

**TOWN OF KINGSTON**  
**COMPREHENSIVE PLAN**

Prepared by The LA Group, P.C.©

Adopted September 5, 1996

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## Executive Summary

The Town of Kingston Comprehensive Plan was prepared to assess existing land use conditions in the Town and make recommendations for the future. The primary conclusion of the Plan is that, in order to protect and preserve the existing nature of the Town, the Town should adopt zoning encompassing the following points:

1. All existing town laws regulating land use such as site plan review, subdivision law, etc. should be included as part of the Zoning Law.
2. Two acre minimum zoning should be established, with setbacks for wells and septic systems in line with County Health Department regulations.
3. All Catskill Forest Preserve land in the Town should be designated "forever wild", as well as any wetlands constructed, for example, as a result of quarry reclamation.
4. Except for Hill Road, Rt. 28, and Rt. 28A, which should be zoned "Mixed Use", the remainder of land in the Town should be zoned "Residential".
  - "Mixed Use" allows for a mix of commercial and residential uses, both in the same building, on the same property, and on adjacent properties.
5. Within the area to be zoned "Residential", home occupations should be allowed and regulated.
6. All isolated pre-existing uses of land in contrast to the zoning district in which the land is located, should be permissible as "grandfathered", nonconforming uses.

In order for zoning to be effective, the position of paid "zoning ordinance enforcer" should be created and a zoning board of appeals appointed. Signs should be posted on roads entering the Town indicating zoning is in effect.

## **Section 1.0 Planning Process**

In the summer of 1993, the Town of Kingston appointed a Zoning Commission whose task it was to consider whether zoning should be adopted by the Town and, if so, to draft such zoning. The Commission consisted of Planning Board members and interested citizens.

The Commission met a total of 34 times between 1993 and November of 1995. In 1994, the Committee adopted a statement of plan principles, which form the basis of this document and are found in the executive summary and on Page 4. In the spring of 1995, the Commission retained a consultant, The LA Group, P.C., of Saratoga Springs, New York, to assist in drafting a zoning ordinance to implement the Plan.

All commission meetings were open to the public. Members of the public met individually with the Commission on various occasions. In addition to required public hearings, the Commission held a public meeting in June of 1995, at which time the plan principles and preliminary zoning document were presented and comment received.

It is anticipated that this Plan document will be adopted by both the Planning Board and the Town Board, and that the Zoning Ordinance which implements the plan will be subsequently adopted by the Town Board. Both boards will hold hearings on both the Plan and Zoning Ordinance, as well as a Draft Generic Environmental Impact Statement, prepared to evaluate the potential impacts of the Plan and Ordinance.

## **Section 2.0 Existing Conditions**

The purpose of this section is to provide an overview of existing conditions in the Town of Kingston and identify issues which affect planning and zoning.

### **2.1 Location**

The Town of Kingston is located just northwest of the City of Kingston. It is bounded on the east by Interstate 87 and the Town of Ulster, on the north by the Town of Ulster, on the west by the Towns of Woodstock, Ulster and Hurley on the south by New York State Route 28 and the Town of Hurley. The location of the Town is shown in Figure 1, "Location Map."

The Town of Kingston lies along the eastern boundary of the Catskill Mountains. Elevations range from a low of approximately 160 feet above sea level where the Sawkill exits the Town, to a high of 660 feet above sea level in the hills southeast of Jockey Hill Road.

The Town is characterized by rugged and rolling terrain. The Sawkill is the major drainage, bisecting the Town from west to east and serving as a travel corridor. The Sawkill and other smaller streams are all tributaries to the Esopus Creek to the east. The 100-year floodplain of the Sawkill has been mapped and designated by the Federal

Emergency Management Agency, and the Town participates in the National Flood Insurance Program.

Soils in Kingston are thin and rocky. There is frequently inadequate soil depth for a property functioning septic system, making much of the Town unbuildable. The rocky character of the Town has resulted in abundant bluestone mines and quarries from the time of first settlement. Some of these mines and quarries have been abandoned, while others are still in use. Various levels of reclamation have occurred.

There are few significant wetlands in Kingston. Those that exist are found in the hills between Route 28 and Jockey Hill Road.

Onteora Lake, an abandoned quarry, is the only lake in Kingston. There are several small ponds.

Water supplies are limited to groundwater sources. Both quantity and quality vary throughout the town.

The Town is not noted for endangered species occurrences or significant plant or wildlife habitats. Its wooded, rocky character lends itself to an array of species typical of the eastern Catskills.

Historically, the primary natural resources in Kingston are the numerous mines and quarries, some of which are still active.

Kingston is not noted for outstanding scenic views, but its rural, bucolic character provides a pleasant environment for travelers and residents alike.

## **2.2 Population**

According to the US Census, the population of Kingston in 1990 was 864. This is a rise of slightly more than 100 people since 1980. Population projections show a small increase through the year 2010.

Kingston serves as a bedroom community for the City of Kingston and environs and as such, many of its residents work in the City. Kingston's slow population growth can be attributed to the constraints imposed by natural resources.

According to the US Census, the 1990 median household income in Kingston was \$39,868, which compares to the County median of \$34,033. Residents of Kingston are generally younger than the County average and have achieved lower levels of education.

Kingston's slow population growth has not placed excessive demands on natural resources, nor has it resulted in the need for water/sewer infrastructure.

## **2.3 Land Use**

Kingston is a predominately rural, residential Town. A single commercial strip exists along New York Route 28, but its extