer and e-mail distribution to the large contact list that was prepared as part of the Waterfront Implementation Plan. The meeting began with an educational session regarding the various New York State Department of State and Department of Environmental Conservation environmental and other programs and how the BOA program is different from the other programs.

Following the presentation, the community had an open dialogue with the Advisory Committee members regarding the role of the Committee. The vision statement, assumptions, givens and goals were reviewed and confirmed. In addition the participants discussed various strategic sites and selected three for ongoing evaluation in the BOA process. This meeting was very useful in evaluating progress toward accomplishing the Waterfront Implementation Strategy, reviewing design

Brownfield Opportunity Area Step 2 Nomination

guidelines, rezoning process and the BOA process. There was also an additional meeting in 2010 to update the committee on progress.

The City has enlisted the support of many partners to prepare the BOA nomination. Public sector, private sector, nonprofit partners, regional planning and environmental organizations, elected officials, local legislative delegations, property owners and residents have been directly contacted and many have agreed to participate in the process or on the Advisory Committee. Others have attended public meetings. These participants and others will be asked to review the BOA Strategy. The City has made a specific outreach effort to include property owners and prospective developers in the review process. This process has increased the development community's confidence that Kingston is doing all it can to restore and redevelop brownfield, underutilized and vacant brownfield sites.



Section III: Analysis of the Proposed BOA



Brownfield Opportunity Area Step 2 Nomination

Section III: Analysis of the Proposed BOA

This section of the Nomination provides a detailed analysis of the proposed Waterfront BOA. It sets the area in the regional and local market and provides a strong basis for planning. A series of maps illustrate the current conditions. The inventory and analysis is a critical tool for BOA justification and for framing the recommendations as well as the tasks that must be completed in the implementation phase. This section builds on detailed existing conditions analysis, market trends and demographic analysis, marine infrastructure and environmental site classifications prepared as part of the LWRP Waterfront Implementation Plan.

A. COMMUNITY AND REGIONAL SETTING

1. Location and Regional Setting

The Mid-Hudson Valley and Ulster County began as farming communities and prospered during the industrial revolution later to emerge as a regional economic powerhouse in New York State. The City of Kingston is located on the western bank of the Hudson River approximately 54 miles south of Albany, and 104 miles north of New York City. It is roughly bounded by the New York State Thruway to the west, the Town of Ulster to the north, the Town of Esopus to the south, and the Hudson River to the east. Kingston is located in the northeastern portion of Ulster County directly across the Hudson River from the Town of Rhinebeck.

As mentioned earlier, Kingston is the county seat of Ulster County and is a major regional commercial and business center. The City has significant frontage on the Hudson River and a lengthy and protected shore on Rondout Creek, a major tributary of the Hudson. Rondout Creek in particular offers space for marina activity for small craft and river tour vessels. The river and creek once had a considerable amount of barge traffic. Kingston is on the edge of the Catskill Mountains, which are home to the Catskill Park and the well-known Catskill resort area. Interstate Highway 87, the New York State Thruway, crosses the western edge of Kingston and is connected to the City center by Interstate 587. US Highway 9W provides additional north-south highway access, paralleling the Hudson River, US Highway 209 intersects the Interstate to the west of the City. State Highways 28 (east-west) and 32 (north-south) provide access to other communities in the county.

2. History of the BOA

Emerging transportation technologies transformed the Rondout waterfront and the entire Kingston area in the 19th Century, creating a vibrant, successful transportation and industrial hub. During the canal-building era of the early 1800s, the Delaware and Hudson Canal chose the hamlet of Rondout as the terminus of the canal and the starting point for river traffic down to New York City. Growing from two small

Brownfield Opportunity Area Step 2 Nomination

villages in the early 1800s, by the end of the century, the City of Kingston incorporated the towns of Kingston and Rondout. Kingston boasted a booming economy almost completely reliant upon the canals, river, and creek. The Kingston of today would not exist without its waterways.

Although the waterfront relied heavily on the Delaware and Hudson Canal and the Hudson River, development along the Rondout Creek diversified the City economy in the 1840s and 1850s. In 1844, quarrying began in the Ponckhockie section of Rondout. Similarly, bluestone quarrying emerged locally and met demand in cities throughout the country for paving and building stone. Shipyards capable of building vessels ranging from coal and ice barges to sloops, schooners, and steamboats lined the shores of the Rondout Creek. Other industries included brick making, ice-cutting, storage, shipping; and the manufacture of patent-medicines.

By the late 1800s railroads were replacing the canal and river as the most rapid and economical form of commercial transportation. Kingston's waterfront weathered this initial transition, becoming a hub for the Ulster and Delaware Railroad, providing passenger service to the Catskills, and connections between the rail and the river steamboat. The West Shore Rail Line connected with the Ulster and Delaware Railroad providing service from northern New Jersey to Albany. By the mid 20th century, competition with highways and a general decline in tourism in the Catskills meant that the waterfront transportation hub and industries in Kingston faltered.

By the 1970s, much of the City's waterfront was in deteriorated condition. Kingston Point Lighthouse, once a proud beacon welcoming travelers, had deteriorated due to the ravages of weather and vandalism. Kingston Point itself, former gateway to the Catskills for steamships traveling from Albany and New York, had become a landfill. Railroad tracks that had carried thousands of visitors lay rusting and overgrown with weeds. Today, the evidence of the waterfront's decline is still apparent. Though the metal recycling facilities, metal fabricating businesses and one of the oil tank farms have ceased operations they remain brownfields, underutilized and vacant sites.

Since the 1990s, the County and the region have experienced a dramatic change in economic climate with the closure of IBM industrial plant and the dislocation of hundreds of businesses. This had a long-lasting, adverse impact on local workers and families. In the last fifteen years, the City and County have struggled to revitalize their manufacturing base, maintain their legacy in production agriculture, and encourage a vibrant tourism-visitor industry without compromising unique natural resource endowment.

Brownfield Opportunity Area Step 2 Nomination

3. Demographic Summary

The City encompasses approximately 7.4 square miles (19.11 square kilometers) in area and according to the 2000 Census and had a population of 23,456 people. After experiencing consecutive population losses between 1970, 1980, and 1990, the City of Kingston had a small population increase of 361 people between 1990 and 2000. The 2008 projections from Claritas, Inc., indicate that Kingston's population has declined to 22,572 with further decline to 22,021 expected by 2013. Since 2000, it has lost an estimated 3.77% of its population.

Statistics about the age of the City's population indicate a relatively large percentage of senior citizens and a percentage of young persons and young workers that is lower than the national percentages. Kingston experienced the largest rate of population growth in the 22-44 age categories. The City lost population in the 15-24 and 25-34 age categories, continuing a trend reported in the 2000 census. The percentage of residents between 45 and 64, known as the peak earning years where families tend to have the most disposable income, declined between 2000 (22%) and 2008 (18%). The population loss rate and the loss of younger residents raise concerns about the depth of the labor force. More than a quarter of the City's population will reach retirement age (between 65 and 67 years of age) within the next twenty years.

The City of Kingston is becoming increasingly diverse in its population. In 2000, the city showed a significant increase in the percentage of those reporting their race as African American, Asian, or some other race. The percentage of the population that reported itself as white or American Indian fell. In 2008 it is estimated that the City of Kingston has a population that is comprised of 77% White, 15% African American, with the remaining racial groups making up 7%. The area can be described as having a moderate level of diversity, with 23% of minorities in the 2008 population base. This is less than the State of New York percent of 38%.

The Census reported a nearly 18% drop in the median household income, or a loss of approximately \$6,861 between 1990 and 2000. The 2000 median income was reported at \$31,594 and the 2008 estimate has increased to \$37,332, reversing the trend, though the impact of the economic recession may equalize those gains by the 2010 enumeration. Economic growth has lagged growth rates for the state and nation consistently over the preceding decade. Poverty rates for the City are below state and national levels. Within the City, consumer spending is weak across all categories. Trends in educational attainment are similar to county, state, and national trends. A majority of the population in Kingston, about 79%, had at least a high school diploma in 2000. About 28% of the City's population holds at least an Associates Degree or higher.

Brownfield Opportunity Area Step 2 Nomination

4. Housing

When comparing areas across the State of New York, Kingston ranks third of the twelve metro areas in terms of percentage growth in new housing structures through 2007. In the State of New York, Ulster County places fifteenth of sixty-two in terms of percentage growth in new housing structures. The metro area has experienced a medium level of growth in the number housing units, adding in all 2,336 residential units since 2001, or 3 percent. The county has experienced a medium-high level of growth, adding in all 3,410 housing units since the year 2000, or 4.4%.

Kingston has an owner-occupied dwelling median price in 2008 of \$176,147 down significantly from the \$222,200 median housing value reported in the American Community Survey in 2005. Kingston has a modest percentage of high-priced residential real estate. For the year 2008, Claritas reports that 2.45 percent of the houses were valued over a half a million dollars. There is a limited amount of real estate that is affordable in Kingston. In 2008, only 21 percent of owner-occupied dwellings were valued under \$125k. The lack of affordable and workforce housing has been confirmed in local housing studies. Home foreclosures in New York State are increasing dramatically, and the declining value of homes could cause local property taxes to fall by as much as \$1.3 billion, according to a report released by the NYS Comptroller in November 2008. Foreclosure websites list hundreds of foreclosed homes in Ulster County. The long-term impact of this trend on Kingston cannot be known but it will clearly have greater impact on low and moderate income neighborhoods like those surrounding the BOA than other residents.

The aging population, declining household size, and evidence that an increasing number of households have been moving into the City and Ulster County from higher price housing markets, are putting increased pressure on housing stock. This is important to the economic development future of the City because affordable work force housing is becoming an increasingly important part of the economic development climate. Detailed data and trends in this regard were published in June 2005 in a comprehensive housing strategies study, which was spearheaded by The Ulster County Housing Consortium. The June 2005 study found that the housing affordability stress burden was high and increasing across Ulster County, especially between 1998 and 2004. Although the housing market appears to have slowed in recent months, prices remain high and affordability has not improved. The “Ulster Tomorrow” study concluded that the lack of affordable housing is a negatively compounded barrier for economic development. It discourages businesses from expanding and locating in the County, while at the same time it discourages workers with the necessary skill sets for those businesses from moving into the County.

Brownfield Opportunity Area Step 2 Nomination

5. Commuting Patterns

Over half of Kingston residents drive less than 15 minutes to work and 78 percent drive less than 30 minutes. The City's proximity to New York City and high quality of life has made it County attractive to "week extenders" who maintain contacts in NYC while working mostly in Ulster County. Increasingly longer commutes are becoming the norm. It is possible that families with more than one home will "downsize" during the recession. For many families that may cement their move to the Mid Hudson Valley where cost of living is lower than the metropolitan area and commuting times are much shorter.

The natural inclination of workers to live nearer to their jobs (especially in today's high and volatile energy price market) means Kingston could access a greater share of its resident labor force if it can implement strategies that result in the creation of the type of high quality jobs needed to keep those workers closer to home. This is one potential way to address the labor force demographics tied to the current slow population growth and aging population trend evident in the City, County and Region.

6. Employment Summary

New York State's private sector job count decreased by 13,900, or 0.2 percent, to 7,239,900 (seasonally adjusted) in October 2008, the State Labor Department reported. New York State's unemployment rate fell from 5.8 percent in September 2008 to 5.7 percent in October 2008. "Most labor market indicators suggest that the state's economy continued to slow last month: the private sector job count declined over the year for the first time since January 2004; the ongoing effects of the global credit crisis resulted in increased job losses in the state's financial sector, especially among Wall Street firms; and the unemployment rate was up over the year in all regions of the state," said Peter A. Neenan, director of the Division of Research and Statistics. Since October 2007, the nonfarm jobs in the Kingston MSA was unchanged, and the number of private sector jobs has decreased by 400, or 0.8 percent. The area's unemployment rate was 5.3 percent in October 2008, compared with 5.9 in September and 4.0 in October 2007.

In Kingston the breakdown of residents by occupation has remained virtually unchanged since 2000:

▪ Management, Business, and Financial Operations	10.46%
▪ Professional and Related Occupations	22.85%
▪ Service	20.30%
▪ Sales and Office	26.64%
▪ Farming, Fishing, and Forestry	0.39%
▪ Construction, Extraction and Maintenance	7.18%
▪ Production, Transportation and Material Moving	12.18%

Brownfield Opportunity Area Step 2 Nomination

A high-wage industry in Kingston is the finance and insurance sector with an annual pay of \$44,756. This industry sector is assumed to face significant downturn over the next few years as the state recovers from the 2008 recession.

Since many workers report working outside of the City it is also important to understand trends in Ulster County. In the County, the total number of jobs in all industries increased by 0.8%, or 500 jobs between 2002 and 2006. The low overall growth during that time period is due, in part, to the struggle of the financial services in the aftermath of the September 11, 2001 terrorist attack. The collapse of some key institutions in this sector in 2008 and ongoing instability is projected to have a similar impact in the County over the next few years. From the industries (3-digit NAICS) in the area, the Executive, legislative and general government industry has grown the most with 3,446 employees finding new jobs in the industry. The employment growth in Executive, legislative and general government makes up 17.6% percent of the total growth in Ulster County. Top growing industries between 2002 and 2006 included:

- Executive, legislative and general government (3,446 new jobs)
- Justice, public order, and safety activities (1,920 new jobs)
- Administrative and support services (1,081 new jobs)
- Specialty trade contractors (378 new jobs)
- Credit intermediation and related activities (285 new jobs)

Of the 140 industry sectors (3-digit NAICS) with employment figures reported by the Bureau of Labor Statistics in each year (between 2002 and 2006), 25 experienced no change, 65 showed an escalation in the number employed, and 50 industries reported employment loss in the period. Of the area's industries (3-digit NAICS), the fabricated metal product manufacturing industry faced the greatest employment loss with a total loss of 520 jobs during the period. The employment lost in fabricated metal product manufacturing makes up 2.2% percent of the total job loss in Ulster County. The top declining industries in the County (2002-2006) included:

- Fabricated metal product manufacturing (520 jobs lost)
- General merchandise stores (224 jobs lost)
- Printing and related support activities (177 jobs lost)
- Motor vehicle and parts dealers (175 jobs lost)
- Insurance carriers and related activities (164 jobs lost)

B. INVENTORY AND ANALYSIS

In addition to the inventory and analysis below, the City has prepared a series of studies as part of the waterfront implementation plan including a fiscal impact assessment, marine infrastructure assessment, transportation analysis, action plan matrix and design standards that are included in this nomination by reference and available upon request.

Brownfield Opportunity Area Step 2 Nomination

1. **Existing Land Use**

As shown on the following map, the BOA includes a number of different land uses. The land uses occupying the most land within the BOA are park and recreation (mostly Kingston Point Park) and commercial land. In addition, much land is vacant, or underutilized surface parking and scattered industrial parcels. A considerable amount of land is occupied by active businesses that are non-conforming uses according to current waterfront zoning regulations.

Industrial uses include the Kingston Wastewater Treatment Plant, a boat marina and vacant industrial lands. Former uses include a metal fabricator, two auto/metal recycling facilities, and two tank farms. Commercial and non-profit uses include a restaurant and three museums including trolley, and maritime museums. Other than the marinas and maritime museums, few of the businesses are water-dependent or related uses.

a. Western Portion of the BOA: Island Dock Area

The western part of the BOA includes Island Dock, Block Park and West Strand Park. It is bounded on the west by Block Park and on the east by Dock Street. It is located immediately adjacent to the established commercial areas on Broadway and Abeel Street. The city marina and Block Park provide good access to recreational amenities. The Abeel Street reconstruction project will include continuous sidewalk and possible bicycle access. Island Dock itself includes two unused boat launches and would be suitable for waterfront and passive recreational uses.

The key site constraints are access and terrain. The only land access point for Island Dock is at the western tip, away from the focus of waterfront commercial activity. The peninsula's soil characteristics (made up mostly of unconsolidated fill) limit development opportunities and create challenges for building construction. In addition, the area between Island Dock and the mainland is in need of dredging if additional marina operations and boat slips are to be constructed. The dredging should include changes to the causeway at the western end of Island Dock to improve the flushing action of the creek, reducing the need for future dredging activities.

b. Central Portion of the BOA: The East Strand Area

This portion of the BOA begins at the Route 9W Bridge and continues eastward to Kingston Landing and the lighthouse jetty. Its eastern border is formed by Kingston Point Park. The East Strand area is well-located for new commercial development. It is close to existing residential and commercial development,

Brownfield Opportunity Area Step 2 Nomination

making it a prime area for new retail, commercial, service and entertainment uses. This area is home to the Trolley and Hudson River Maritime Museums. The former Millens Steel and Cornell Steamships buildings are beautiful historic structures with excellent reuse potential. The Millens Steel building has been adaptively reused as the Steelhouse Restaurant. The Cornell Steamship Buildings has been reused as developer Robert Ianucci's offices and as a facility to house equipment related to his historic vessels. Its long shoreline offers considerable marina potential.

The wastewater treatment plant is located in this segment. Significant progress has been and continues to be made to reduce odor at the STP including adding equipment and filtration. Another constraint is that development parcels are small and shallow for commercial redevelopment. Some are less than 150 feet deep from East Strand to the shoreline. Some environmental site contamination from current and historic industrial uses has been identified. The implementation strategy outlines a number of strategies to mitigate site constraints and conflicts including improvements at the wastewater plant, relocation strategies for the incompatible uses, and environmental remediation at contaminated sites.

c. The Eastern Portion of the BOA: Kingston Point

This portion of the BOA is made up of Kingston Point Park, the Heritage Oil redevelopment site, and Kingston Beach. Kingston Point Park offers excellent recreational opportunities, views of Rondout Creek and the Hudson River, and significant natural areas. The Heritage Oil site is the largest privately held parcel in the BOA. Its prominent location on the Hudson River makes it an important anchor for the waterfront. Kingston Point Beach is the only public beach in the city and provides water access for swimmers, a boat launch, a large parking lot and parking overflow in a lawn area. The entire area has excellent visibility from both the Hudson and the Rondout, making it the gateway to the entire BOA from the water.

The primary development constraints in this subarea are related to terrain, drainage and location of wetlands. Significant floodway, floodplain and state designated wetlands will need to be evaluated and enhanced. Strong currents at the mouth of the Rondout limit long-term marina storage of small boats, but this area is still usable for larger boats or short-term storage. A former landfill and the oil storage operations in this area have raised environmental quality issues. The oil storage operations have been well-managed and have a good record of accomplishment for addressing environmental needs, but leaching from the former landfill is still a concern. The overall impact of the landfill is not fully understood at this time and will require additional evaluation.

Brownfield Opportunity Area Step 2 Nomination

2. Existing Zoning

The zoning designation for the main BOA is RF-R (Rondout Creek District). The purpose of the Riverfront District RF-R Rondout Creek zoning is to “afford priority to water dependent uses, achieve public access to the BOA, control development, create distinct Hudson River and Rondout Creek waterfront districts and to implement the policies and purposes of the City of Kingston Local Waterfront Revitalization Program. Further, it is the purpose of the districts to provide opportunities for permanent public views and access to the Hudson River and Rondout Creek and to encourage the phase out of certain uses which are incompatible with and detract from the Hudson River and Rondout Creek waterfront areas.” Most of the remaining land in the BOA is zoned RF-H (Hudson Riverfront District). A one-family residential district (RRR) covers the Ponckhockie Neighborhood. Parts of the East Strand and Abeel Street area are zoned as General Manufacturing (M-2) and General Commercial (C-2). The following table (Table One – Page 51) summarizes the uses allowed as of right in each district.

Related codes affecting the BOA and adjacent lands include the control of “Waterfront Facilities”. These codes identify the uses and policies related to marine facilities in the general harbor area under the administration of the City Harbor Manager. The area is also subject to “Waterfront Consistency Regulations”. The purpose of that article is to “provide a framework for agencies of the City of Kingston to consider the policies and purposes contained in the Local Waterfront Revitalization Program when reviewing applications for actions or direct agency actions located in the BOA and to assure that such actions and direct actions are consistent with said policies and purposes”.

3. Design Guidelines

In 2006 the City prepared and adopted a set of design guidelines to shape future development and rehabilitation of buildings on the waterfront within the BOA. These guidelines help the City to direct the density, appearance and massing of waterfront development so that it accomplishes the goal of an active vibrant waterfront. Key elements include:

a. Environmental Context

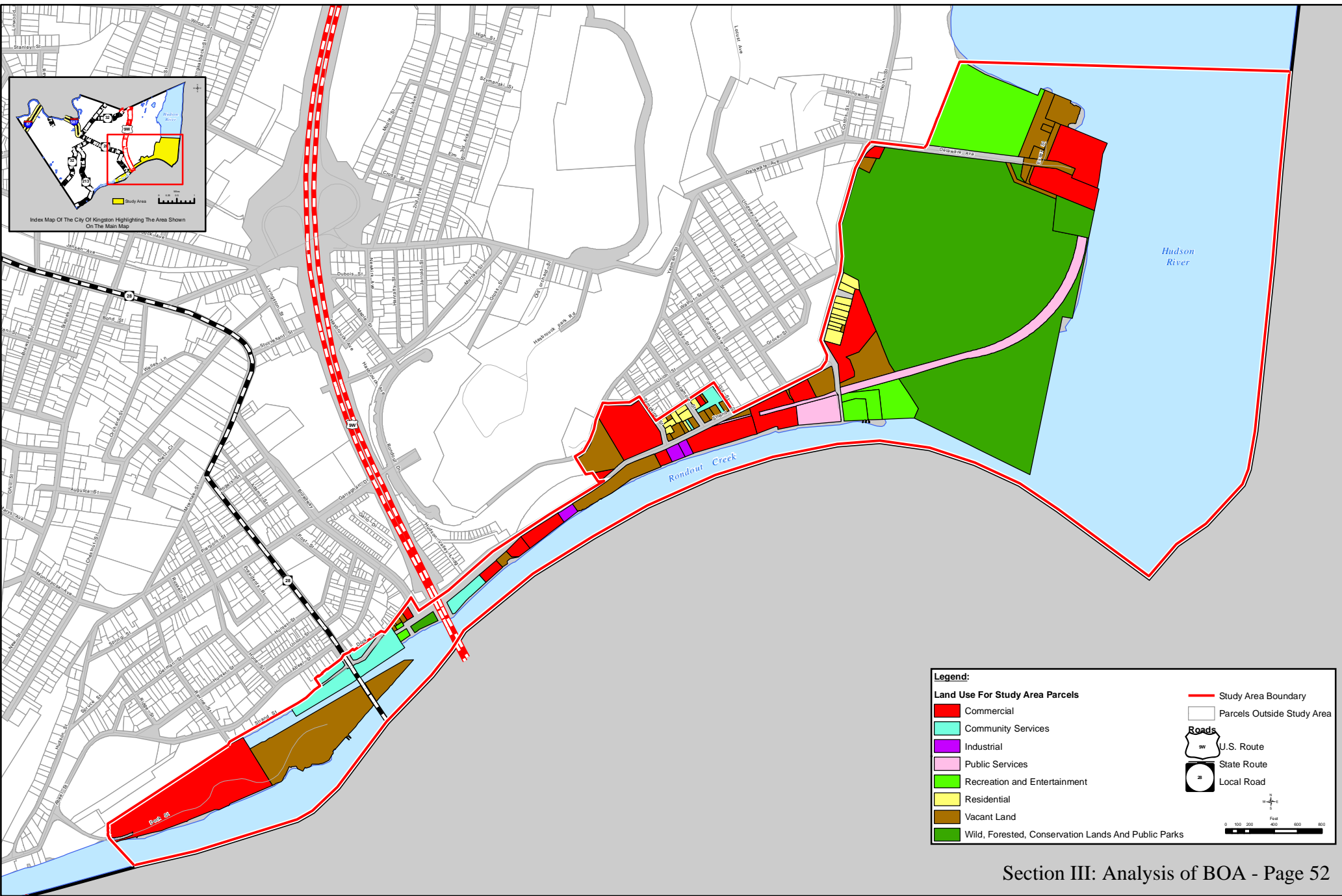
Design guidelines promote the awareness of the existing environment and encourage new construction that is sympathetic to the existing character and design of the waterfront and protective of natural resources.

b. Building Height and Scale:

The City has identified appropriate minimum and maximum building heights. These guidelines ensure that buildings are human-scaled, pedestrian oriented and compatible with adjacent buildings.

City of Kingston BOA Current Zoning Districts	
Zoning District	As-Of-Right Uses
Rondout Creek District (RF-R)	Manufacturing, Assembly, or Repair of Marine Products
	Charter Boat Operations (e.g. Marina)
	Mariculture & Aquaculture Activities
	Fishing/Marine Supply Stores
	Restaurants
	Hotels
	Bed & Breakfasts
	Retail Stores
	Professional Offices
	One, Two, Three & Four our More Family Dwellings (e.g. Townhouses)
Hudson Riverfront District (RF-H)	Professional Offices
	One, Two, Three & Four our More Family Dwellings (e.g. Townhouses)
	Manufacturing, Assembly, or Repair of Marine Products
	Charter Boat Operations (e.g. Marina)
	Mariculture & Aquaculture Activities
	Fishing/Marine Supply Stores
	Restaurants
	Hotels
	Bed & Breakfasts
	Retail Stores
One Family Residence District (RRR)	One Family Dwelling Units
	Cemeteries
	Places of Worship
	Hospitals, nursing and convalescent homes
	Farms, truck gardens, greenhouses, nurseries and arboretums
General Manufacturing District (M-2)	Manufacturing/Assembling/Processing of Products and/or Material
	Research & Development Laboratories
	Building, Plumbing, and Electrical Contractors
	Wholesale Storage
	Restaurants
	Drinking Establishments
	Animal Hospitals
	Professional Offices
	Automobile Repair & Motor Vehicle Service Stations

Central Commercial District (C-2)	Parking Garages
	Retail Stores
	Banks
	Service Businesses
	Theaters
	Assembly Halls (e.g. Conference Center)
	Restaurants
	Art or Craft Studios
	Libraries
	Museums
	Public & Private Off-street Parking Lots



Legend:

Land Use For Study Area Parcels

- Commercial
- Community Services
- Industrial
- Public Services
- Recreation and Entertainment
- Residential
- Vacant Land
- Wild, Forested, Conservation Lands And Public Parks

Roads

- U.S. Route
- State Route
- Local Road

Study Area Boundary

Parcels Outside Study Area

0 100 200 400 600 800 Feet

Section III: Analysis of BOA - Page 52

THE Chazen COMPANIES
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 Planners
 Environmental Scientists
 GIS Consultants

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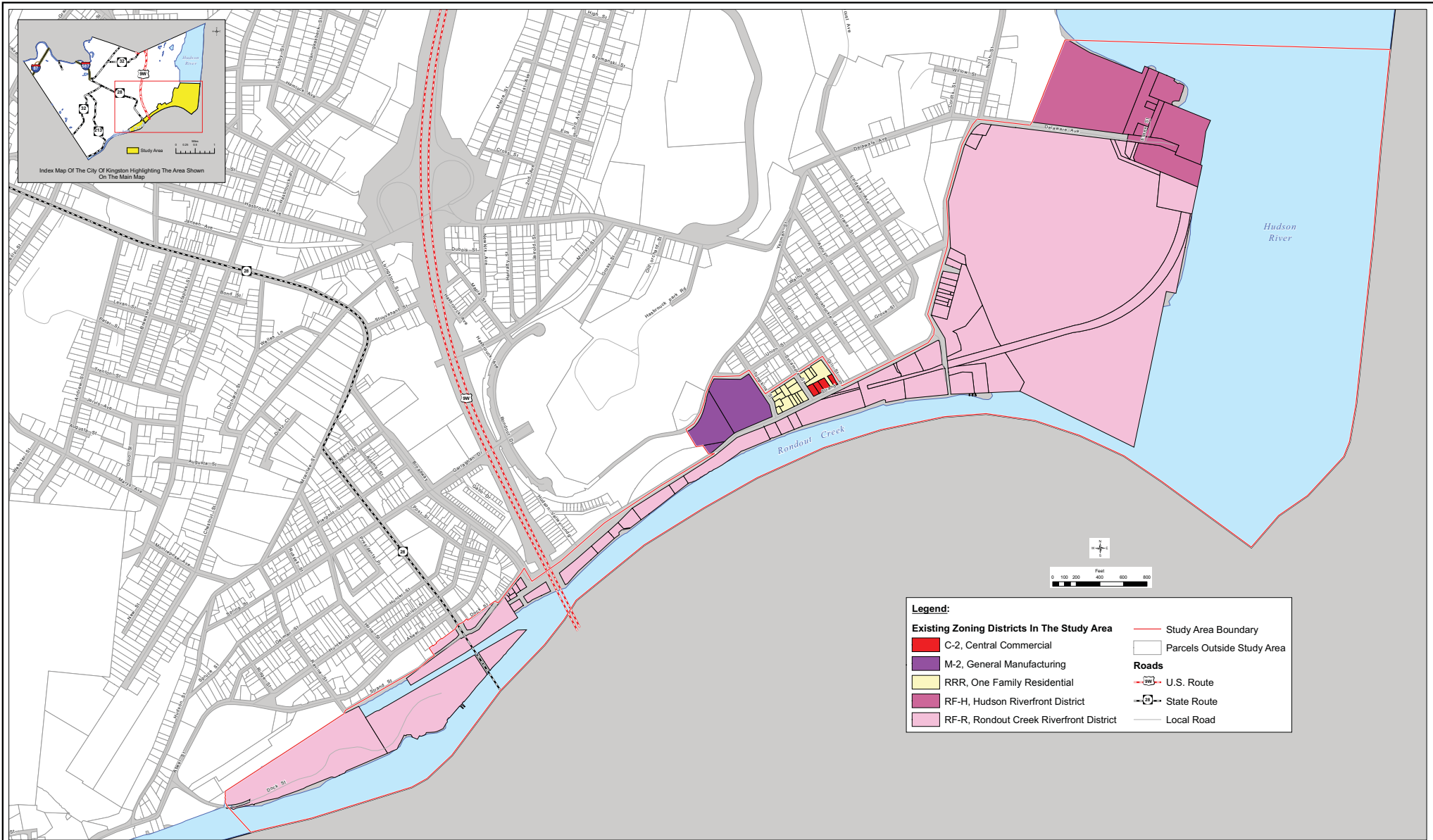
Map created on 08/14/2007 10:00:00 AM by CLC. Drawing: 10704.000

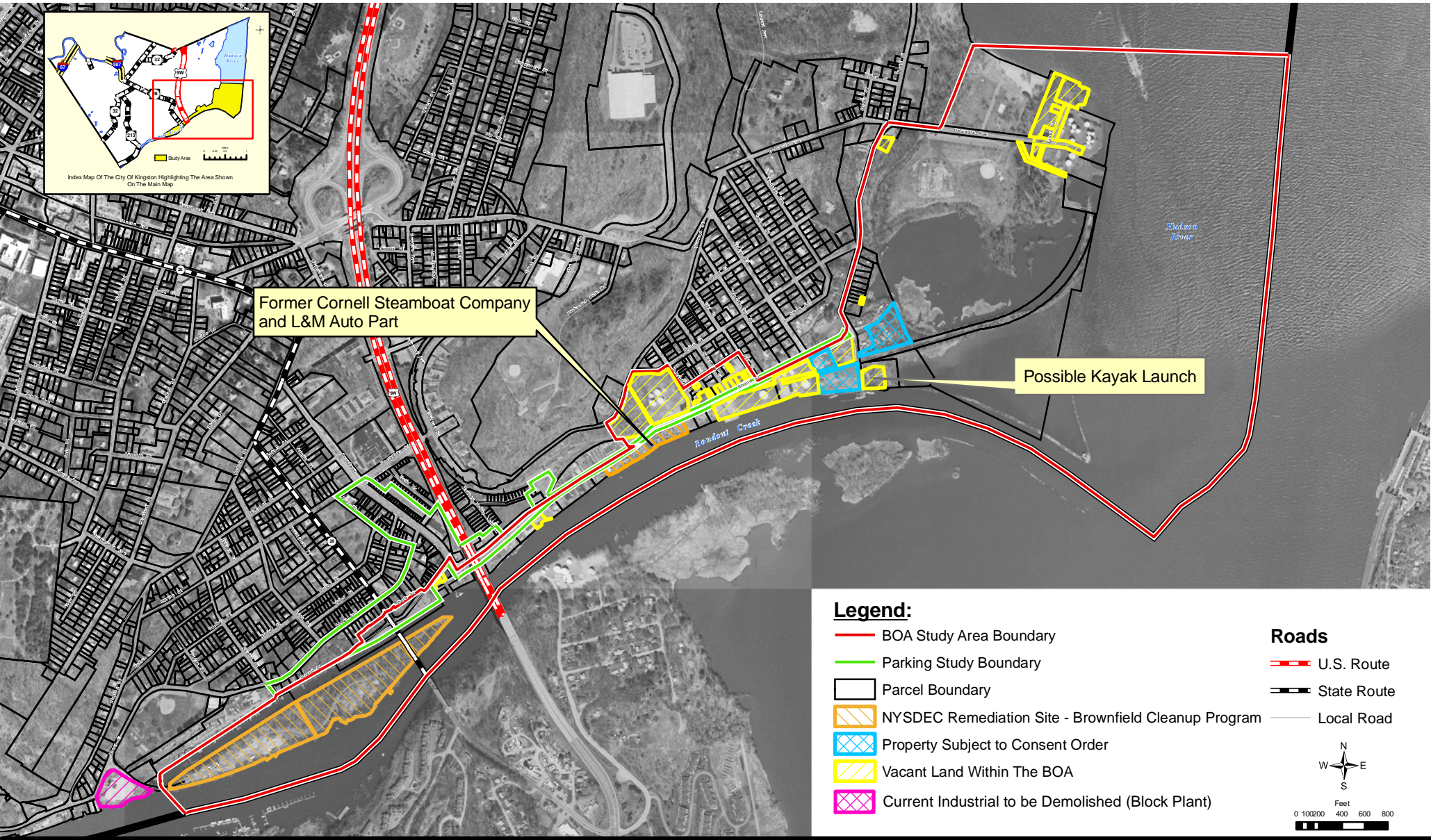
City Of Kingston Brownfield Opportunity Area

Existing Land Use Map

City of Kingston
 Ulster County, New York

Drawn: CLC
 Date: 08/14/2007
 Scale: 1:12,500
 Project: 10704.00
 Figure:





CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

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Map Document: (R1110718) 10704 BOA Opportunity Area Map (10704_BrownfieldOpportunityArea_Map_10704.mxd) 8/20/2007 - 3:10:35 PM

City Of Kingston Brownfield Opportunity Area

Brownfield Opportunity Area Map

City of Kingston
Ulster County, New York

Drawn:	CLC
Date:	03/21/2007
Scale:	1:14,000
Project:	10704.00
Figure:	

Brownfield Opportunity Area Step 2 Nomination

c. Building Material

The City also recommended materials for use in building façades, requiring a style that is consistent with surrounding buildings and prohibiting materials that detract from the character of the existing buildings.

d. Site Planning

The design guidelines regulate new development to control negative environmental impacts, with shoreline setbacks, drainage and landscaping requirements to protect water resources.

4. Parks and Open Space

Kingston Point Park is a critical amenity for the Hudson and Rondout waterfronts. It was the historic landing for the Day Line boats from New York City. Passengers disembarked and could visit the amusement park then on site, take a trolley into Kingston, or stroll along the waterfront. The Day Line Dock held two sets of Rail Road tracks for the Ulster and Delaware Rail Road and passengers would disembark, and could also go elsewhere in the City of Kingston or the northern Catskill Mountains. Today, parts of the site have been restored with landscaping, picnic pavilions, and a bridge connecting the park's mainland to the peninsula that connects the park to the Rondout waterfront and the trolley tracks (the location of the former Day line boat dock). Kingston Point Park is well utilized for events and by neighborhood residents. With additional investment, it would become a major attraction for waterfront visitors. Kingston Beach is adjacent to Kingston Point Park and is heavily used as a summer recreation site. Block Park is also included within the BOA and is largely unprogrammed for recreation at this time.



Brownfield Opportunity Area Step 2 Nomination

5. **Building Inventory**

In addition to the historic buildings listed on the following map, the buildings below are within the BOA and are in active use:

a. The Hudson River Maritime Museum

The **Museum** is located on Ferry Street, immediately east of the Route 9W overpass. The site includes 0.78 acres along the Rondout Creek waterfront. The museum is dedicated to preserving the maritime history of the Hudson River and includes a variety of indoor and outdoor exhibits. Most of the museum including exhibit space, offices and a gift shop are housed in an older, well-maintained 1.5 story brick building. The building sits slightly above the sidewalk, with a ramp leading to the main entrance from the outdoor exhibit area. The walkway in front of the building is separated from the public sidewalk with a brick and wrought iron fence. The outdoor exhibit area has a gravel surface with a wrought iron fence separating the outdoor facility from the creek. Historical uses of the property include a lumber shop and coal storage.

b. Rositas

The site immediately to the east of the museum is **Rosita's Restaurant**. The property includes about 0.35 acres of land and a stucco covered one-story brick and block structure. The restaurant abuts the Rondout Creek and has dock facilities that are in a state of disrepair. Historically, the site has been used for coal storage and was surrounded by industrial facilities dating back to the nineteenth century.

c. The Trolley Museum

Also on the north side of East Strand, just east of the vacant parcel is the **Kingston Trolley Museum**. The museum building is a long, nearly windowless two-story concrete block structure with an asphalt shingle roof. This structure is set at the back of the lot, well behind the rail road tracks that cross the site and directly in front of a thick row of trees. A number of historic trolleys, railcars in various states of repair and a diesel engine are stored on sidings on the trolley museum site. Historically this site was a part of a rail yard, engine house and turn table. The museum offers trolley rides on the existing tracks from the museum site along the waterfront to Kingston Point Park. Trolley tracks run along the south side of East Strand to the Trolley Museum, where they cross and enter the museum grounds. They leave the museum, cross to the north side of East Strand and run parallel to the street until they reach KOSCO's waterfront parcel. They cross this parcel diagonally and continue along the waterfront to Kingston Point Park

Brownfield Opportunity Area Step 2 Nomination

d. *The Millens Steel and Fabricating Service, Inc.*

Now home to the ***Steelhouse Restaurant*** this building is located east of Rosita's on East Strand. The site encompasses 0.61 acres, lying between East Strand to the north and the Rondout Creek to the south. Millens Steel operated at this location since 1952. Before that, the property was utilized as a boiler repair shop for the Cornell Steamship Company. Millens Steel (the Steelhouse Restaurant) is housed in a very attractive 19th brick building that is eligible for listing on the National Register and many historic features have been maintained. The 1.5 story structure has been in continuous industrial use since its construction and is in excellent condition. A one-story corrugated metal addition has been constructed on the east side of the historic structure.

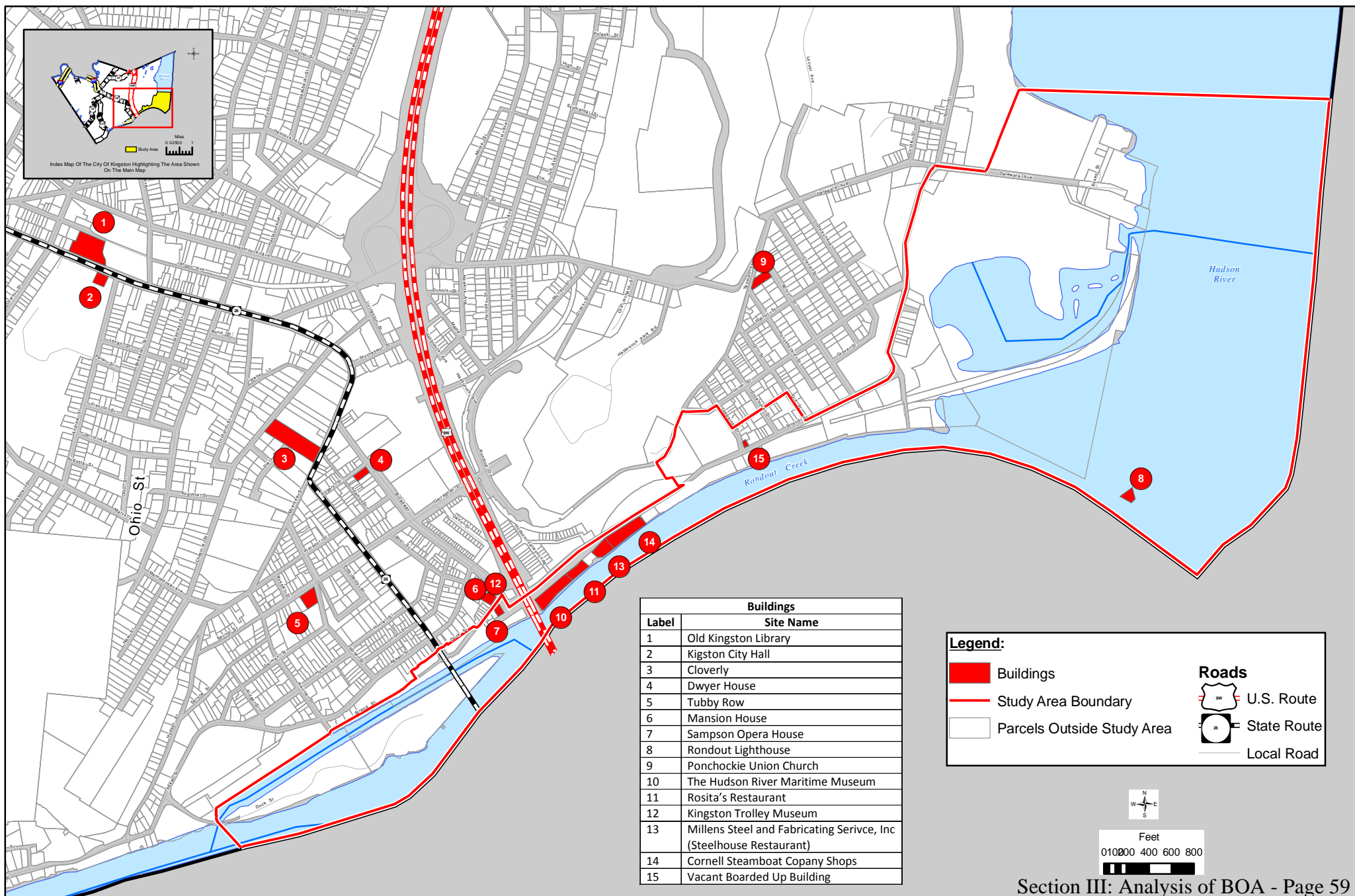
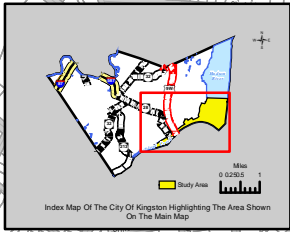
e. *Cornell Steamboat Company Shops*

Just east of the Steelhouse Restaurant property on East Strand is the former ***Cornell Steamboat Company Shops***. Most of the 0.90 acre parcel is covered by a large multi-story brick shop building. Since the nineteenth century, the site has contained machine shops, carpenter shops and lumber storage sheds. This building is protected under the City's local landmarks law and is eligible for listing on the National Historic Register. Today the Cornell building is used for office and storage space.

f. *The City of Kingston Waste Water Treatment Facility*

The Waste Water Treatment Plant is across the street from the former Cornell Steamboat Company Shops. This 2.26 acre facility on the north side of East Strand Street treats wastewater from the City of Kingston and portions of the Town of Esopus. The structure is constructed largely of brick, surrounded by a chain-link fence and hedges. It is somewhat screened from view along the sidewalk's edge. Together with the Trolley Museum, this site was historically used as a rail yard, large engine house, turn table, machine shop, foundry and coal bunker in the late nineteenth and early twentieth centuries.





Buildings	
Label	Site Name
1	Old Kingston Library
2	Kigston City Hall
3	Cloverly
4	Dwyer House
5	Tubby Row
6	Mansion House
7	Sampson Opera House
8	Rondout Lighthouse
9	Ponchockie Union Church
10	The Hudson River Maritime Museum
11	Rosita's Restaurant
12	Kingston Trolley Museum
13	Millens Steel and Fabricating Service, Inc (Steelhouse Restaurant)
14	Cornell Steamboat Copany Shops
15	Vacant Boarded Up Building

Legend:

- Buildings
- Study Area Boundary
- Parcels Outside Study Area
- U.S. Route
- State Route
- Local Road



Feet
0 100 200 400 600 800

Section III: Analysis of BOA - Page 59

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City Of Kingston Brownfield Opportunity Area

Building Inventory Map

City of Kingston
Ulster County, New York

Drawn:	CLC
Date:	08/14/2007
Scale:	1:13,500
Project:	10704.00
Figure:	

Brownfield Opportunity Area Step 2 Nomination

6. Historic or Archeologically Significant Areas

The City of Kingston is one of seventeen Heritage Areas formally designated by the New York State Office of Parks, Recreation and Historic Preservation to further the four state-wide goals of preservation, education, recreation and economic development. The Kingston Heritage Area interprets its role in local, state and national history through three major themes: Transportation, Government and Architectural History.

a. National Register of Historic Places

The City of Kingston has five historic districts and eight individual buildings or sites listed in the National Register of Historic Places. Although none of these districts or buildings is located within the BOA, the National Register-listed Rondout-West Strand Historic District is just across Route 9W to the west and the National Register-listed Ponckhockie Union Chapel/Congregation Church (91 Abruyn Street) is located in the neighborhood on the east side of East Strand and North streets.

The City of Kingston Buildings List of Historic Properties indicates that 93-97 Abruyn Street is listed in the National Register and protected by the City's local landmarks law. Although the Ponckhockie neighborhood has not been listed in the National Register, a portion of it was identified as a supplemental preservation area in the Urban Cultural Park Management Plan in 1987 (see Preservation Plan and Ordinance section below).

b. Historic Districts and Landmarks

The following historic districts and landmarks, located within the City's BOA, are listed in the National Register of Historic Places:

- i.** Rondout/West Strand Historic District: An area of National Register properties, ca. 1825.
- ii.** Part of the Chestnut Street Historic District: An area of late 19th-century National Register properties.
- iii.** Cornell Steamship Shops: This National Register property represents one of the major 19th-century industries in the area.
- iv.** Port Ewen Suspension Bridge.
- v.** Rondout Lighthouse: Ca. 1915, located off Kingston Point.

Brownfield Opportunity Area Step 2 Nomination

- vi. S. & W. B. Fitch Bluestone Headquarters: This Kingston-designated landmark, now a residence, once served as the office of a leading local industry.

c. Historic Structures

The following historic structures are City landmarks of importance to the history of Kingston and the development of industry on the Hudson River:

- i. Wilbur Neighborhood: Distinctive waterfront community.
- ii. West Shore Railroad Trestle: Ca. 1895, this trestle continues to provide major rail service in the region.
- iii. Island Dock: A man-made island in the Rondout Creek, originally designed for the transfer of coal.
- iv. Millens Steel Building (Steelhouse Restaurant): Ca. 1870, originally a boiler shop for the shipbuilding industry.
- v. Ponckhockie Union Congregational Church: A cast-concrete, late 19th-century structure.

d. Historic Resource Surveys

The Ponckhockie neighborhood was included in a formal historic resource survey conducted during the preparation of the City of Kingston's Urban Cultural Park Management Plan in 1987. Of approximately 138 buildings surveyed in the Ponckhockie neighborhood (including East Strand and North streets), approximately five buildings (3.6%) were considered to be of major importance with few alterations, 50 buildings (36.2%) were found to be older, not exceptionally significant buildings with very few exterior changes, 63 (45.7%) were older buildings so significantly altered that their historic character was obscured, seven (5.1%) were compatible with surrounding structures but not historic, and thirteen (9.4%) were incompatible with surrounding structures.

Based on this survey, the Management Plan recommended that Ponckhockie (and another neighborhood known as Wilbur) "be developed as an educational and interpretive tool for the Kingston Urban Cultural Park." It also identifies the Ponckhockie neighborhood as an important "peripheral area" that complements Kingston's National Register-listed historic districts and core areas of the Heritage Area, and provides additional opportunities for interpretation and economic development. As a result, the Plan notes that the preservation and

Brownfield Opportunity Area Step 2 Nomination

revitalization of the Ponckhockie neighborhood is a high priority objective of the Heritage Area.

e. Buildings Eligible for National Register Listing

The Plan also indicated that several other buildings may be eligible for listing in the National Register of Historic Places and related tax incentives. These include:

i. Millens Steel Building (Steelhouse Restaurant)

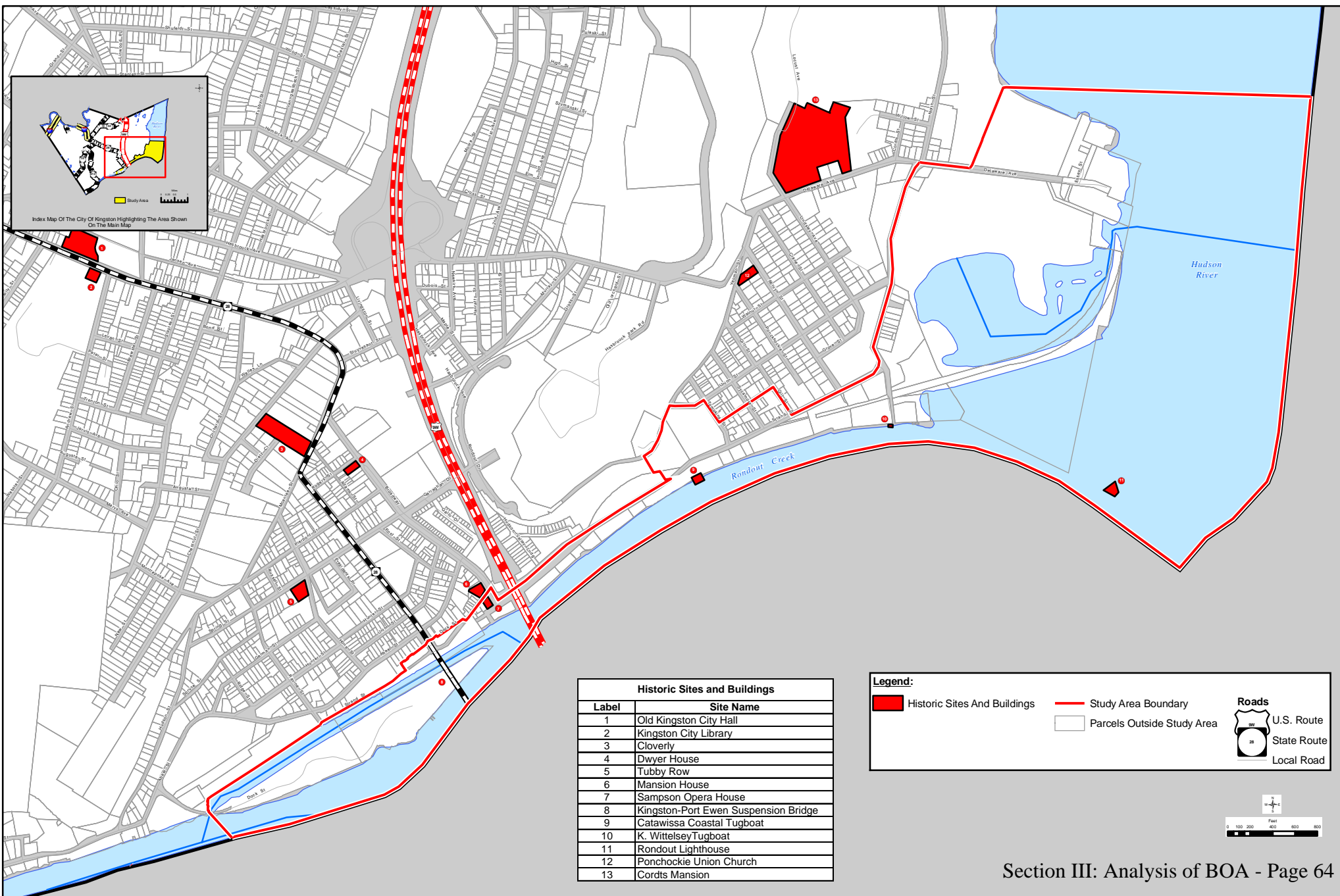
The Kingston Urban Cultural Park Management Plan recommends that since the 1987 use was not water-dependent, efforts should be made when possible to redevelop the building for water-dependent or related use(s) and the building and surrounding land be incorporated into the adjacent West Strand Park.

ii. Cornell Steamboat Company Shops (R. Ianucci Offices)

Located at 94-112 East Strand and constructed in c. 1890, this building is a “....significant landmark in the Rondout Creek National Register. Once the site of steamboat construction, repair and maintenance activities, it now houses offices and storage. The Kingston Urban Cultural Park Management Plan recommends exploration of alternative opportunities for adaptive re-use that may integrate more directly with the Urban Cultural Park upon sale or change in use. This building is protected under the City’s local landmarks law.

f. Preservation Plan, Ordinance, and Zoning Code

Chapter 405 of the City of Kingston Municipal Code encompasses the City’s Zoning Ordinance, which was approved as of April 26, 1985, and subsequently amended periodically. Article IX of Chapter 405 establishes the City of Kingston’s Landmarks Preservation Commission (amended and approved in 1989) and gives it jurisdiction over local historic districts and resources. In addition to the National Register listed 93-97 Abruyn Street, the City of Kingston Buildings List of Historic Properties indicates that 94-122 East Strand Street (Cornell Steamship Co.) and 82-152 Lindsley Avenue in the Ponckhockie neighborhood are also protected by the City’s local landmarks law.



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City Of Kingston Brownfield Opportunity Area

Building Inventory Map

City of Kingston
Ulster County, New York

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Date:	08/14/2007
Scale:	1:13,564
Project:	10704.00
Figure:	

Brownfield Opportunity Area Step 2 Nomination

7. Transportation Systems

Kingston's waterfront area is accessible via an interconnecting network of local streets, state highways and the interstate system. N.Y. Route 9W crosses the Rondout Creek at Kingston. This portion of 9W is part of the proposed Scenic Roads System for the Hudson Valley.

Three bridges span the Rondout within Kingston's BOA. They include the West Shore railroad trestle, Port Ewen Suspension Bridge, and the Route 9W bridge. The Rondout waterfront is easily accessible to motor vehicles via city streets and highways. Abeel Street, which intersects with New York State Route 213 at Wilbur Avenue, closely parallels the waterfront for much of its length. Dock Street, West Strand and East Strand connect with Abeel Street to form a continual route for the entire length of the City's waterfront between Wilbur and Kingston Point. This east-west street system connects with north-south routes including Wilbur Avenue (New York State Route 213) and Broadway. These routes, in turn, connect with other regional transportation routes including New York State Routes 32 and 28 and N.Y. Route 9W. Route 9W also connects with the New York State Thruway, part of the nation's interstate highway system. The waterfront's accessibility via streets and highways is a positive factor in encouraging use by residents and tourists alike.

The City is planning for expanded trolley services to serve the entire waterfront, and ultimately, provide regular weekend, holiday and event service throughout the year, operating with 15 or 20 minute headways between trolleys to make the service an attractive circulation option for visitors. The plan also calls for trolley services to connect the waterfront with mid-town Kingston via Broadway and Hasbrouck Park. Because 52 percent of commuters travel less than 15 minutes to work, it may be appropriate to offer weekday trolley services if demand warrants. Recent improvements along East Strand provide an excellent example of improved pedestrian conditions. The recent development of a multi-use trail, improved sidewalk conditions, and the narrowing of the roadway (through diagonal parking) has efficiently increased parking capacity and provided for a more friendly pedestrian experience – encouraging overall pedestrian usage.

Not only do these improvements directly support the City's vision of a waterfront with "meaningful, permanent public access," it serves as part of an integrated parking management support strategy. In the future the City plans to improve the BOA by increasing access to pedestrian paths, sidewalks and pedestrian linkages between uses. Pedestrian shortcuts will be well lit. Improved crosswalk conditions and designs will be employed with the needs of non-motorized uses prioritized. Lighting and architectural designs will support pedestrian security. Bicycle facilities and associated signage (bike lanes, shared lanes, parking, etc) will be incorporated throughout the BOA.

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8. Parking

As part of this BOA planning process the City commissioned a parking strategy addressing needs of the adjacent Rondout area and parts of the BOA. The full parking inventory, analysis and recommendations are attached as Appendix Three. The results of this study indicate that there is currently a marginally sufficient supply of parking within the Rondout Study Area. Overall parking occupancy rates during the weekday range between 34 and 40 percent, with peak weekend rates reaching 56 percent. Peak parking rates (approaching 100 percent) are only localized in high interest areas, which likely creates a disproportionate perception that there is a parking problem. However, patrons value convenience of parking and perception can have a real impact on visitation and patronage of local businesses.

Based on the review of the *Kingston Waterfront Development Implementation Plan* and the continued build out of the BOA, it is projected that anywhere from 1,656 to 1,956 additional parking spaces may be required to accommodate future development. However, this figure represents full build out of the BOA based on a conventional approach to calculating parking needs. This approach to calculating demand based on individual and mutually exclusive land use needs is both costly and land intensive, and does not reflect growing acceptance of demand management and parking management approaches within urban areas. Such parking management approaches can reduce parking requirements by as much as 20 to 40 percent.

Given the relative scarcity of land in the Rondout, the high cost of parking, and the mixed-use, pedestrian-friendly nature of the BOA and development concept put forth in the *Kingston Waterfront Development Implementation Plan*, the Parking Study recommends movement away from conventional parking solutions to parking management strategies. In addition, it recommends a shared parking approach to the provision and management of future parking as it is developed in the BOA.

Unlike conventional parking solutions that focus on supply, parking management strategies are based on efficient use of existing parking supply and consumer and transportation alternatives. Finally, parking management strategies complement mixed-use, higher density development such as proposed for the Rondout. As such, in addition to the construction of new parking included in the *Kingston Waterfront Development Implementation Plan*, the City should adopt/develop the following long and short term parking management strategies.

a. Short Term Recommendations: 1 – 2 Years

- i. Provide Parking Information to Users**
- ii. Adopt a Special Event Parking Management Plan**

Brownfield Opportunity Area Step 2 Nomination

iii. Create Shared Parking Opportunities

iv. Provide Bicycle Facilities

b. *Long Term Recommendations: 5 – 10 Years*

i. Expand Trolley Services

ii. Develop Remote Parking Facilities

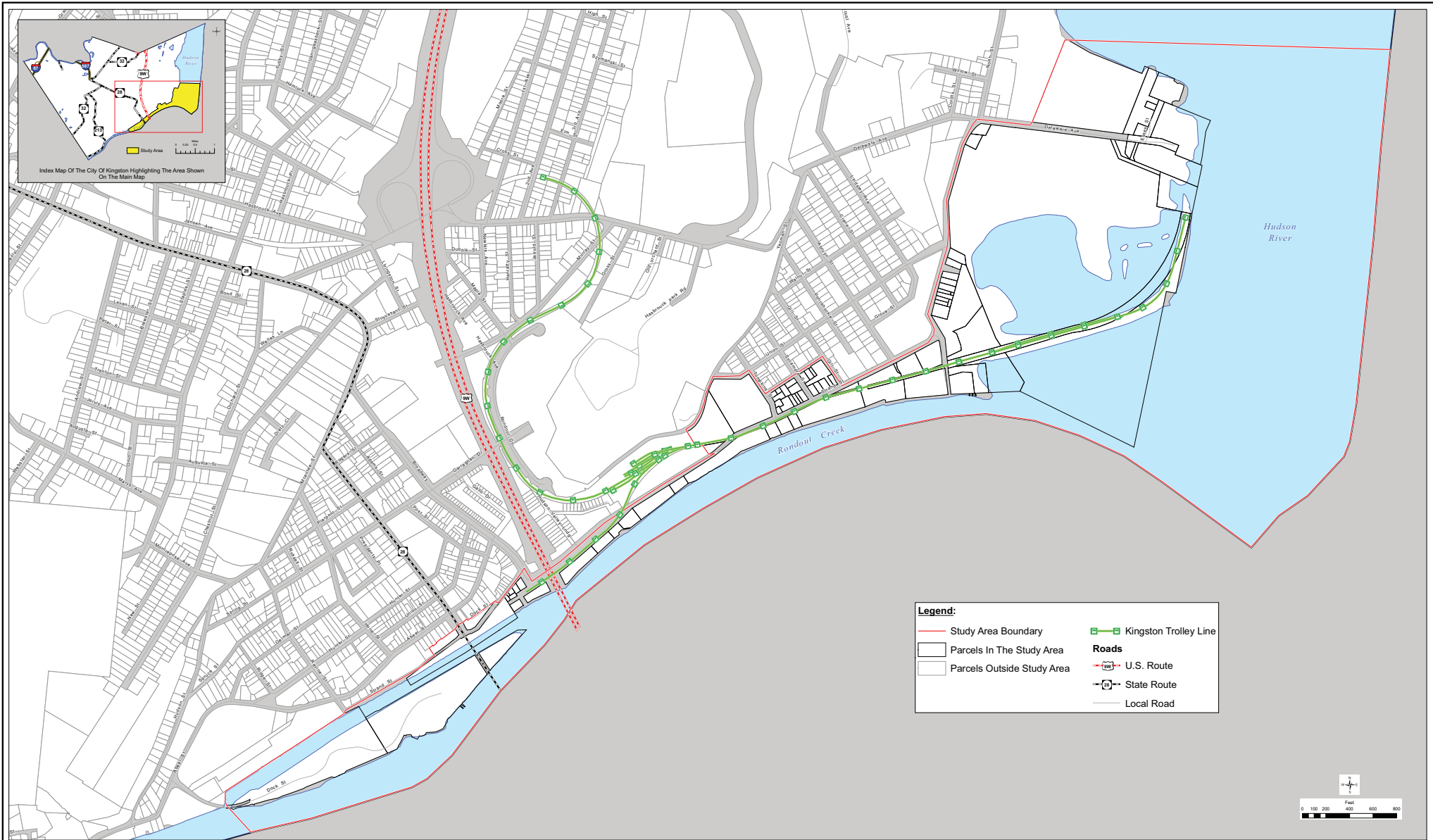
iii. Redesign Existing Parking Facilities

iv. Regulate Parking

v. Improve Pedestrian Conditions

vi. Address Spillover Parking





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Map Date: 08/08/2007
Map Scale: 1:4,200
Map Author: J. Chazen
Map Reviewer: J. Chazen

City Of Kingston Brownfield Opportunity Area

Transportation Systems

City of Kingston
Ulster County, New York

Drawn:	CLC
Date:	08/08/2007
Scale:	1:4,200
Project:	10704.00
Figure:	

Brownfield Opportunity Area Step 2 Nomination

9. **Infrastructure**

At present, utilities on the Rondout waterfront area are underutilized. Business and industry in this area have declined during the last century, and that trend has dramatically reduced the demand on utilities in this section of the City.

a. Water

The Kingston Water Department, established in 1895, is an autonomous and financially independent department within the City of Kingston. It is governed by a Board of Water Commissioners and each is appointed by the Mayor to a five-year term. The daily operation of the department is under the supervision of the Superintendent.

The water system consists of a series of upland reservoirs and transmission mains that supply the City's Edmund T. Cloonan Water Treatment Plant in the Town of Woodstock. This facility, an American Water Works Historic Landmark, was constructed in 1897. It uses direct, in-line pressure filtration with alum coagulation, chlorination and calcium carbonate for pH adjustment. It has a nominal capacity of 8 million gallons per day (MGD) and produces, on average, 4 MGD. Approximately 100 miles of cast iron and ductile iron pipe comprise the distribution system that serves the City of Kingston and IBM facility in the adjacent Town of Ulster.

At present there are about 8,500 service connections and 1,000 fire hydrants in the system. With the exception of two small high-pressure districts, all flow from the City's reservoirs to the consumer's tap by gravity. The City's public water supply services most of the waterfront area. The area, once occupied by the cement plant on the Hudson River, is the only one not serviced by public water. This availability of public water is a positive factor in determining the feasibility and desirability of development projects of all types (industrial, commercial, residential) along the waterfront and within the BOA.

b. Sanitary Sewer

Most of the City of Kingston is served by municipal sanitary and storm sewers. The sewage treatment plant currently has a capacity of 4.8 MGD and improvements are currently underway to increase this to 6.0 MGD. In addition, the City conducts a federally mandated pre-treatment program to monitor specific users for discharge of pollutants into the sanitary system. Most of the Kingston waterfront along the Rondout is serviced by sanitary sewers. The City is continually upgrading the sanitary sewer system and has been concentrating on renewal areas such as the Rondout, West Strand and Ponckhockie neighborhoods. Originally a combined sanitary and storm system was built in

Brownfield Opportunity Area Step 2 Nomination

Kingston. The City is now in the process of separating these two lines. Currently pollutants are discharged into the Rondout Creek during heavy rainstorms when storm runoff generates flows that exceed the capacity of the sewage treatment plant. Continued separation of these two systems will reduce frequency of this discharge and eventually eliminate it. As part of a program to update its sanitary sewer system and eliminate pollution of the Rondout Creek, the City has completed projects to correct situations where direct sewage discharge had occurred at Wilbur Avenue, North Street/East Strand area, Hudson Street, Block Park and at the sewage treatment plant

Kingston's wastewater treatment plant located in the center of the BOA had an odor problem that has been mitigated through installation of new equipment, filtration and improved processes. The City has invested over \$2.5 million in the upgrades and has a long term contract for sludge control.

c. Solid Waste Treatment

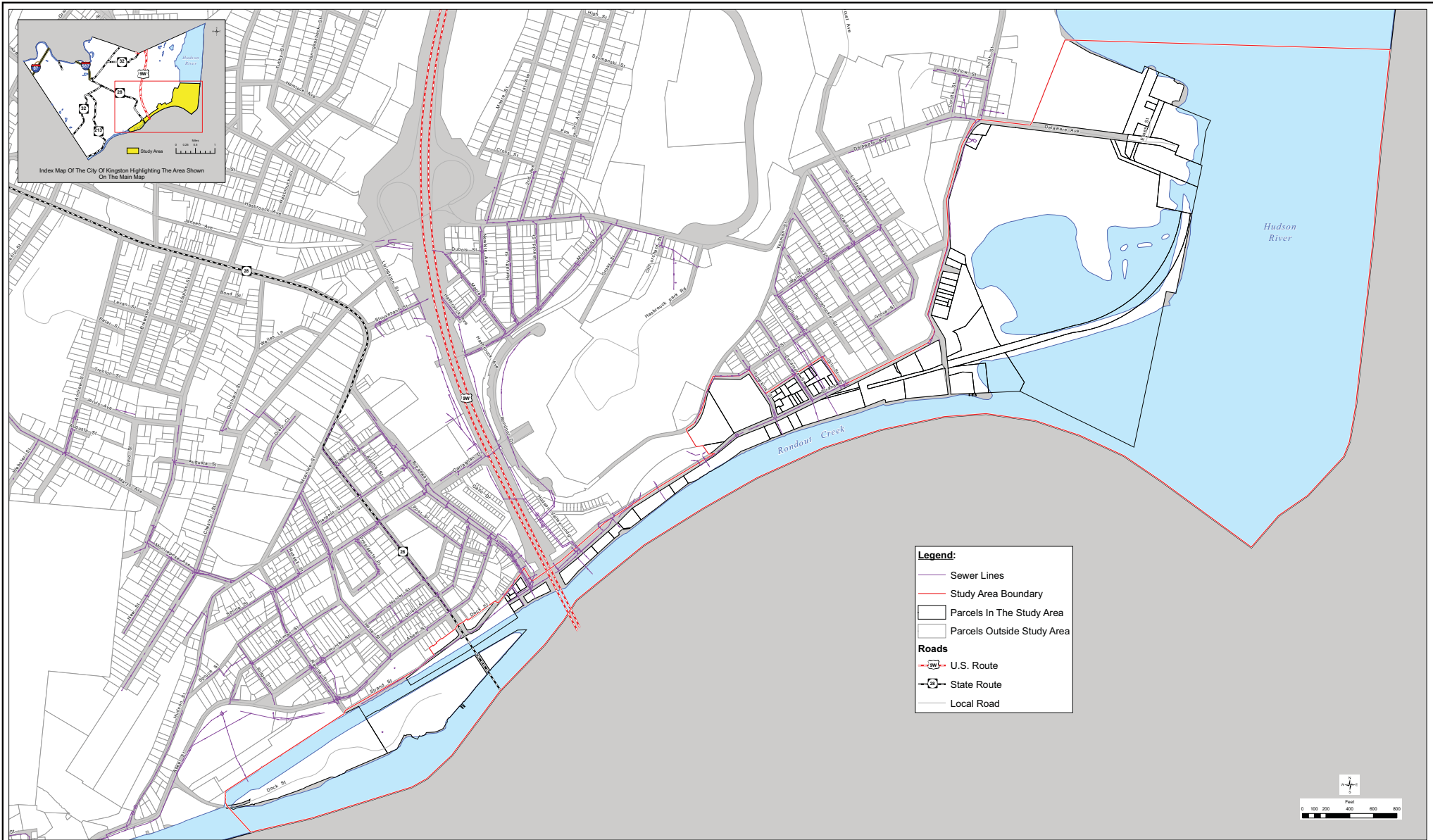
There are no active landfills within the City of Kingston's waterfront area. Solid wastes are disposed of outside the BOA and the City's corporate limits.

d. Storm Drainage

Currently the City has a combined sanitary-storm system. As improvements in the overall system area made, sanitary and storm systems will be separated. The Rondout Creek waterfront is also serviced by a storm drainage system in the same general areas serviced by the sanitary system. Areas not serviced by storm sewers, such as the Wilbur Avenue area and the Hudson River, utilize natural drainage channels and runoff patterns.

e. Marine Infrastructure Assessment

The waterfront planning process included a detailed assessment of marine infrastructure for the Rondout Creek and Hudson River. The assessment included an evaluation of the presence and condition of the Rondout Creek bulkheads and the bulkheads along the west bank of the Hudson River adjacent to the Brickyard and the Tilcon properties. The conditions evaluation also addressed the condition of the Kingston Point Causeway, the potential for pedestrian access along the jetty leading to the Kingston Lighthouse and Hudson River water depths. The City of Kingston Waterfront Conditions Assessment is incorporated by reference and available at Kingston City Hall.



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City Of Kingston Brownfield Opportunity Area

Infrastructure & Utilities

City of Kingston
Ulster County, New York

Drawn: CLC
Date: 08/08/2007
Scale: 1:4,200
Project: 10704.00
Figure:

Brownfield Opportunity Area Step 2 Nomination

10. Natural Resources and Environmental Features

Natural features include the physical and natural environment such as topography, erosion, subsurface conditions, water quality, flooding conditions, freshwater wetlands and significant wildlife habitats. The physical environment of the BOA has significant implications for the potential and problems associated with waterfront revitalization.

a. Topography

Land along the portion of the Hudson River shore that lies within the City of Kingston's corporate boundaries is generally composed of flat and level land ranging between 0-200 feet in width. Steep slopes rise above the inland boundaries of these low, flood plain areas. Peak elevations of these slopes are as high as 250 feet. Kingston Point, located at the mouth of Rondout Creek, is the largest lowland area within the BOA. As the BOA proceeds inland along the Rondout Creek, topographic conditions again become similar to those along the Hudson River. The flood plain is generally wider along this portion of the waterfront. Adjoining slopes are typically not as high as on the Hudson, seldom rising above 200 feet.

b. Erosion

There are no significant erosion problems associated with the steep slopes within the BOA. The Hudson River coast, which includes more of the steeper slopes, has been abandoned. Quarrying activities in this area have created steep rock faces, and other slopes have been stabilized with riprap or by natural means. Future development along the Hudson should be reviewed for potential erosion problems associated with construction on steeper slopes. Erosion problems are, however, evident along the Rondout Creek where bulkheads are deteriorating and unprotected shores are being eroded by stronger currents. This erosion is causing siltation problems in the Rondout, creating the need for more frequent dredging for boating and docking activities.

c. Subsurface Conditions

The soil layer along much of the waterfront is relatively shallow. Natural rock outcropping combined with extensive quarrying have resulted in high cliffs. These high cliffs and quarried inland areas prevent natural drainage from land areas further inland from flowing directly to the Hudson River. Instead, these inland areas tend to drain into Rondout Creek. This situation is aggravated by the Rondout's wider flood plain adversely affecting development along much of the creek waterfront. Areas closer to the River are particularly affected.

Brownfield Opportunity Area Step 2 Nomination

d. Water Quality

The New York State Department of Environmental Conservation has classified water quality in this section of the Hudson River as Class A. This classification is defined as acceptable for drinking water and all other human consumption and use including bathing. Water in the Rondout Creek is classified as C quality. Water of this quality is not acceptable for primary body contact (swimming, bathing) or consumption. Restrictions regarding disposal into Class C water are particularly important since deterioration of water quality below this level would have a detrimental impact on the stream's ability to support certain species of fish and other forms of wildlife. While swimming in the Rondout is not encouraged, boating is an acceptable activity in this area.

The sensitive topographic and water quality conditions described require that care be exercised to prevent further soil erosion and limit runoff that might contribute to both erosion and to the further degradation of water quality in the Rondout Creek. The establishment of policies aimed at controlling erosion and pollutant discharge and the adoption of appropriate standards, procedures, and local laws supporting them will address these issues while permitting optimum development of the BOA within the parameters imposed by these constraints.

e. Flooding Conditions

Land immediately adjacent to the Rondout Creek and Hudson River are subject to flooding according to its designation as a Flood Hazard Area under the National Flood Insurance Program. Flooding of the Hudson River flood plain has no major impact upon developed property since development along the Hudson River shore is generally uphill from the floodplain. Those industries that did build in the floodplain generally accommodated floods by building first floor elevations above the 100-year flood levels. The area around Kingston Point Park is wetlands and park land a compatible use in flood plain. The area most affected by periodic flooding is adjacent to Rondout Creek, waterfront, especially during storms when the tide is in and storm drainage outlets are covered. Storm water backs up and flows out inlets and manholes. The worst conditions exist on East Strand between Broadway and North Street; at Tompkins Street, Ponckhockie Street, Abruyn Street and Grill Street; and at the intersection of Abeel Street and Wilbur Avenue.

f. Freshwater Wetlands and Significant Wildlife Habitat

A number of freshwater wetlands are located within the BOA. Some along the Hudson River developed as a result of quarry mining operations in that area. Others, like parts of Kingston Point, are the result of natural topography combined with close proximity to the large body of water and high flood plain.

Brownfield Opportunity Area Step 2 Nomination

The Kingston Point Marsh (NYS DEC designated freshwater wetland area K.E.4) provides an ideal habitat for most species of migrating waterfowl. It is a major stop in the Hudson River flyway and one of four major hunting areas in the lower Hudson River Valley. The Hudson River and Rondout Creek also provide significant fish habitat. The Rondout Creek is a desirable spawning ground for several species. Herring and smelt are abundant as are striped, large, and smallmouth bass. The Rondout Creek has been designated by the NYS Secretary of State as a Fish and Wildlife Habitat of Statewide Significance under the NYS Coastal Management Program

g. Scenic Overlooks

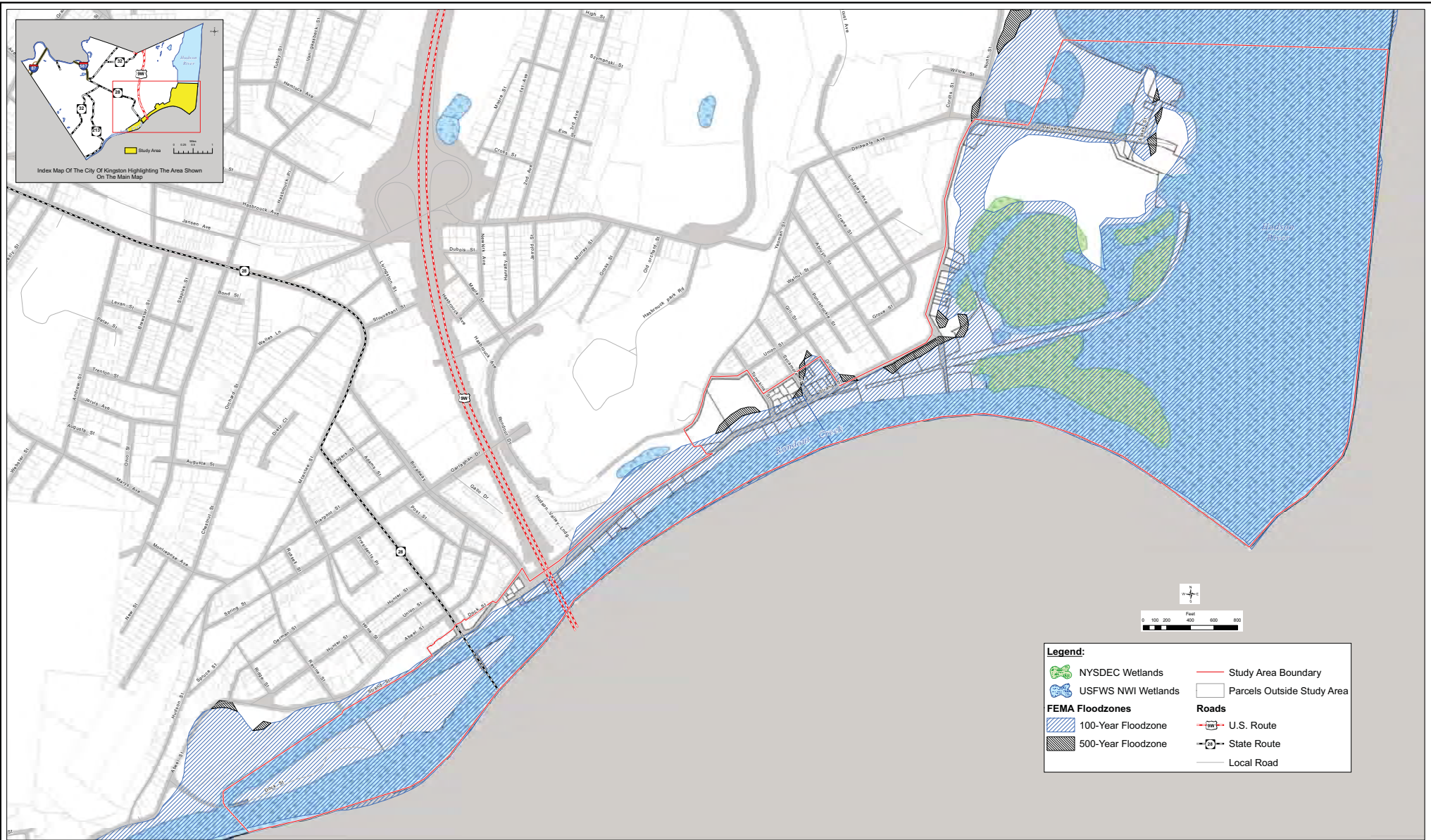
The State has not yet identified any “Scenic Areas of Statewide Significance” in or around Kingston. However, a number of scenic vistas do exist within the BOA that are significant.

- i. Hasbrouck Park commands a panoramic view of much of the BOA including Rondout Creek as far inland as Island Dock and a portion of the Hudson River. This view also encompasses Kingston Point and an attractive portion of Esopus across Rondout Creek characterized by wooded slopes and residential development.
- ii. Other significant vistas and views include those that may be seen from Kingston Point, the Kingston Point Lighthouse, the tip of Island Dock and the Port Ewen Suspension Bridge.
- iii. Kingston’s Hudson River waterfront is opposite the Mid-Hudson (Dutchess County) Historic Shorelands Scenic District. This is the first such designation that has been made under Article 49 of the Environmental Conservation Law.
- iv. As part of this designation, a “scenic zone” in Kingston was identified. This zone encompasses the middle ground of views seen from the district. The development character of the scenic zone is critical to the continued scenic quality of the district. The visual quality of this area is also significant to the quality of views from the district. The horizon line is especially striking from the higher elevations on the eastern side of the district in Dutchess County, as on the State-maintained road system (NYS Route 9 and 9G). It is from these heights that the district’s setting is comprehensively displayed, and often experienced by travelers. Development in the scenic zone is at a significant distance from Dutchess County viewing sites and will have little visual impact on the character of western views except for instances of large-scale development.

Brownfield Opportunity Area Step 2 Nomination

- v. The juncture of Rondout Creek and the Hudson River also lies within the Scenic Zone of the Mid-Hudson Historic Shorelands Scenic District. The Scenic Zone defines an area within which new development could adversely affect the quality of the western viewshed of the Scenic District. The Zone boundary lies 2,000 feet west of the high tide line on the west bank of the Hudson River. In the Management Plan for the Scenic District, the Strand and Kingston Point are described as visual features of the riverscape that contribute significantly to the district's scenic quality from wherever they are seen.





Legend:

NYSDEC Wetlands	Study Area Boundary
USFWS NWI Wetlands	Parcels Outside Study Area
FEMA Floodzones	
100-Year Floodzone	Roads
500-Year Floodzone	U.S. Route
	State Route
	Local Road

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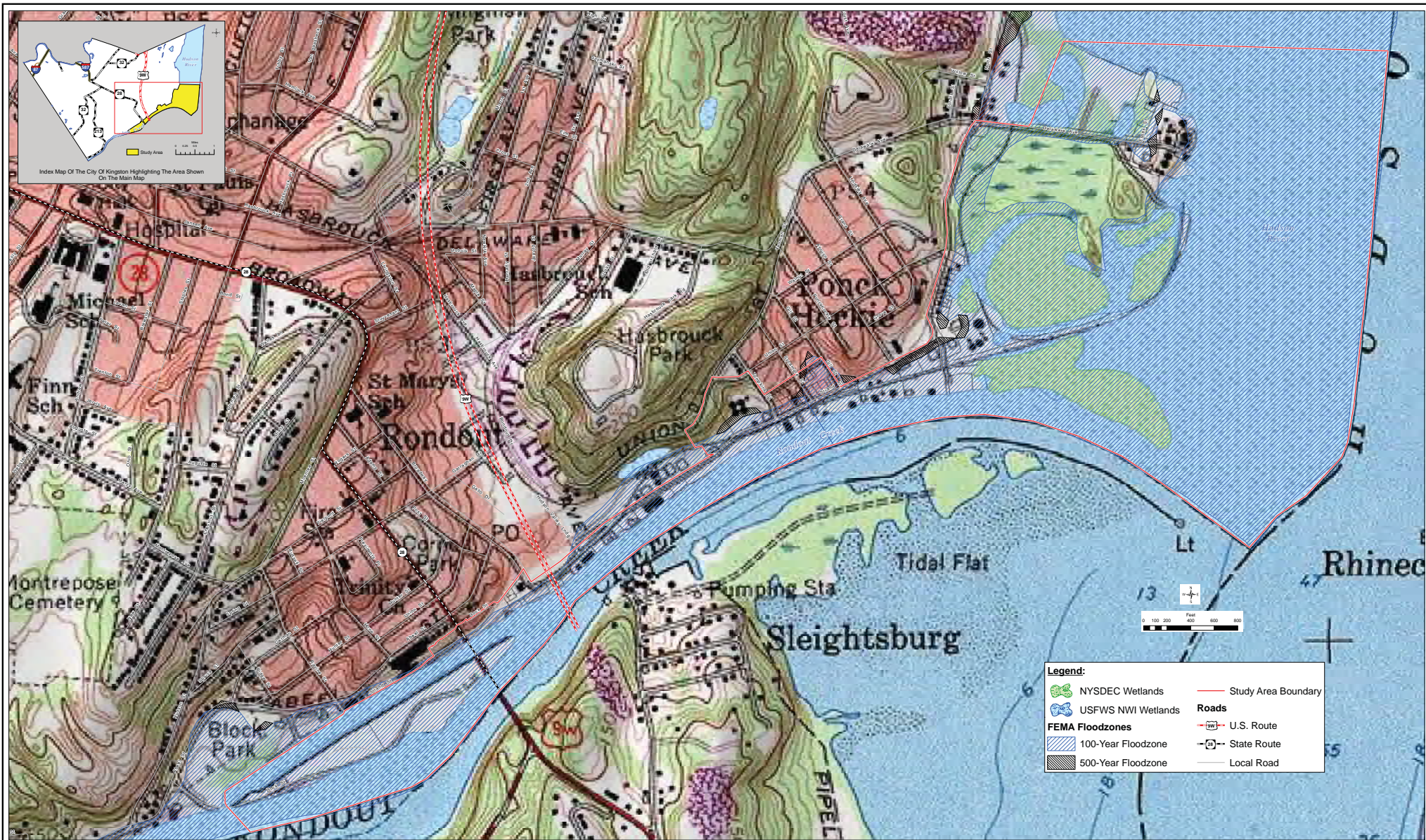
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City Of Kingston Brownfield Opportunity Area

Natural Resources Map

City of Kingston
Ulster County, New York

Drawn:	CLC
Date:	08/08/2007
Scale:	1:4,200
Project:	10704.00
Figure:	



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City Of Kingston Brownfield Opportunity Area

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Brownfield Opportunity Area Step 2 Nomination

C. BROWNFIELD, ABANDONED AND VACANT SITES

1. Comprehensive Environmental Audit

The underpinning for the waterfront planning and this BOA nomination is a comprehensive environmental audit prepared as part of the waterfront implementation plan.

In 2001 The Chazen Companies were selected by the Mid-Hudson Land Revitalization Partnership (MHLRP) to complete Phase I Environmental Site Assessments of sites on the Rondout Creek and Hudson River waterfronts in the City of Kingston as a part of an U.S. Environmental Protection Agency Brownfields Pilot Project. Together these sites cover all land in the BOA.

The purpose of this effort was to complete a preliminary evaluation of environmental risks in the waterfront redevelopment area and to identify additional assessment needs and a very general set of “ball park” costs for further assessment and site clean up. The study further attempted to identify the opportunities and constraints to redevelopment in the context of the recognized environmental conditions.

a. Phase I Environmental Site Characterizations

An Environmental Site Characterization typically describes current and past uses that may affect a property’s environmental condition. Assessments are often conducted when change in use or sale of a commercial or industrial property is planned. They include a visual survey of the site and surrounding sites, interviews with owners and regulators, review of historic maps and aerials, and searches of federal, state and local databases.

Overall, the study encompassed sixty-three (63) contiguous or nearly contiguous tax parcels. The sixty-three (63) parcels were divided into twenty-seven (27) groups, based on commonalities, and one Phase I Environmental Assessment (ESA) report was prepared for each group. This information is summarized in the table below.

The fieldwork was a cooperative approach between representatives from Mid-Hudson Land Revitalization Partnership, the City of Kingston and the local property owners. Specific concerns of the interested parties were identified and incorporated into the preliminary investigations, as warranted. The Phase I ESA’s complied with the requirements outlined in ASTM E-1527-00. The Chazen Companies also contacted the local water, sewer, building, engineering and health departments for relevant information, as applicable. Interviews were

Brownfield Opportunity Area Step 2 Nomination

then conducted with the owners of the properties and site reconnaissance was performed where permission to access a property was granted.

Readily available aerial photographs and Sanborn Maps, where available, were also obtained and reviewed. The local historian was also contacted and provided invaluable information about Kingston's waterfront. The results of the above were summarized in the individual Phase I ESA reports for the 27 groups of parcels. Location and Ownership Information (from 2002) are included in Table Two below:

Table Two: Site Location and Ownership

TCC_NO	TAX MAP ID	ACRES	Street No.	Street Name	OWNER NAME
	56.36-1-20	0.97	REAR	NORTH ST	KINGSTON LANDING CORP
	56.36-1-21	1.99	REAR	NORTH ST	KINGSTON LANDING CORP
TCC-20	56.36-1-23	2.95	2-10	NORTH ST	RONDOUT LAND CORP
Sector 3					
TCC-21	57.21-1-13	1.61	9-39	ESSEX ST	KINGSTON POINT TERM INC
	57.21-1-8	1.13	NA	ESSEX ST	KINGSTON POINT TERM INC
	57.21-1-10	0.11	31-35	ESSEX ST	KINGSTON POINT TERM INC
	57.21-1-12	0.21	30-36	DELAWARE AVE	KINGSTON POINT TERM INC
TCC-22	57.21-1-15	0.38	28	DELAWARE AVE	KINGSTON POINT TERM INC
	57.21-1-7	3.42	2-26	DELAWARE AVE	KINGSTON POINT TERM INC
	57.21-1-16	0.60	HEAD OF	DELAWARE AVE	KINGSTON POINT TERM INC
	57.21-1-1	0.38	49-51	DELAWARE AVE	CENTRAL HUDSON CORP
	57.21-1-2	0.22	41-47	DELAWARE AVE	CITY OF KINGSTON
	57.21-1-3	0.19	35-39	DELAWARE AVE	KINGSTON POINT TERM INC
	57.21-1-4	0.09	NA	NA	NA
	57.21-1-6	2.49	1-33	DELAWARE AVE	GARRAGHAN RW INC
TCC-23	57.21-1-5	1.93	NA	LAND AT KGN POINT	CITY OF KINGSTON
Sector 4					
TCC-24	48.16-6-2	3.77	804-816	NORTH ST	TILCON MINERALS INC
	48.16-6-3	10.64	682-802	NORTH ST	TILCON MINERALS INC
	48.16-6-1.100	56.49	364-390	DELAWARE AVE	TILCON MINERALS INC
	48.16-6-4	104.64	348-680	NORTH ST	TILCON MINERALS INC
	48.16-6-5	1.30	551-587	NORTH ST	TILCON MINERALS INC
	48.20-1-3	62.30	46	LOCUST AVE	TILCON MINERALS INC
TCC-25	48.20-1-1	10.71	REAR	ULSTER ST	TILCON MINERALS INC
	48.20-1-2	1.57	NA	LOCUST AVE	TILCON MINERALS INC
	48.20-1-3	1.64	46	LOCUST AVE	TILCON MINERALS INC
TCC-26	48.84-1-1	12.12	NA	LOCUST AVE	TILCON MINERALS INC
	48.84-1-2	9.97	197-225	NORTH ST	HUDSON RONDOUT CORP
TCC-27	48.84-1-4	47.32	NA	NORTH ST	HUDSON-RONDOUT CORP
	48.84-1-8.1	28.47	NA	NA	NA

Brownfield Opportunity Area Step 2 Nomination

Table Two: Site Location and Ownership

TCC_NO	TAX MAP ID	ACRES	Street No.	Street Name	OWNER NAME
Sector 1					
TCC-1	56.50-6-11	2.29	308-332	ABEEL ST	CONCRETE BLOCKS INC
TCC-2	56.50-6-22	0.64	REAR	ABEEL ST	ISLAND DOCK LUMBER INC
TCC-3	56.50-6-12	6.99	208-304	ABEEL ST	CITY OF KINGSTON
	56.50-6-24	1.58	194-198 R	ABEEL ST	CITY OF KINGSTON
TCC-4	56.50-6-13	0.34	196-198	ABEEL ST	SMYTHE TIMOTHY & LINDA
	56.50-6-14	0.10	194	ABEEL ST	SMYTHE TIMOTHY & LINDA
TCC-5	56.50-6-25	4.13	170-192	ABEEL ST	HIDEAWAY MARINA INC
TCC-6	56.43-5-44	9.21	UPPER	ISLAND DOCK	ISLAND DOCK LUMBER INC
	56.50-6-21	10.79	LOWER	ISLAND DOCK	MIRON BLDGNG PRODUCTS CO
Sector 2					
TCC-7	56.43-6-1	0.78		FERRY STREET	HUDSON RIVER MARITIME MUSEUM
TCC-8	56.43-7-37	1.13	65-85	EAST STRAND ST	JAF PARTNERS INC
TCC-9	56.43-6-2	0.35	72-86	RONDOUT LANDING	MELKE LAND CO LLC
TCC-10	56.43-6-3	0.20	88-94	RONDOUT LANDING	MILLENS MARVIN
	56.43-6-4	0.41	96-110	RONDOUT LANDING	MILLENS MARVIN
TCC-11	56.43-6-5	0.90	94-122	E STRAND ST	COTE ALAN & WALKER JOHN
TCC-12	56.43-6-8	2.26	91-157	E STRAND ST	CITY OF KINGSTON
TCC-13	56.36-1-8	1.92	136-198	E STRAND ST	GERHORN AUTO PARTS
	56.43-6-6	0.27	124-134	E STRAND ST	GERHORN AUTO PARTS INC
	56.36-1-10	0.32	208-216	E STRAND ST	GERHORN AUTO PARTS
	56.36-1-11	0.22	218-222	E STRAND ST	GERHORN AUTO PARTS
TCC-14	56.36-1-7	2.08	173-179	E STRAND ST	MILLENS B & SON INC
	56.43-6-7	0.19	159-179	E STRAND ST	MILLENS B & SON INC
TCC-15	56.36-1-6	3.74	181-207	E STRAND ST	MORTAL REALTY CORP
	56.36-1-9	0.27	200-206	E STRAND ST	MORTAL REALTY CORP
TCC-16	56.36-1-12	2.05	224-276	E STRAND ST	MORTAL REALTY CORP
	56.36-1-13	0.15	NA	NA	NA
	56.36-1-14	1.94	NA	NA	NA
TCC-17	56.36-1-18	1.61	298-322 R	E STRAND ST	CENTRAL HUDSON CORP
TCC-18	56.36-1-15	0.04	296	E STRAND ST	MILLENS B & SONS
	56.36-1-16	0.64	298-310	E STRAND ST	MILLENS BARNEY
	56.36-1-17	0.87	312-322	E STRAND ST	MILLENS BARNEY
	56.36-1-22	2.13	HEAD OF	E STRAND ST	MILLENS BARNEY
TCC-19	56.36-1-19	0.81	LAND	NORTH ST	KINGSTON LANDING CORP

Environmental Evaluation Sector Analysis

To facilitate analysis, the BOA was broken into **three separate “environmental evaluation sectors”**. The properties in each of the sectors were not necessarily contiguous but are related geographically and share some unique characteristics that distinguish them from the other sectors.

Brownfield Opportunity Area Step 2 Nomination

i. Environmental Evaluation Sector 1

Sector 1 encompasses the area along the Rondout Creek starting at the manmade island in the Rondout commonly referred to as Island Dock and traveling eastward to the property known as the Hideaway Marina. Abeel Street borders this sector to the north.

In general, the risk of degraded environmental conditions or issues associated with the past or current use of the parcels in Sector 1 would be characterized as low to moderate, with possible exceptions. Significant constraints to redevelopment of this area are not likely to exist and the nature and types of any environmental constraints to redevelopment can be overcome using readily available remedial technology at reasonable costs. Degraded environmental conditions are likely to exist at P&T Surplus and the Hideaway Marina but cleanup costs at either facility are not likely to exceed \$250,000 and are expected to be lower, based on similar experience.

Other properties such as Island Dock may have potential problems but the costs to mitigate are likely to be substantially less. The current owner indicates that preliminary findings do not indicate significant problems. Large areas of the site could be covered quickly, providing visual window of subsurface conditions. This information would also be useful from geotechnical point of view and could be used to plan future construction efforts.

Block Park has some minor cleanup issues. There are also some drums and other materials that should be removed. Limited testing is warranted in the area where the drums and other deleterious material were stored to ensure that there are no exposure routes to the youngest users of the park (children). The City should remove the inappropriately stored materials. Mitigation of any degraded environmental conditions or contamination would likely involve removal of the impacted soils. Groundwater is not likely to be an issue because there are no potential exposure routes based on the current use of the park. Groundwater is not used as a drinking water resource. If P&T Surplus cleanup were warranted under existing NYSDEC regulations, it is likely to be manageable. Estimated investigation and cleanup costs would be on the order of \$50,000.

The Hideaway Marina is an appropriate use of the waterfront resource but there may be degraded environmental conditions associated with this property. The same conditions observed in groundwater and saturated soils beneath the site were observed in the sediments and surface water adjacent to the site. No underground storage tanks were identified or other potential sources for the petroleum products were identified during the Phase II

Brownfield Opportunity Area Step 2 Nomination

investigation. Groundwater beneath the site is contaminated and appears to be widespread. If groundwater treatment is mandated, it could be costly. The sediments in the yacht basin are also contaminated and it would be costly to mitigate the impacted sediments. At some point in the future, the channel may need to be dredged to facilitate entrance and access into the Marina site.

ii. Environmental Evaluation Sector 2

Sector 2 has the most significant constraints to redevelopment as imposed by the presence of recognized environmental conditions. Several parcels of land have moderate to high risk of degraded environmental conditions based on current or past commercial or industrial activities. The sites of particular concern in this Sector include L&M, an auto salvage facility, Millens and son metal recycling facility, the KOSCO bulk oil storage terminals and Central Hudson property, the location of a former coal gasification plant. These properties are all in close proximity to each other and as a consequence, impact the development potential of the surrounding lands. Because the problems observed on one site may extend to the properties adjacent to it, remediation in the region should be viewed in the global context.

Cleanup of these properties could be in excess of \$250,000 to \$500,000 per property. There is substantial latitude in this price range but without detailed subsurface testing, actual exposure cannot be determined. The bulk of the problems are Kingston's Rondout Creek/Hudson River Redevelopment Initiative probably associated with the handling and/or release of petroleum products. As such, the problems can be dealt with readily and there may be little stigma associated with the property.

Sector 2 has experienced the heaviest industrial uses over time and presents the most significant environmental issues in the BOA. Sector 2 encompasses the properties adjacent to the Rondout Creek to the east of the Route 9W overpass along East Strand Street. This sector extends to the intersection of North and East Strand Streets. Uses in the sector include the Hudson River Maritime Museum, vacant land, Rosita's Restaurant, the former Millens Property, the Kingston Waste Water Treatment facility, L&M Auto Parts, former KOSCO tank storage facilities, Central Hudson Gas Regulating Station, Millens & Son Scrap Metal Recycling and Rondout Landing.

Several parcels have a moderate to high risk of environmental contamination based on current or past commercial or industrial uses. The highest risk sites in this sector include the auto salvage facility, the metal recycling facility, the Kosco bulk oil storage terminal and the former coal gasification plant

Brownfield Opportunity Area Step 2 Nomination

location. These properties are all in close proximity to each other, so coordination of future assessment and clean up efforts among the properties in Sector 2 would facilitate more efficient and cost effective remediation. Recent investigation has shown that L&M is not considered significantly environmentally degraded. A Brownfield Clean-up Program scope shows that clean cover will address most concerns.

Clean up costs for some of these properties are moderate and should not create significant barriers to redevelopment. There is substantial latitude in this price range, and subsurface testing would be needed to determine actual costs. The bulk of the issues identified are associated with the handling and/or release of petroleum products. As such, any identified problems can be dealt with readily.

Several of the properties in Sector 2 have fairly low environmental risk associated with them. The Maritime Museum and the vacant parcel of land on the western edge of this sector have little in the way of significant risk, other than that associated with the industrial past of the area. A subsurface investigation could be implemented to evaluate environmental quality of the properties; however, it is unlikely to uncover any significant impediments to development of these two properties.

The Former Millens Property, adjacent properties to the west, as well as the Kingston Sewage Treatment plant are expected to low to moderate risk associated with them. The former Millens Steel has been cleaned up and is currently home to the Steelhouse Restaurant. The sewer plant had an odor control problem that has been mitigated.

The environmental issues associated with Rondout Landing could be described as moderate. Investigation of this parcel would be straightforward, and proposed mitigation would depend on the intended use of the property, with housing requiring the most stringent level of cleanup. Costs to implement remediation at this facility could range between \$50,000 and \$200,000, based on the limited amount of information available.

iii. Environmental Assessment Sector 3

Sector 3 is located at the end of Delaware Avenue. This sector is separated from Sector 2 by a series of single-family residences; a BMX bicycle facility and a public park built on an old landfill and is bounded to the east by the Hudson River. The sector is abutted on the southwestern edge by the former Kingston Landfill site (now closed).

Brownfield Opportunity Area Step 2 Nomination

Sector 3 includes the Heritage Energy Terminal overlooking the Hudson River and Kingston Point Park at the intersection of the Hudson and Rondout. Environmental issues at the Heritage Energy Terminal are well defined. The first issue is a documented release of petroleum products on the site, which is being mitigated by the business owner. The second issue is the impact of leachate onto the site from the off-site, closed landfill. Although remediation structures limit the impacts of the leachate, the site owner has less control over the source of the leachate. Any redevelopment of the property would need to include controls to minimize the impact of the leachate. The park is also affected by leachate from the closed landfill.

This property has many key elements that make the parcel attractive to certain types of development. The current use of the facility includes a viable business, so redevelopment opportunities are limited to those that would provide a greater return on investment than currently available. The constraints to development are well defined. Although the same remediation structures limit the impacts of the leachate, the site owner would have less control over the source region for the leachate. Any redevelopment of the property would have to include controls to minimize the impact of the leachate. The other property in this Sector is Kingston Point Park. There is very little of significant concern associated with the park and the presumption is that the existing use will remain. This park is a valuable asset to the Sector and fits nicely into the region.

c. Strategic Cluster Report

From the information gathered in the individual Phase I ESA's, a Rondout Creek/Hudson River Strategic Cluster Report (Strategic Cluster Report) was developed. The Strategic Cluster Report represents a compilation of those properties or groups of properties where degraded environmental conditions had the potential to exist. The Strategic Cluster Report identifies the problem areas, but also characterizes them in terms of constraints to future development.

In order to evaluate the constraints to future development, potential environmental problems at the sites were reviewed and assigned risk factors. A risk factor or "weight" was assigned to each of the recognized environmental conditions. Higher risk factors or weights were applied to those recognized environmental conditions that had a higher likelihood of degrading the environment. The weighting factors were determined by experience at similar sites. The risk of a site containing degraded environmental conditions was broken into three general categories, low, moderate and high. To generate the overall ranking, the weighting factors for each recognized environmental condition identified at each site were

Brownfield Opportunity Area Step 2 Nomination

added together and compared to a cutoff level. The cutoffs for each category were arbitrarily established (low risk is a score less than 30; moderate risks a score between 30 and 60; high risk is a score greater than 60). Additional factors were included in the overall assignment of the potential for risk, as warranted.

In addition to estimating the risk of degraded environmental conditions at a site, the report provided an estimated range of cleanup costs. The report provides reasonable order of magnitude estimates to address potential problem sites keeping in mind that the estimates are clearly limited by numerous assumptions.

d. Findings

The Rondout Creek/Hudson River Waterfront Strategic Redevelopment Cluster has tremendous redevelopment potential. The area has great scenic vistas; waterfront related activities (boating, fishing, etc.), a burgeoning arts focus, shops and restaurants, active nightlife and is reasonably accessible to a large number of people. This area has the potential to become a tourist “destination”. However, the current uses of the Kingston waterfront includes businesses that have resulted in degraded environmental conditions along the waterfront. It is clear from the preliminary assessment that some, if not all of the parcels evaluated as part of Kingston’s BOA program, have some potential environmental problems related to the industrial focus of the waterfront in the late 1800’s and early 1900’s. There may also be construction related issues due to the nature of the materials that were used to build up the lands along the River and fill in large portions of the waterfront areas.

For the most part, it is anticipated that degraded environmental conditions typical of the region can be remediated using readily available, traditional cleanup alternatives. Costs will vary on a site by site basis, but generally would be in the low to moderate range for most sites. Actual cleanup costs cannot be determined without additional testing but, in general, the costs to remediate the likely degraded environmental conditions at majority of the sites should not be considered an impediment to redeveloping the properties in the region for a wide variety of uses.

Brownfield Opportunity Area Step 2 Nomination

Table Three: Site Characteristics

TCC Parcel	Property Use/Name	Auto Repair or Machine Shop	ACM or LBP	Radon	Other	Known Surface or Subsurface Impacts	Site Access Granted
SECTOR 1							
TCC-1	Concrete Blocks Inc.			X			
TCC-2	Vacant-Island Dock Lumber			X			
TCC-3	Block Park			X	1	reported	X
TCC-4	P&T Surplus Inc.			X	1,4	X	
TCC-5	Hideaway Marina		X	X	4	X	X
TCC-6	Island Dock	X		X			
SECTOR 2							
TCC-7	Kingston Maritime Museum		X	X			X
TCC-8	Vacant			X			X
TCC-9	Rosalita's Restaurant		X	X			X
TCC-10	Millens Steel	X	X	X			X
TCC-11	Former Cornell Steamship Co.	X	X	X			
TCC-12	WWTP		X	X			X
TCC-13	L&M Auto Parts	X	X	X	4	X-staining	X
TCC-14	Millens Maint. Bldg.	X	X	X		X-staining	X
TCC-15	Kosco		X	X	3		X
TCC-16	Kosco		X	X	4,5		X
TCC-17	Central Hudson Gas Receival		X	X	2	X	X
TCC-18	Millens Scrapyard	X	X	X		X	X
TCC-19	Vacant (former marina)			X			
TCC-20	Millens Scrapyard	X	X	X		X	X
SECTOR 3							
TCC-21	Vacant (part of Kingston Point)				4,5	X ⁶	X
TCC-22	Kingston Point Terminal				4,5	X ⁶	X
TCC-23	City Park			X			X
SECTOR 4							
TCC-24	Tilcon	X	X	X			
TCC-25	Vacant-part of Tilcon		X	X			
TCC-26	Vacant			X	7		X
TCC-27	Brickyard	X	X	X			X

¹ Multiple drums and other chemical storage containers on-site. Drum/chemical inventory required prior to disposal

² Phase I, Phase II ESAs performed and remedial work plan submitted

³ No closure documentation for UST removal, subsurface may be impacted in tank grave area

⁴ Abandoned/in-active tanks on-site, required to be permanently closed with NYSDEC

⁵ GW monitoring wells on-site, no analytical data provided during assessment

⁶ Air stripper present on-site

⁷ Minor debris piles noted on-site

2. Selection of Strategic Sites

Based upon the Phase One Site Assessments the City of Kingston and its partners identified three priority assemblages to designate as **strategic sites** for this Step 2 BOA Nomination.

a. *Strategic Sites Selection Criteria*

These sites were selected because:

Brownfield Opportunity Area Step 2 Nomination

- ii. They are strategically located
- iii. The neighborhood has identified them as important sites
- iv. They are critical pieces of the redevelopment plan with a high capacity for redevelopment
- v. The possible future land uses will catalyze other economic investment
- vi. They have a high likelihood of tax base enhancement
- vii. They are owned by the master waterfront developer – a willing partner
- viii. They have historical uses that indicate a significant chance of environmental contamination which requires additional investigation

b. 2008 Environmental Assessment of Strategic Sites (2008)

In 2008, Phase I Environmental Site Assessments were completed for the three **strategic sites** that have been identified as key to the BOA implementation.

A Phase I Environmental Site Assessment (“Phase I ESA”) in conformance with the scope and limitations of ASTM Practice E 1527-05 was proposed for each site. The assessment of the “KOSCO Assemblage” and “The Kingston Landing Assemblage” were performed during the months of April and May 2008. The assessment of the Millens Assemblage cannot be completed at this time because the site is under consent order and may recently have been State listed.

All strategic site assessments were comprised of a site reconnaissance by The Chazen Companies, interviews with individuals knowledgeable of the property, and a regulatory and historical information review. Copies of the full site assessments are attached in Appendix Four. The conclusions and recommendations for each site follow.

i. Kingston Landing

Kingston Landing, shown on the image below, is located southeast of the intersection of North Street and East Strand, bordered on the north and the west by B. Millens operations. This 3.7 acre vacant parcel is located at the mouth of the Rondout Creek, offering unobstructed views of the Hudson River, Kingston Point Lighthouse and surrounding environs. The parcel is a filled tidal marsh area, and about half of the parcel is submerged at high tide. The site was formerly used as a marina.

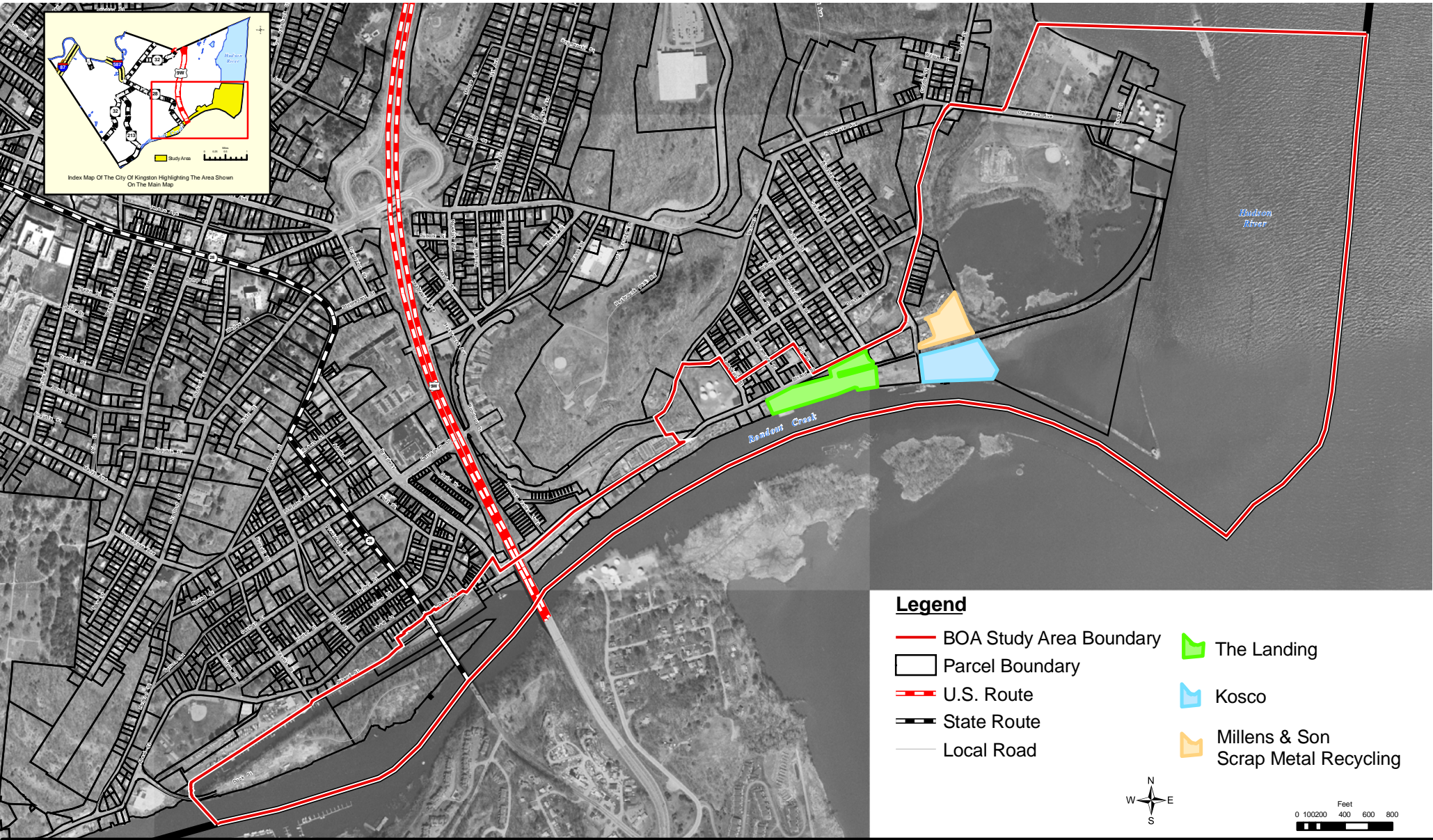
Brownfield Opportunity Area Step 2 Nomination

The area was assessed during the months of January through April 2008 and was comprised of a site reconnaissance by The Chazen Companies, interviews with individuals knowledgeable of the property, and a regulatory and historical information review. The subject property is currently vacant land. The western half of the property is reclaimed land that was filled in the 1970s and was previously used as a marina. The eastern half is tidal marsh.

The subject property and surrounding area was historically used for industrial purposes. A 2005 characterization investigation of the site revealed significant petroleum contamination in soil and groundwater on the western one-third of the property. The on-site contamination is presumably attributed to the current and historic operations of the western and northern adjoining properties based on a review of other investigations that have occurred on those adjoining properties. On-site soil and groundwater VOC contamination may also contribute to VOC vapor intrusion issues associated with future site buildings.

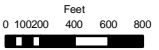
The western half of the subject property is comprised of fill material. The source of the material is unknown and contains construction debris. It is possible for this fill to contain petroleum or chemical compounds thus creating the potential for impacts to on-site soil and groundwater quality.

- Creosote treated logs were noted on the property at the north and south ends. There is a potential that the creosote may have leached from these logs possibly contaminating site surface soils with polycyclic aromatic hydrocarbons (PAHs).
- The subject property formerly operated as a marina. As such, there is a potential that tanks existed on-site for boat refueling. However, no tanks have been identified on the property.
- A railroad extends adjacent to the north side of the subject property parcels. Historic railroad operations likely included petroleum products and other chemicals (pesticides, metals) that may have been used along the tracks, or have been transported by the railroad. Soils in the areas adjacent to the railroad tracks may be impacted by petroleum, pesticides and/or metals or other chemicals.
- No significant data gaps were encountered during the course of this ESA that would require further investigation to determine whether or not additional RECs are present on the subject property.



Legend

- BOA Study Area Boundary
- Parcel Boundary
- - - U.S. Route
- - - State Route
- Local Road
- The Landing
- Kosco
- Millens & Son Scrap Metal Recycling



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City Of Kingston Brownfield Opportunity Area

Strategic Sites Map

City of Kingston
Ulster County, New York

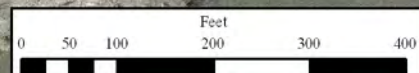
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Scale:	1:13,461
Project:	10704.00
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Section III: Analysis of BOA - Page 89

Map Document: (R:\110700-10704\10704_Orthophoto_Trail.Landing_8x11.mxd)
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Orthophotos were flown in April 2004; provided by the NYD Dept. of State.



THE
Chazen
COMPANIES

ENGINEERS/SURVEYORS
PLANNERS
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City of Kingston Brownfield Opportunity Area

Orthophoto Map: The Landing

Rear of North St.
City of Kingston
Ulster County, New York

Page 89

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Brownfield Opportunity Area Step 2 Nomination

ii. KOSCO Assemblage

This site, shown on the image below, is a 3.8 acre facility on the south side of East Strand, adjacent to L & M Auto Parts. The subject property is the location of the former Kingston Oil Supply Company PBS facility. The bulk storage tanks have been recently removed from the property, and only the buildings and remnants (berms and diking and tank cradles) remain. The property is currently unoccupied. As with KOSCO's other Rondout location, this site is not currently used for bulk petroleum storage, though it was used in that manner for over 70 years. On September 11, 2007 the site was acquired by Historic Kingston Waterfront, KOSCO LLC. For the years prior to the property transaction, the site was been operated by KOSCO as its base for service technicians and as a marine fuel terminal. The site is surrounded by a chain link fence and includes several one-story structures and a low brick wall painted white. Historically, the site was used for rail operations.

The assessment of this site was performed during the months of January and February 2008 and was comprised of a site reconnaissance by Chazen, interviews with individuals knowledgeable of the property, and a regulatory and historical information review. Based on the information obtained during the performance of this Phase I ESA, the following "recognized environmental conditions" (as defined under ASTM E 1527-05), have been identified:

- The subject property was historically occupied a bulk petroleum storage facility since at least 1930. Prior to its use as a PBS facility, previous site occupants included a lumber mill, boat building, stonemason shop and coal storage. Groundwater monitoring wells were noted throughout the property during the site visit, as well as stained soils in areas of the former bulk storage tank areas. In addition, four underground tanks were previously located on the property and were removed in 2008. Based on the historic uses of the property, evidence of groundwater monitoring wells, stained soils, and lack of information pertinent to the historic USTs, floor drains and oil/water separators, there is a potential that the quality on-site soils and groundwater have been impacted with petroleum products and metals.
- A railroad extends adjacent through the center of the subject property parcels. Historic railroad operations likely included petroleum products and other chemicals (pesticides, metals) that may have been used along the tracks, or have been transported by the railroad. Soils

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in the areas adjacent to the railroad tracks may be impacted by petroleum, pesticides and/or metals or other chemicals.

- Historic mapping suggests that a large portion of the subject property has been filled in. The type of fill or extent of fill material is unknown. Depending on the source of the fill material, use of contaminated fill material would like have resulted in impacts to on-site soil and/or groundwater.
- Adjoining properties have also been historically industrial in nature and include a scrap yard and former manufactured gas plant to the east, and a former junkyard to the west. PCB and petroleum contamination is known to exist at the eastern adjoining scrap yard and this adjoining site is currently under Consent Order with the NYSDEC. The western adjoining scrap yard is currently involved in remediation under the Brownfield Cleanup Program and has an open spill associated with petroleum contaminated soils. The historic use of the eastern former manufactured gas plant suggests potential contamination at that site as well and this site has also submitted a BCP project that is under review. Based on the close proximity of these sites to the subject property, there is a potential for impacts to soil and groundwater quality from off-site sources as well as a potential for vapor intrusion in current or future on-site buildings. Although not considered “recognized environmental conditions” as defined under ASTM E 1527-05, the following items were also identified.
- Several rusted five-gallon containers labeled “foamite” were observed in a fire suppression pump house located at the northeastern end of the property. These materials appeared to be old and some of the containers were open or rusted through; however, foamite is not a hazardous substance.
- The subject property is currently listed as a petroleum bulk storage facility as having five in-service ASTs. However, presently only one 550-gallon AST is in service at the facility. PBS records need to be updated to reflect the current facility status and owner.
- Suspect asbestos containing materials, in the form of vinyl floor tiles and roofing, were noted. Additionally, given the age of the site structure, painted surfaces may contain lead based paint. The potential presence of asbestos and lead based paint is not an ASTM “recognized environmental condition”; however, their presence may limit the future use of the site structure. The mitigation and

Brownfield Opportunity Area Step 2 Nomination

management of asbestos and lead based paint are currently regulated on the State and Federal levels. Suspect materials should be sampled and managed in accordance with all applicable New York State and Federal laws and regulations prior to any building demolition, renovation or other invasive building activities.

- Data maintained by the New York State and the USEPA indicate that residential properties in the vicinity of the subject property have a high potential for exceedance of the USEPA's target concentration of 4.0 pCi/L. A radon survey was not performed as a function of this Phase I Environmental Site Assessment. No significant data gaps were encountered during the course of this ESA that would require further investigation to determine whether or not additional RECs are present on the subject property.



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iii. Millens and Son Scrap Metal Recycling Assemblage

B. Millens & Son Scrap Metal Recycling, shown on the image below, operates its vehicle and equipment maintenance facility across the street from L & M on the north side of East Strand. The 2.2 acre site includes a small brick and concrete block structure built at the front of the lot that is used for vehicle and equipment maintenance and storage. A gravel area to the east of this building is used to store trailers, miscellaneous heavy equipment and scrap metal in roll-off containers. Historically the site has been used for cement works, storage and vehicle maintenance.

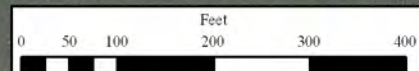




Section III: Analysis of BOA - Page 95

Map Document: (R:\110700-1075\10704.00\3\SUR\110704_Orthophoto_Millens_ScrapMetal_0111.mxd)
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Orthophotos were flown in April 2004; provided by the NYS Dept. of State.



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City of Kingston Brownfield Opportunity Area

Orthophoto Map: Millens & Son Scrap Metal Recycling

Head of East Strand St.

City of Kingston

Ulster County, New York

Page 95

Drawn: CLC

Date: 01/09/2008

Scale: 1:2,400

Project: 10704.00

Figure:

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3. Land Ownership Pattern

Much of the land in the BOA is owned by the City of Kingston. These lands are not suitable for redevelopment since they are public infrastructure or recreation areas including Block Park, Kingston Point Park and the Sewer Treatment Plant. These sites are included in the BOA because they directly contribute to the redevelopment potential of the area. The land ownership pattern, indicated on the map below is summarized in the Table Four as follows:

Table Four: Land Within The Kingston BOA Study Area		
Ownership	# of Parcels	Total Acres (Approx.)
Private	74	67
Public (City of Kingston)	13	95
Road Right of Way	NA	10
Waterfront BOA	85	172
Strategic Sites	6	10

The three strategic sites taken together represent a small, but critical core of the overall area. They include approximately 10 acres and represent about 5.5 % of the overall Waterfront BOA acreage. The KOSCO site contains 3.8 acres on two tax lots: 56.36-1-12 (2 acres) and 56.36-1-14 (1.8 acres). The Millens and Son Scrap Metal Recycling site contains 2.2 acres on one tax lot: 56.36-1-22 (2.2 acres). The Landing site contains 3.7 acres on three tax lots: 56.36-1-19 (0.716 acres), 56.36-1-20 (1 acre) and 56.36-1-21 (2 acres). Only 67.55 acres including 74 parcels are in private ownership.



Brownfield Opportunity Area Step 2 Nomination

D. ECONOMIC AND MARKET TRENDS ANALYSIS

This analysis discusses how the City of Kingston has been affected by the national and regional economic challenges. It identifies target markets that are relatively recession proof and builds on the growing trends of short term recreation events and vacations and the movement of “down-staters” to the more affordable climate of the Hudson Valley either as permanent or seasonal residents. The section provides a framework of the investments, both public and private to accomplish the recommendations.

In the early winter of 2008 the Stock Market S&P 500 fell to eleven year lows, housing values and sales plummeted, personal income decreased, consumer confidence and durable goods orders all declined and Wall Street employees are throwing “pink slip parties.” It is practically impossible at this time to accurately assess the City of Kingston’s economic profile and market trends affecting the waterfront. The most recently captured Census of Economic Data, compiled in 2007 is not yet available and would not show the effects of the looming financial crisis and recession. While secondary sources data that updates the 2000 census of population and the 2003 Economic Census are available, they do not address all regional issues of the current real estate and economic market.

The analysis that follows updates the detailed profile completed for the Waterfront Implementation Plan, but actual market realities for Kingston, Ulster County, the Mid Hudson Region and the state as a whole are in too much flux to be summarized in any reliable manner. The bottom line at this time is that it is essential for cities like Kingston to continue efforts to identify and plan for the redevelopment of high value property so that as the crisis abates and investment begins to recover, the City’s property is seen as a high-value target. Incentives from the BOA program and other State and Federal partnerships will become more important than ever in the process of community revitalization.

1. Macro Trends

Ulster Tomorrow: A Sustainable Economic Development Plan for Ulster County Technical Report prepared March 2007 evaluated the market in the County and identified a range of macro and micro forces impacting economic development opportunities in the area, including the City of Kingston and the BOA. The report concludes that there are several forces, largely external, at work on the regional economy that are likely to have a significant effect over the next five to ten years.

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a. Macro Trend #1: Markets have become global and the pace of globalization is increasing.

The world has and continues to become more integrated economically and Ulster County and the entire Hudson Valley Region have become less and less isolated (protected) from global economic events. In general, this trend promises to open new opportunities for local companies, but in the near term the international impact of the 2008 financial crisis has created a global economic downturn that will trickle through all levels of the American economy.

b. Macro Trend #2: Technological innovation continues to advance rapidly.

Increasingly rapid advances in technology, product development, production, and distribution are both making our economy more productive, and changing the way goods and services are made and delivered to the marketplace. This technological advance has allowed the work force (labor) and investment dollars (capital) to make “more with less”.

c. Macro Trend #3: The “New Economy” has fundamentally altered the competitive landscape.

Despite the downturn in information technology during the early years of the 21st century, the widespread adoption of information technology (e.g. the Internet, sophisticated telecommunications, the widespread use of personal computers and other electronic devices for communications, and information/knowledge sharing, etc.) means “new economy” competition is here to stay. The “new economy” has changed the way companies and entrepreneurs compete, and this competitive formula keeps evolving. It has simultaneously opened Ulster County to new opportunities that are global in scope and exposed the County region to new globally-based risks. New economy and information sector has not been spared from the 2008 financial crisis, but its ability to “do more with less” may position the sector to regroup faster than others may.

d. Macro Trend #4: The population of Ulster County is aging faster than the state and national averages, as its population growth has slowed.

The average age of Ulster County’s population in 2000 was higher than the average for both the State and nation as a whole. Additionally, since 1980, Ulster County aged at a faster rate than the state and nation. Roughly three of every ten people (30.7%) in Ulster County will reach the age of 65 years within the next 20 years, the traditional age of retirement. With such a significant portion of the population potentially retiring by 2026, it is unclear where the

Brownfield Opportunity Area Step 2 Nomination

number of new workers our businesses will need to keep pace with the global marketplace.

For a significant percentage of the population in their peak earning years the recent market downturn has affected their spending, retirement spending and retirement timetable. For many it will take five or more years to gain back recent losses. In an odd way this may actually help the local market as long as the worker profile continues to align well with industries that are growing in the City and the region. For low and moderate income homeowners, both seniors and middle-aged heads of households, the lack of access to capital and increasing rates of foreclosure could represent significant threats.

e. Macro Trends #5: The aging Baby-Boom population is expanding and more demanding of a higher quality-of-life.

As the baby-boom population ages, more and more people will enter their peak earning years (before they eventually begin to retire). These same aging “Baby-Boomers” are mobile and demand more and better leisure time activities, facilities and safe communities that contribute to a high quality-of-life. High quality-of-life is increasingly becoming the key to work force attraction and retention issue in strategic economic development. These deeply held values will not be affected by cyclical downturns in the economy though short term spending on things like goods, services and travel may be negatively effected.

2. Unique County Factors

Along with the macro factors that influence Ulster County’s economy, there are several factors that also appear to influence how the regional economy fares. These factors can be viewed as individually unique characteristics that can be targeted either as economic development assets for the region that can be used to enhance positive change or as issues that have the potential for continued impairment and need to be addressed.

- a.** The strong “influence” of the New York metropolitan area which offers unique opportunities for tourism and visitor activity, cultural and destination retail, and economic development for high value added activities (both service and production) where proximity to final customers does not require companies to be located in that metro region. The obvious downside of dependence on the NY metro market at the current time is that it may take many years for key industries (and their employees) to recover from the 2008 recession. This population feeds the City’s tourist and visitor base but has also been a source of disposable wealth from second home owners and artists relocating to the City.
- b.** The region has significant “facilities assets” that are available for development (some with and some without the need for significant renovations). These could

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be utilized without adversely affecting Ulster County's open land assets. Redevelopment of existing facilities, buildings, and industrial land including brownfield sites can be made more competitive during this period if state and federal agencies do not disrupt the flow of funds for infrastructure improvement, economic development incentives and access to specialized lending pools and subsidized loan products.

- c.* The region was still undergoing economic change following adjustments by major employers (including the reduction and re-establishment—albeit in a neighboring county—of IBM as one of Ulster County's largest employers). The new economic downturn will frustrate efforts to recover from earlier business losses.
- d.* The region has also experienced an increasing number of in-migrants who work outside of Ulster County due to housing market developments in the greater Hudson Valley region. Economic development policies could be explored to take advantage of these new in-migrants that may represent an opportunity to cultivate quality jobs for those new residents that could also encourage a new level of entrepreneurship in the region.

3. General Demographic and Market Conditions – City of Kingston

The City's population continues to decrease and income growth has been slower than projected and did not keep pace with inflation between 1990 and 2000. This was likely influenced by the closure of IBM, but it represents decreased spending power by Kingston residents, as will the declining rate of consumer confidence throughout the current year. Incomes among Rondout area residents were slightly lower in 2000 than the City as a whole, but are increasing faster than other city neighborhoods. Recent data indicates that this trend is continuing.

The Rondout waterfront experienced significant growth in population and housing units between 1990 and 2000, though the pace has slowed significantly in the past three years. Constriction in the housing market in general and a rising rate of home foreclosure is a concern for the adjacent low and moderate income neighborhood. In migration of some second homeowners indicates an increased need for goods and service providers. Though the pace of growth has slowed, a strong "buy local" mentality exists in the neighborhood.

Kingston has experienced the same impacts as the surrounding Mid Hudson Valley including skyrocketing housing costs, continual immigration from the greater NYC metro area, and more recently, a slowing climate for economic development as investors react to national economic trends. Though the current economic recession and world-wide financial crisis will obviously impact the City, the economic analysis of recent years found that the City of Kingston is a regional commercial and

Brownfield Opportunity Area Step 2 Nomination

business center with strengths in services and health care, retail and Finance, insurance and Real Estate (FIRE) sectors.

Kingston's strong "new economy" orientation means that it is ahead of national percentages of total employment in service occupations. Its strongest growth sectors are in transport, communication, services and FIRE. The Kingston area has a substantial amount of office and industrial space available and some retail space. New development along the waterfront should differentiate itself from the City's current inventory of space so that it will attract and accommodate new business and residents without contributing to higher city-wide vacancy levels.

The City's location at the juncture of the Hudson and Rondout, significant historic resources, and good access to I-87 and thence to the New York metropolitan area create some currently unexploited tourism opportunities. The Hudson River is currently an under-used waterway with regard to tourism potential.

4. Tax Base

The BOA redevelopment area includes the Rondout Creek and Hudson River waterfront properties from Dock Street to Kingston Point with several non-waterfront properties (including the City's Sewer Treatment Plant). The tax assessment classification of land in the BOA is a mixture of vacant, commercial, industrial, public service, public parkland and some recreational lands.

In 2008 the City completed a property reassessment and all property is currently assessed at 100% or full value. The City of Kingston contains 5,760 acres. The Waterfront BOA contains approximately 172 acres (85 individual tax lots) and represents approximately three percent of the City's acreage. The City's total full value assessment of all real estate is just over \$2.4 billion and the taxable portion is just over \$1.9 billion. The taxable value of all parcels in the Waterfront BOA is just over \$81 million or 0.042% of the overall taxable real estate base.

The waterfront BOA properties "underperform" from a tax base perspective. While the area represents more than three percent of the City's assessed land area, it accounts for less than one-half of one percent of the tax base, in large part because of real and perceived environmental contamination.

5. Market Potential

The market analysis of the waterfront area analysis concentrates on three related aspects of development.

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a. *Neighborhood and City Residents*

The first approach is providing services and amenities for neighborhood residents. Though the City's population and the Census Tract population has declined overall the waterfront area remains the fastest growing community in the City. The population profile, especially the age of the residents base within the BOA brings new market demands for increased goods and services, particularly in the area of food stores, personal services, video rentals and other home entertainment options, card and gift shops, restaurants and banking.

The Kingston Waterfront area is located in Census Tract 9517, an area bounded to the south and east by Rondout Creek and the Hudson River, and to the west and north by a line roughly following Hudson Street, McEntee Street, and First Avenue, roughly coinciding with the waterfront BOA. The area is comprised of four Block Groups, the northeastern most of which has few residents or businesses on the waterways.

The Census Tract is projected to loose population between 2000 and 2008. The 2000 census showed that the population was 4,851 persons living in 2,070 occupied housing units. Claritas estimates for 2008 show a loss of 7.81% to 4,227 residents in 1,983 units. This represents a decrease in housing stock of 132 units. The number of owner occupied units decreased from 860 units in 2000 to an estimated 810 in 2008. The number of renter occupied units also decreased from 1,201 in 2000 to 1,173 in 2008.

The profile of the 2008 population differs from the overall city profile. The Census Tract 9517 population is younger – the median age of the Census Tract is 36.89, while that of the City is 39.37, a statistically significant difference. Nearly 47% of the Census Tract population is under the age of 35, while nearly 44% percent of the City's population is under 35. The concentration of young adults (ages 20 to 34) represents 20 percent of the Census Tract population compared to 18 percent for the City. Though the percentage of persons in the age range of 55 to 74 in the Census tract parallels that of the City as a whole, the percentage of elderly (75 and over) is sharply lower than the City percentage. Finally, the Census Tract is somewhat more diverse racially than the city. The White population of the tract is 72.5 percent, compared to 76.4 percent for the City, the tract has 17.8 percent of persons classifying themselves as Black (14.9% for the city), and 5.67 percent classifying themselves as Two or More Races, compared to the City's 3.76 percent.

The Census Tract households themselves differ from the City in only a few respects. The Census Tract has a significantly higher percentage of rental units (59%) than the City (53%), and in fact the 1,173 rental units in the tract are 23.0 percent of all rental units in the City. The age of renter householders in the Census Tract reflects the demographics described above – the percentage of

Brownfield Opportunity Area Step 2 Nomination

younger householders is above the City's percentages, while the percentage of elderly householders is correspondingly lower. Household size and householder age very closely parallel the City percentages.

Though the Census Tract is reportedly losing residents the age break down still indicates a need for goods and service providers. This includes demand for food stores, dry cleaners, barbershops and beauty salons, and card and gift shops, as well as restaurants and video stores. Given the relative youth of the area population there could be an increased demand for toy, gift, and bookstores or other types of neighborhood entertainment activities.

According to the 2000 Census the total income of the Census Tract was in excess of \$64.0 million. Further, these dollars are in the hands of a younger population in need of consumer items and services while establishing families in this neighborhood. Per capita income in the Census Tract has increased from \$17,326 in 2000 to an estimated \$21,377 in 2008 and Median Household Income (MHI) is \$36,597 in 2008, which are slightly lower than the City figures of \$22,122 and \$37,332 respectively. From the perspective of income and consumer expenditures, the waterfront area does not present a lucrative market opportunity for most types of retail operations. Firms seeking new ventures or expansions will be reluctant to relocate or expand based on these figures. Regardless of income there are goods and services that are needed locally and can be provided successfully and profitably. There appears to be a solid market for neighborhood scaled retail and service operations, as well as stores and services that meet the needs of local residents as well as weekend residents and visitors.

Major housing projects have been proposed for land adjacent to Kingston Beach. The City has been fortunate that a master developer has come forward who is eager to achieve the goals of the waterfront implementation plan. A significant number of waterfront parcels are owned by one developer and plans for redevelopment are proceeding. Though interest in waterfront development has not stopped, the availability of additional incentives may be necessary to keep development initiatives alive. Like much of the Mid Hudson Valley, the City's market is influenced by the NYC Metro market that is expected to be suppressed for some time.

b. Recreational Boaters

The second aspect is providing services and shopping/dining opportunities to recreational boaters who come to the Kingston/Rondout Creek marinas. The number of such visitors is significant and represents an important opportunity for the City to capitalize upon a growing recreational pastime. Some expansion in capacity has been completed since the waterfront plan was adopted, but

Brownfield Opportunity Area Step 2 Nomination

additional opportunities exist to meet the needs of the boating market. Kingston offers amenities, including a good harbor, waterfront attractions and the urban environment of the city itself. Its location between New York City and Albany make it a convenient stop for boaters from the north and south.

The recreational boating market is substantial and growing. Participants are generally young and relatively affluent, creating significant market opportunities to expand and diversify the waterfront economy. Recreational boating represents an important market in which Kingston can enhance its position. The overall market is substantial in terms of numbers of participants, and for being young and affluent, though the impact of recent economic downturn on this industry cannot be accurately assessed at this time.

In 2006 a study by the New York Sea Grant Institute found boaters spend some \$2.4 billion annually, generating an economic impact of \$1.8 in New York and generating 19,000 jobs. With over 500,000 registered boats, New York ranks seventh nationally in terms of number of boats. The Hudson lends itself to recreational boating by offering relatively clear channels, interesting scenery, and attractions augmented by many opportunities to anchor, obtain services, or go ashore.

The City is already well established in the motorized and non-motorized recreational boating arena. There are seven marinas and a private rowing club on the Kingston banks of the Hudson River and Rondout Creek waterways with over 1,000 slips available. However, the majority of these slips are leased seasonally, meaning that long-term tenants occupy them most of the year. These marinas employ over 100 persons, and generate over \$7.0 million in sales, dockage and storage fees.

Boating Industry Magazine reports that half of marina customers were families with children and that over one-quarter of customers were retired couples or singles. Assuming the average visitor spent \$75 in the course of a visit and there are 10,000 visitors annually, this would represent \$750,000 in sales at the waterfront area over and above dollars spent on docking fees, vessel service and fuel expenses. Sales potential includes not only food, drink, small souvenirs, and personal products, such as sunscreen, but larger and more expensive items that could be shipped to the purchaser. This calculation does not include any revenues generated by potential new special events aimed at attracting both boaters and spectators.

There are constraints on the growth of such marina-based growth. Though it appears that some of the existing marinas may have the ability to expand by dredging current sites, there are few other opportunities. New York State considers Rondout Creek to be a significant habitat for fish and other wildlife.

Brownfield Opportunity Area Step 2 Nomination

The Corps of Engineers has classified much of the open space along the Rondout as wetlands, which effectively prohibits the development of these sites. The Harbor Manager also noted that marinas emphasizing a transient craft market need visibility from the waterway. The Rondout, though a good harbor, is not highly visible from the Hudson, and a new operator would have to find a means to establish a presence along the river. Finally, the economics of operating a marina tend toward building for and servicing a long-term clientele.

Though there are issues to be resolved in developing a larger base of marina activity for recreational boating, this market does represent a means to expand and diversify the waterfront economy. The target market is substantial and has money to spend. Further, Kingston offers a number of positives for this market including a well-protected harbor along a pleasant stretch of the Hudson River, and attractions along the waterfront and in the City itself.

c. Visitors

The waterfront offers an opportunity for the City to expand its position as a tourist market to other visitors and tourists through carefully planned retail, commercial, service and visitor amenities. The Hudson Valley enjoys a strong tourism market thanks in large part to its proximity and access to the New York City metro area. The valley has considerable natural and heritage resources that draw tourists from New York City.

Kingston already offers opportunities in each of three most popular vacation activities: shopping, outdoor activity and visiting historic sites. Kingston operates a visitor center at the foot of Broadway. While this is a good start, sites, programs, amenities, and services in all three of these activities need enhancement to make the waterfront an attractive tourist destination. Attracting and retaining businesses to support a “destination waterfront” including tourist-related retail offerings will require an aggressive recruitment and marketing effort and a concerted effort to tie the waterfront to other attractions in Midtown and Uptown Kingston.

Kingston has a particular interest in and advantage for the recreational boating activity discussed above. However, this activity is only one segment of a larger part of the tourism and recreation economy. This is among the largest and fastest growing large industry in the United States. However, the current recession and safety concerns have dampened travel and recreational activity, the prospects for domestic travel and vacations remain solid, especially for destinations such as the Hudson Valley. The Travel Industry Association of America, which monitors travel and vacation statistics, reported that total travel revenues in New York State in 2005 reached \$44.2 billion with tax receipts generating 8.6 billion in revenue. Travel and tourism in the Hudson Valley,

Brownfield Opportunity Area Step 2 Nomination

which includes Orange, Ulster, Putnam, Dutchess, Columbia, and Greene Counties, is a major industry in the region, employing over 90,000 persons annually.

According to Empire State Development in September 2008, tourism industry growth exceeded \$50 billion mark for first time representing a nine percent increase in direct tourism spending for New York State in 2007. Last year visitors spent \$51 billion in the local economy, according to a study commissioned by the Department of Economic Development's Division of Tourism. This includes a \$44 billion contribution to the State's Gross Domestic Product (GDP), a 12 percent increase that exceeds the State's overall GDP growth by 5 percent. A vital and growing component of the State's economy, tourism spending has seen exceptional growth for four consecutive years, with the growth rate accelerating over 2005 (8.6%) and 2006 (7.2%). As the ninth largest employer in the state, tourism supported 672,000 jobs, or 6 percent of all employment during 2007, with a total associated income of \$26 billion. Tourism generated \$6.8 billion in state and local taxes.

It appears that most visitors to the area are on short duration leisure trips. Studies conducted for the State of New York indicate that 79 percent of visits to the state are leisure visits, which can be a vacation or trips to visit friends and relatives. Of these leisure trips in New York over one-third are vacations and about another one-third are to visit friends. Short vacations (fewer than 4 days) appear to be the norm in the United States, perhaps because Americans are not willing to spend much time away from work.

The majority of recreational trips to the Hudson Valley are thought to be day trips, and surveys verify the fact that much of the travel to destinations in the state originates in the New York Metropolitan area or in the state itself. Approximately 52 percent of leisure travelers originate in New York State with an additional 8.6 percent coming from Pennsylvania and 5.0 percent coming from New Jersey. Thus almost two-thirds of leisure travelers come from within a one hundred and fifty mile radius that includes over 26 million people. It should also be noted that the top three activities for domestic travelers are shopping, outdoor activities and visiting historical places and museums.

These factors work to the advantage of Kingston as a tourist destination. The proximity to the New York City metropolitan area and its huge market coupled with easy access by automobile make Kingston a very realistic and practical vacation location for a large number of persons. Furthermore, Kingston offers opportunities for each of the three most popular vacation activities, shopping, outdoor activity and visiting historic sites. Though the three activities may need enhancement to make the waterfront area in particular more attractive, the core elements are in place and do not need to be created.

Brownfield Opportunity Area Step 2 Nomination

Kingston already has a number of historic sites and attractions and some significant shopping venues of interest to tourists and vacationers. In addition to these attractions and sites, Kingston offers a range of shopping to visitors and is strong in the miscellaneous retail sector, which includes tourist/visitor oriented stores such as antique stores, stationary stores, gift and novelty stores and toy and game establishments.

However, the waterfront area itself is weak in the retail sector. Beyond lacking a wide selection of vendors for goods for the area residents, there are relatively few shopping opportunities for visitors. Though the demand appears weak at this time, the opportunity does exist for additional visitor oriented retail establishments to open in the waterfront area. However attracting and retaining businesses will require an aggressive effort to bring tourists to Kingston and to the waterfront. It will also require a concerted effort to tie the waterfront area to the other attractions, sites and shopping in Midtown and Uptown Kingston.

5. **Economic Impacts of Waterfront Development**

The Kingston waterfront has been experiencing an amazing renaissance. Incremental improvements over the last twenty years have made a positive impact. Today, the Rondout Creek/Hudson River waterfront in the City of Kingston is one of the most physically attractive settings in the Hudson Valley. Hosting a wide range of attractions including great scenic vistas, extensive boating and fishing, and restaurants, it offers accessibility to a large number of people. Future revitalization in the BOA will bring with it numerous opportunities for economic benefits, new public amenities, improvement in the environmental conditions and provide the basis for an improved quality of life for the residents of the neighborhoods as well as business people and tourists.

The West Strand commercial district and lower Broadway have seen dramatic improvements. The area has been redeveloped as a mixed-use area of shops, offices, and apartments. They occupy rehabilitated 19th century structures, which in the late 1970s were abandoned and boarded up. Across the street on the east side of lower Broadway, a formerly vacant Urban Renewal site has been developed for a mix of uses in two and three story brick structures that mimic the 19th century character of their neighbors across the street.

The changing property use to a higher and better use will bring with it increased assessable tax base for the City of Kingston. At present, the properties on the waterfront generate only 22% of the assessments that the same land would generate in other parts of the City. This is because of the low level of use and investment resulting from scrap yard, tank farm and similar types of uses.

Brownfield Opportunity Area Step 2 Nomination

The “Rondout” has great potential to be a major Hudson Valley tourist destination as well as a focal point for revitalizing the community and economy of Kingston. Kingston Point is once again a park. At the other end of the Rondout corridor, the impeccably restored S&WB Fitch Bluestone House stands as indisputable evidence of the feasibility and rewards of preservation. The former Millens Steel (Steelhouse Restaurant) and Cornell Steamboat Company buildings on East Strand (reused as offices and storage) are important historic assets ripe for future redevelopment in the BOA.

Recreational opportunities will increase with a waterfront promenade, new boat launches and other similar improvements will be of benefit to area residents and visitors. West Strand and the municipal marina will provide enhanced on-water and waterfront recreation opportunities. The Maritime and Trolley museums pay tribute to once-thriving waterfront transportation systems. The will enjoy greater visitation, and the tourists will better enjoy their time in Kingston.

E. SUMMARY ANALYSIS, FINDINGS, AND RECOMMENDATIONS

This section summarizes the analysis and findings from the previous section and ties those opportunities and constraints to a specific set of actions that the City must take to clean up environmental conditions and put unproductive land into productive use. It references and carries forward many of the recommendations from previous planning studies especially the Phase One Site Assessments for strategic sites and the Environmental Site Classification of the majority of sites in the BOA prepared previously by the Mid-Hudson Land Revitalization Partnership.

Building on the many previous plans, the additional information contained in this Step 2 Nomination, and input from residents, Kingston has arrived at the recommendations section of the planning process. The other plans and studies inventoried existing brownfield conditions, placed these sites within the regional demographic and market context and examined the progress that has been made as well as the obstacles yet to be overcome. These recommendations, and the following outline of the BOA Step 3 report, outline the City’s strategy to put brownfields and underperforming land back into productive use.

1. Existing Conditions

The Kingston Waterfront BOA is a compact area along the Rondout Creek and Hudson River waterfronts. It contains nearly 170 acres, with all of the suspected and known brownfield sites and underutilized properties located on a central core of

Brownfield Opportunity Area Step 2 Nomination

less than 70 acres. The area has been the subject of previous planning initiatives including the Step 1: BOA Pre Nomination Study that was built upon the successful 2002 LWRP Waterfront Implementation plan.

The BOA is not large and is in many parts very narrow, in places less than 150 feet, with frontage on the Rondout Creek and the Hudson River. Even in the wider areas, the redevelopment tract does not have extensive depth, in places reaching approximately 1,000 feet from the water's edge. The parcel configuration and size, perhaps more than any other variable, is driving the range of appropriate future land uses. Further, access to the BOA is limited. Though there is access from Route 9W and from Broadway, the addition of new road connections would be difficult and further diminish the area available for redevelopment. The physical constraints, along with the citywide and waterfront economic analysis, lead to the conclusion that new waterfront development in the BOA should be carefully focused to serve well-defined and limited audiences including neighborhood residents, recreational boaters, and tourists and visitors. Large-scale housing, office, and retail were identified as inappropriate uses for the BOA due to land, access, and parking constraints.

The area is covered by five zoning districts that allow a range of uses suitable for all redevelopment scenarios outlines. No change to the zoning would be required, though the City is interested in exploring consolidation of districts as a Step 3 activity. Many of the heavy industrial uses are currently nonconforming uses under current code. A set of design standards has also been prepared to shape new development.

The City is advancing a number of infrastructure projects and evaluations in the BOA. The entire Waterfront BOA is served by municipal water and sewer. Other infrastructure improvements including development of surface or future structured parking, roadway repair to improve bicycling and pedestrian friendliness, restoration of the trolley line and the repair of marine infrastructure and development of a waterfront promenade are also proposed.

In general there are few specific issues related to groundwater, although the water table is only two to three feet below the surface. The tidal influences of the Rondout Creek and Hudson River waterway may be a potential source of the contamination and may be endemic to the region. Additional characterization is necessary to define the nature and extent of the problem. Any additional study in the region must incorporate an effort to understand the influence the tides have on groundwater flow. Understanding the tidal influence on the region would be helpful in defining the fate and transport of the petroleum products observed beneath a number of facilities including Hideaway Marina. The investigation could be accomplished straightforwardly using readily available and relatively inexpensive technology.

Brownfield Opportunity Area Step 2 Nomination

The City has a contract with the Army Corps to study the Waterfront BOA, as well as the flora and fauna of the Rondout Harbor, the feasibility of a walkway to the lighthouse and harbor management issues. These include submerged barges and other items, dredging, shore line stabilization and waterway regulation.

Although most of the land in the BOA is owned by the City, those properties include the City's sewer treatment plant, Kingston Point Park and Kingston Beach, which are not available for redevelopment. The remaining acres are owned by a number of private property owners. Since the Pre-Nomination Study was completed a private developer has purchased or optioned a number of parcels and controls significant acreage in the BOA. The developer's plans for reuse closely follow the land use recommendations outlined in the Pre-Nomination Study and further detailed in this Step 2 Nomination. That profile calls for development of a mixed use redevelopment approach including public space, a waterfront promenade, active trolley service, adequate parking, public recreation, view corridors from nearby neighborhoods, and a mix of low rise (two to three story) buildings with retail on the first floors and offices or residences on the upper floors, restaurants and services to serve recreational boaters and connections to existing and new cultural attractions. The waterfront developer involved in these transactions has entered into Brownfield Cleanup Agreements with NYSDEC for the three sites that have been acquired in the BOA: Island Dock, the Cornell Steamship Building and the former L&M Auto Recycling Site.

2. Market Assessment

The market for existing industrial uses is weak. Many industrial uses are struggling and their owners indicate a willingness to relocate operations to sites better served by infrastructure and easy transportation access since their goods no longer move primarily by barge. On the other hand, the market for the Rondout Historic District at the western end of the BOA has been highly successful and boasts fine restaurant, neighborhood-serving retail, offices, high-value and affordable residences. This area is home to a number of important non-profit uses including the Maritime Museum and Trolley museum which interpret and celebrate the area's history as part of the State's first Urban Cultural Park. The challenge for the BOA is to stretch the success of the Roundout historic district along East Strand Street linking it with the historic Kingston Point Park and the City's beach.

The market trends analysis and community outreach has identified three strong target markets for the BOA in the future:

a. *Neighborhood and City residents*

Local residents looking for retail, eating and drinking establishments and unobstructed views of the Rondout Creek, Kingston Lighthouse and Hudson

Brownfield Opportunity Area Step 2 Nomination

River and cultural and historic resources. In the public participation process participants wanted to draw more people to the Kingston waterfront and make it a year-round destination, but felt that it was also critical to make changes that benefit neighborhood residents. A small grocery store, food cooperative, bank, drycleaner, coffee shop, and book store were identified as current needs. Generally, people wanted to see a greater variety of commercial uses developed that are stable and successful on the waterfront. The plan must promote waterfront development that protects and enhances the adjacent residential neighborhoods.

b. *Visitors*

Visitors to the City and the region looking for the same uses as residents plus lodging and access to recreation and historic resources including the Rondout Historic District and museums.

c. *Recreational boaters*

Recreational Boaters looking for safe harbor and available permanent and transient slips, a variety of marine related services including repair, showers, of the other uses outlined for residents and visitors.

3. Strategic Sites

Three strategic sites have been identified in the BOA.

a. *KOSCO Properties*

This site is a 3.8 acre facility on the south side of East Strand, adjacent to the former L & M Auto Parts. The subject property was the location of the former Kingston Oil Supply Company PBS facility. The bulk storage tanks have been recently removed from the property, and only the buildings and remnants (berms and diking and tank cradles) remain. The property is currently unoccupied.

b. *Millens and Son Scrap Metal Recycling Properties*

B. Millens & Son Scrap Metal Recycling operates its vehicle and equipment maintenance facility across the street from L & M on the north side of East Strand. The 2.2 acre site includes a small brick and concrete block structure built at the front of the lot that is used for vehicle and equipment maintenance and storage. A gravel area to the east of this building is used to store trailers, miscellaneous heavy equipment and scrap metal in roll-off containers. Historically the site has been used for cement works, storage and vehicle maintenance.

Brownfield Opportunity Area Step 2 Nomination

c. Kingston Landing

Kingston Landing is located southeast of the intersection of North Street and East Strand, bordered on the north and the west by the Steelhouse Restaurant. This 3.7 acre vacant parcel is located at the mouth of the Rondout Creek, offering unobstructed views of the Hudson River, Kingston Point Lighthouse and surrounding environs. The parcel is a filled tidal marsh area, and about half of the parcel is submerged at high tide. The site was formerly used as a marina.

The Landing and former KOSCO sites assemblages are the critical areas for redevelopment. The former KOSCO site is strategically located adjacent to the Millens Property and the Central Hudson Former Coal Gas Facility, which is also under consent order. The Millen's Site has been recently added to the State list in the second half of 2008 and there is a consent order for that site.

4. Community Involvement

In the 1999 Local Waterfront Revitalization Program, the 2002 Waterfront Implementation Plan/Step 1 Pre Nomination Study and this Step 2 Nomination, participants in workshops as well as Advisory Committee members identified their expectation for the BOA in the future, including:

- a.*** The Rondout and Hudson are ideal for both motorized and human-powered boats. Future shoreline improvements must accommodate both. They felt boat speed limits need better enforcement. Improved recreational opportunities, especially for children would make the waterfront more appealing to families.
- b.*** Kingston Point and West Strand Parks were identified as critical recreational resources. Organized waterfront festivals and events as well as restaurant and entertainment venues were seen as important assets.
- c.*** The waterfront is also valued as a repository for human industrial and transportation history and for the significant impact that waterways had on the historical development of the city and region. The remaining historic structures, particularly the Steelhouse Restaurant and former Cornell Steamships buildings (reused as occupied offices and storage) were identified as assets that must be preserved.
- d.*** The waterfront museums and trolley service were identified as critical links to the past. People like the eclectic nature of the waterfront and feel that future development must reflect not only the history, but also the diverse “funky” character, human scale and walkability of the area.

Brownfield Opportunity Area Step 2 Nomination

- e.* Real and perceived brownfields, vacant sites, and the appearance of the auto and metal recycling facilities were identified as the biggest obstacles to redevelopment.
- f.* Participants felt that access for bikes, pedestrians, and personal watercraft needed to be improved. Parking was also identified as a need, not only for cars, but buses, motor coach tours, motorcycles, and bicycles.
- g.* The private sector should take the lead in redevelopment with some limited city support. The city should focus on ensuring that that new development be carefully designed with vegetative screening and attractive paving materials.

5. Proposed Waterfront Land Uses

The preferred future land use plan includes a full range of improvements proposed to support a mixed-use BOA and waterfront including new commercial development, trail and recreational projects, shoreline infrastructure needs, transportation improvements, and support for local museums among other actions. This preliminary future land use plan builds upon recommendations from the City's LWRP, Waterfront Implementation Plan, Economic Trends Analysis, Marine Infrastructure Analysis, Waterfront Parking Study and Phase One Environmental Site Characterizations and Assessments.

The concept plan that follows illustrates the preferred land use plan which is described in more detail below.



Brownfield Opportunity Area Step 2 Nomination

The future land use plan includes a series of recommendations described below. Several of the proposed projects will be implemented along the entire waterfront and are needed to support the overall waterfront development (such as infrastructure improvements described earlier) while others are property specific.

a. BOA-wide Preliminary Land Uses and Improvements

i. Public Access

Public access will be provided along the waterfront in a riverfront trail/promenade. The trail, which may deviate from the shoreline in some locations, will offer pedestrian access around Island Dock to its connection to Block Park, and then eastward along West Strand Street through West Strand Park. From there it will continue along the shoreline to the tip of Kingston Landing. At Kingston Landing it could split into two trails, one to go around the west side of Kingston Point Park continuing around the park to the current Rotary Park entrance. The other leg of the trail could follow the trolley tracks to the former Day Line Boat dock and the bridge connecting into Kingston Point Park.

ii. East Strand Reconstruction

If funding is available East Strand could be reconstructed to accommodate cars, pedestrians, bicyclists, trolley service and local business delivery needs. The reconstruction could include two lanes of traffic, parallel parking on some portions of the street, sidewalks on both sides of the street, a bike trail, trolley tracks, street trees, period lighting and other improvements that would extend the existing Broadway streetscape amenities onto East Strand.

iii. Trolley Service

Trolley service will be provided along the entire length of the BOA, with service operating from West Strand Park to the former Day Line Boat dock.

b. Western Portion of the BOA Preliminary Land Uses

The western part of the BOA includes Island Dock, Block Park and West Strand Park. The preferred land use plan calls for Island Dock to become a new recreation node on the waterfront. Proposed improvements include:

- i.** The area between Island Dock and the mainland is in need of dredging if additional marina operations and boat slips are to be constructed. The dredging should include changes to the causeway at the western end of Island Dock to improve the flushing action of the creek.

Brownfield Opportunity Area Step 2 Nomination

- ii.** Two new boat launches, one for motorized boats, the other for human powered vessels could be developed. The trailer launch would be located at the intersection of Island Dock and Block Park in a cove constructed by dredging.
- iii.** Development of a channel at the western end of Island Dock to facilitate access from the boat launch/cove to the Rondout channel.
- iv.** Additional transient boat slips on the south side of Island Dock
- v.** A crew pavilion for local rowing teams and clubs
- vi.** A boat/bike rental concession
- vii.** New park facilities and trails
- viii.** Continued display of sculpture on the tip of Island Dock, with the potential to identify opportunities for other permanent public art displays along the waterfront.
- ix.** New pedestrian connection from the east end of Island Dock to West Strand Park, likely to be some sort of small ferry service to begin with, but could expand to a drawbridge in the future.
- x.** New parking near Block Park to serve trailer storage for the new boat launch on Island Dock and to enable the removal of the existing shoulder parking for the park.

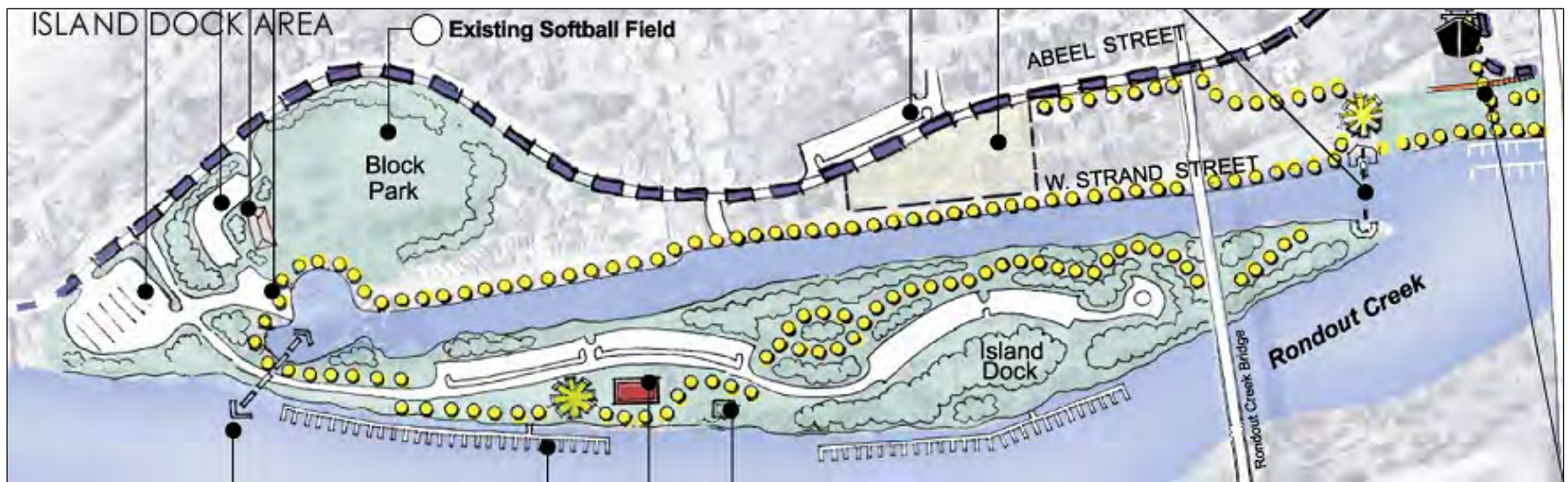
c. Central Portion of the BOA Preliminary Land Uses

The preferred land use plan calls for the East Strand area to become a commercial/entertainment node with:

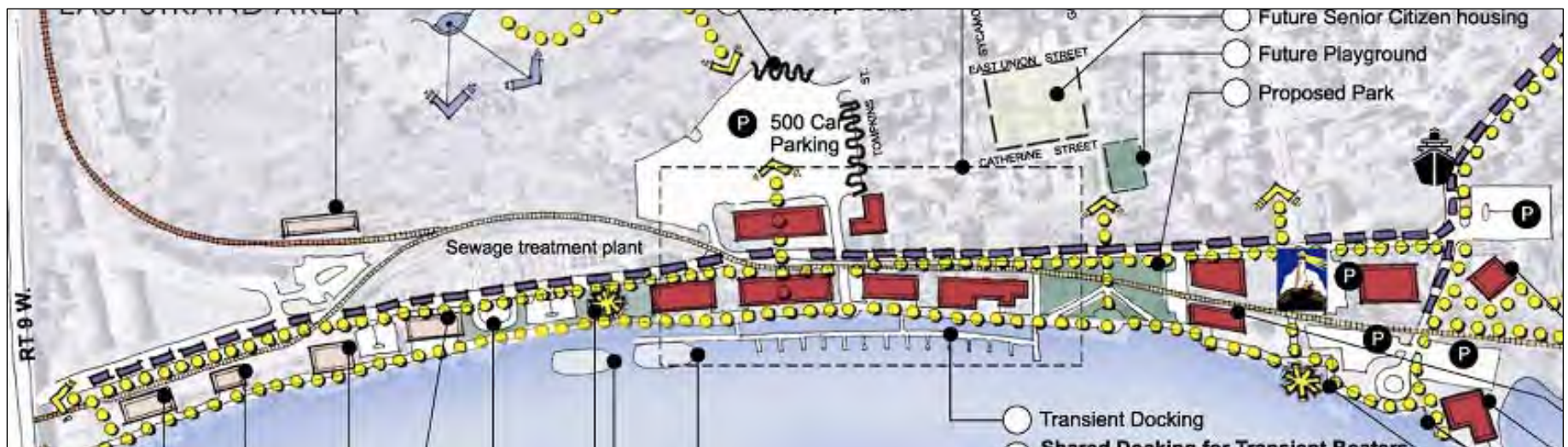
- i.** Enhancements to the Trolley and Maritime Museums
- ii.** Recreational amenities, including a possible environmental education center, waterfront park, and new water feature/ice skating rink
- iii.** Reuse of existing historic structures for arts, retail, entertainment and museum uses
- iv.** More than 100,000 sq. ft. of new retail, including community based retail with a local food market or coop, dry cleaner and Laundromat

Western Portion: Waterfront BOA 2010

Brownfield Opportunity Area Step 2

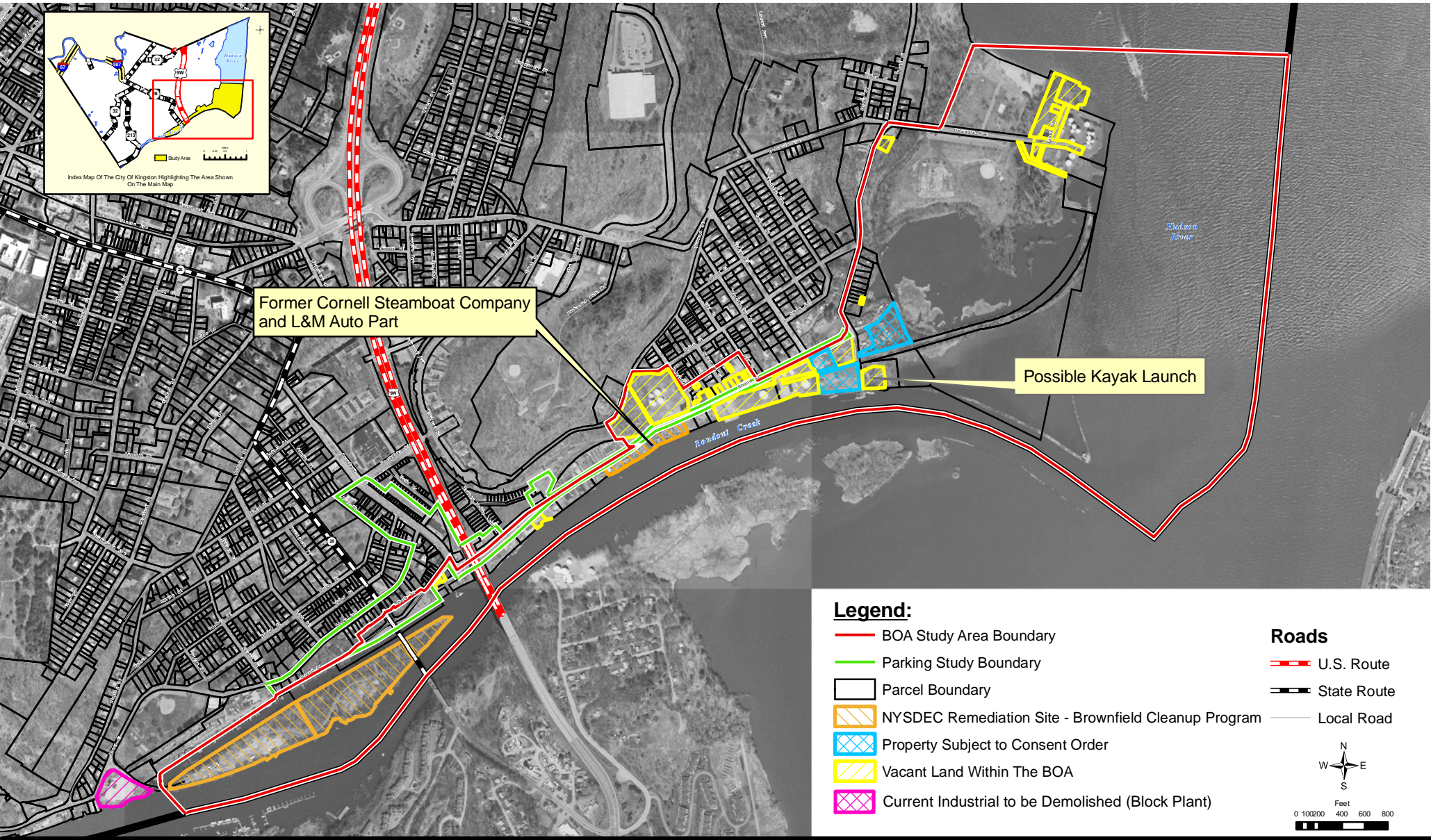


Central Portion: Waterfront BOA 2010 BOA Step 2



Eastern Portion: Waterfront BOA 2010 Brownfield Opportunity Area Step 2





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City Of Kingston Brownfield Opportunity Area

Brownfield Opportunity Area Map

City of Kingston
Ulster County, New York

Drawn:	CLC
Date:	03/21/2007
Scale:	1:14,000
Project:	10704.00
Figure:	

Brownfield Opportunity Area Step 2 Nomination

e. Kingston Beach

Proposed improvements for Kingston Beach include upgrades to the existing boat ramp to provide improved boat access to the Hudson River. Realignment of the parking lot to enhance the beachfront and facilitate shared parking with Kingston Point or the Rondout waterfront is also proposed. Kingston Beach parking might be improved with a shuttle service to Rondout Creek and nearby trolley service to beach or Kingston Point Park parking lots. Public purchase of the site immediately to the west of the park to be used for public festivals and events is another proposed improvement.

f. Heritage Oil Property

The environmental, economic, and community issues surrounding the ultimate use of this site are very complex and it may be appropriate to evaluate them further in the Implementation Phase. Alternatives considered in the LWRP and Waterfront Implementation Plan included condominium development, development of a restaurant/yacht club/marina complex or development of a hotel and conference center.

g. Strategic Sites Preliminary Future Land Use

i. Kingston Landing

The community has identified the highest and best future use for this site as a “destination property”. Uses might include a high-end restaurant, banquet facility or hotel. While the property would support a wider variety of uses including residential or commercial, participants felt that the magnificent location offering unobstructed views of the Hudson River, Kingston Point Lighthouse and surrounding environs could position it to be marketed for a destination use. Phase Two Site assessment may be required prior to redevelopment.

ii. The KOSCO Property

The community has identified the highest and best future use for this site as part of the overall mixed use development plan including the development of parking, waterfront promenade, low-rise buildings accommodating retail uses on the first floor and residential uses above. Phase Two Site investigation may be necessary to proceed with redevelopment.

Brownfield Opportunity Area Step 2 Nomination

iii. The Millens Property

The City of Kingston could not gain access to the Millens property during preparation of the Step 2 BOA Nomination so investigation of this site should be pursued as a Step 3: BOA Implementation/Site Assessment task. As with the KOSCO property, the community has identified the highest and best future use for this site as part of the overall mixed use development plan including the development of parking, waterfront promenade, low-rise buildings accommodating retail uses on the first floor and residential uses above.

B. Millens & Son, a metal recycling facility, the KOSCO bulk oil storage terminals and Central Hudson property, the location of a former coal gasification plant are all in close proximity to each other and as a consequence, impact the development potential of the surrounding lands. Cleanup of these properties could be in excess of \$250,000 to \$500,000 per property. There may need to be detailed subsurface testing in order to establish a ballpark clean-up cost.

6. Financial Impact Analysis of Preliminary Land Use Recommendations

The recommendations above propose considerable growth and investment in the Hudson and Rondout Creek waterfronts with the goal of maximizing and sustaining public benefit, wealth creation and economic stability. Many of the projects can be designed, constructed, and launched into operation within a 15-year window, effectively implementing the BOA program and waterfront plan and enhancing the city of Kingston with exciting, culturally-rich, and economically sustainable development. The economic benefits resulting from plan implementation are diverse and considerable, and more than pay for themselves within a 15 year planning window.

The projects delineated in this preferred land use plan would result in the investment of \$59 to \$85 million in Kingston's waterfront over a 15-year planning period. Of this investment, the plan projects \$5.7 million from city funds, \$25.5 million in other public support (including federal, state, and county funds, public financing, and foundation support) and \$28.1 million to \$53.4 million in private investment, depending on the end use of the Heritage Oil site. This financing strategy leverages a city commitment of \$5.7 million with a minimum of \$53.8 million in other funds, a 1:9 leverage ratio. The increased revenue is more than enough to offset the \$5.7 million city cost to implement the plan.

Brownfield Opportunity Area Step 2 Nomination

Using a conservative estimate of tax revenue generation, these projects will result in increased tax revenues to the City of between \$6.3 million and \$9.1 million over that period, generating a net profit on the City's investment during a fifteen year planning period and continuing to generate between \$580,200 and \$866,700 annually thereafter. The School District will also see increased revenues of between \$6.8 and \$10.9 million over 15 years and between \$620,000 and \$1,048,000 annually each following year.

The revenue projections included in this impact assessment use a conservative analysis that includes only property and sales tax revenues expected to be derived directly from major new construction and redevelopment projects specifically identified in the plan. The initiatives would clearly have positive impacts on revenue that are not included in these conservative projections. The plan calls for infrastructure improvements, streetscape enhancement, parks and recreation area upgrading, brownfield remediation, and transportation improvements, all of which will revitalize the waterfront and stabilize surrounding neighborhoods. As a result, this plan is likely to result in enhanced property values and additional development that is not specifically identified in the plan. The plan will also generate jobs that will in turn increase consumer spending in the City. None of the revenue associated with increasing property values, additional development or 'spin-off' consumer spending is included in the revenue projections for this analysis. Because of this conservative approach, in all likelihood the proforma significantly underestimate the true financial benefits of plan implementation.

F. Progressing to BOA Step 3: Implementation Strategy/ Site Assessments

This section of the report identifies the steps that the City must accomplish to move to the final Step 3 BOA planning level. In progressing to BOA Step 3: Implementation Strategy/Site Assessments the City of Kingston will focus on brownfield remediation, redevelopment of sites with waterfront oriented uses that will create jobs and tax ratables, maintaining the connection between the nearby neighborhoods and increasing public access.

1. Community Participation

The City will revise the community participation plan. The City will hold a community workshop to introduce the Step 3 BOA Implementation process to the public. The existing contacts lists will be updated. They include sign in sheets from

Brownfield Opportunity Area Step 2 Nomination

many previous planning efforts including the LWRP implementation Plan workshops. The City will meet again to present the implementation recommendations. It will provide opportunity for the public to review and comment on the final implementation strategy.

2. Implementation Strategy

The City will rely on this BOA Step 2 Nomination to identify the final land use plan for the Waterfront BOA. The City will build upon the environmental information it has produced on all sites, and information that is available from two consent orders and two Brownfield Clean-Up Agreements (BCP) Agreements as well as Environmental Site Assessments for other adjacent sites. Tasks in the Implementation Strategy will include:

a. Definition and Description of Future Land Uses for all Sites

The City will review and refine the future conceptual land use pattern described in this Step 2 Nomination and prepare a final description of the future land use plan for the for the entire BOA and individual strategic sites in cooperation with the private owners. The final land use plan will be based upon the data outlined in this report and the many other studies mentioned throughout this report as well as community outreach and informational meetings, consultations with government agencies and discussions with private-sector interests.

b. Groundwater Use

The City will describe the anticipated use of groundwater in the BOA. As noted throughout this report there has no indication that widespread groundwater contamination is occurring, but certain sites, specifically B. Millens and Sons Recycling properties are believed to have groundwater contamination and should be the subject of further evaluation. The effect of tidal conditions on the spread of contaminants on groundwater quality should also be examined. The City assumes that this information will be available from the NYS DEC Estuary Program as a product from their Consent Orders.

c. Infrastructure Improvements

The City will describe the range of improvements already underway and planned to establish the future land use pattern including supporting infrastructure, utilities, transportation systems, parking lots or garages and any other associated improvements or upgrades. Development will be facilitated with a mix of private and public investment. Key public investments have or will include

Brownfield Opportunity Area Step 2 Nomination

improvements to the sewage treatment plant, transportation infrastructure and relocation assistance for the existing waterfront recycling uses. The City can also offer incentives to invest in the waterfront through state and federal funding programs that will be catalogued and targeted in BOA Step 3 as well as existing development incentives in its waterfront zoning. The City is already the recipient of a number of significant grants to assist with implementation. Grant awards include:

- i. FHA / DOT Local Projects – The City has funding to rebuild 240’ of bulkhead on Dock Street and the installation of a promenade. The promenade will then be paved with brick pavers, lighted and there will be street furniture and landscaping done. This project involves a \$1.040 million grant from Congressman Hinchey, \$350,000 from NYSDOS EPF and \$240,000 in local funds
- ii. The NYDOS has awarded a \$500,000 grant to the City to perform engineering work and pay for a portion of the harbor management study through Army Corps of Engineers. The engineering work will involve improvements for flooding events on East Strand
- iii. The NYSDOS has approved a grant for \$500,000 that includes the match for the above listed promenade project as well as improvements on East Strand
- iv. The BOA program has approved \$408,000 for the Implementation Plan and GEIS for the Kingston Waterfront BOA
- v. Senator Schumer provided a grant from the FRA for \$770,000 to upgrade the trolley track on the waterfront
- vi. Sewer Treatment Plant Façade grant for \$440,00
- vii. Kingston Point Erosion Control and conceptual design for the Day Line Dock replacement has grant funding for \$240,000
- viii. Trolley Museum Façade project approximately \$225,000

3. Reuse of Strategic Sites: Cost-Benefit Scenario

The City will describe the specific land use alternatives for the three strategic sites described in this BOA Nomination (Kingston Landing, KOSCO Properties and B, Millens and Sons Property). The highest and best use analysis will:

Brownfield Opportunity Area Step 2 Nomination

- a.* Consider the proposed land use
- b.* Update the fiscal impact analysis developed to account for the recommendations in this report including tax base impacts, job creation, economic spin off and relationship to planned economic generators within and external to the BOA
- c.* Outline the approximate acquisition, remediation and redevelopment costs for the community or private developers necessary to achieve the future land uses
- d.* Confirm the required infrastructure improvements to address current economic conditions and put land into productive use
- e.* Estimate the magnitude of overall costs for comparative purposes
- f.* Identify associated issues and impacts
- g.* Describe overall advantages and disadvantages

4. Design Alternatives and Illustrations for Strategic Sites

Conceptual site plan alternatives will be prepared for strategic sites as appropriate. It is anticipated that some images and site plans will be made available by private developers with interest in the strategic sites.

5. Land Use Implementation Techniques to Ensure Desired Land Uses Materialize

The land use implementation techniques will be described. The current zoning is consistent with and easily accommodates the preliminary future land use plan outlined in this nomination. Few if any changes are anticipated. Likewise the design standards completed in 2003 contemplated the land use pattern that was described in the LWRP Waterfront Implementation Plan which remains the foundation of this nomination. The design standards will be reviewed and revised if necessary. No changes to other incentive programs of economic development programs are anticipated.

6. Implementation Projects

a. Construction Ready Projects

The City will describe the redevelopment, transportation, infrastructure, public access points and environmental projects.

- i. New walkway from Abeel Street around the corner to Dock Street terminating at the Steelhouse Restaurant
- ii. New 50 car public parking lot on East Strand

Brownfield Opportunity Area Step 2 Nomination

- iii. New median and 20 additional spaces on East Strand
- iv. Pavers and improvements in Gallo Park
- v. Improvements to trolley track
- vi. Improvements to East Strand Street
- vii. Design of stormwater system for development along East Strand Street and flooding mitigation study
- viii. Day Line dock conceptual design
- ix. Kingston Point and Kingston Point Park erosion control
- x. Paving Dock Street
- xi. Made \$2.5 million in improvements to Sewer Treatment Plant for process and odor control
- xii. Made large investment in Sludge Dryer/Pelletizer equipment (won DEC award) at Sewer Treatment Plant
- xiii. Other improvements to Sewer Treatment Plant outlined in AVR Environmental Impact Statement
- xiv. Plan to continue walkway
- xv. Work with private owners on shoreline erosion control, etc.
- xvi. Development of concept plans for expansion and maintenance of the Maritime Museum, Trolley Museum and Clearwater arrival at the Maritime Museum.
- xvii. Implementation of short term aspects of the Parking Study. Those tasks include developing parking information for users, adopting a special event parking management plan, creating shared parking opportunities and planning for bicycle facilities.
- xviii. Design of improvements to Kingston Point Park and Kingston Beach

Brownfield Opportunity Area Step 2 Nomination

b. Preconstruction Activities

The City will identify preconstruction activities necessary to lead to Construction Projects in the BOA. The City anticipates that the set of tasks that can be addressed under Step 3 BOA will include:

- i. Conceptual design of transportation, infrastructure and environmental programs
- ii. Environmental impact assessments and declarations
- iii. Remedial investigations, action plans, and site clean-ups (coordinate with private sector parties who have consent orders or Brownfield Clean-up Program Agreements)
- iv. Engineering assessments of infrastructure
- v. Visual simulations of conceptual development

c. Studies, Reports, Investigations, or Feasibility Assessments

As necessary the City will prepare studies, reports, investigations or initial feasibility assessments necessary to address an issue or to advance projects in the Brownfield Opportunity Area, or to lead to Preconstruction Activities and Construction Ready Projects mentioned above. This will include incorporating information generated by other sources for projects in the area. Other reports and studies may include:

- i. Archaeological investigations
- ii. Visual simulation
- iii. Market update
- iv. Evaluation of stormwater and flooding considerations
- v. Shoreline protection plan (Army Corps of Engineers)
- vi. Endangered species identification and protection strategy
- vii. Parking and circulation update
- viii. Ranking of infrastructure improvement requirements

Brownfield Opportunity Area Step 2 Nomination

- ix. Soil borings and maybe compaction testing given shallow water table
- x. Plan to meet FEMA considerations

d. Local Implementation Laws and Measures

As necessary the City will drafted local laws, regulations, standards, and other measures necessary for the implementation of the BOA Plan. The existing land management framework and laws are considered comprehensive at this time and accommodate the like land use plan. Zoning changes for more as of right waterfront uses, cross easement opportunities, walkway along shore, etc. may also be appropriate.

7. State Environmental Quality Review

The City will prepare all documents necessary to comply with the State Environmental Quality Review Act. If a positive determination is made, a scoping session shall be conducted and a Generic Environmental Impact Statement prepared.

The City will prepare a complete Draft Generic Environmental Impact Statement (DGEIS). This will include an analysis of existing conditions, significant adverse impacts for the proposed build-out scenario and an evaluation of all reasonable alternatives among other requirements. The DGEIS may include an assessment of specific impacts if such details are available. The Final GEIS shall consist of the DGEIS, a summary of substantive comments received and the lead agency's responses to all substantive comments.

Brownfield Opportunity Area Step 2 Nomination

8. **Prepare and Finalize BOA Step 3 Implementation Strategy**

Following guidance from the New York State Department of State the City will prepare and finalize a Step 3 BOA Implementation Strategy.



Appendices

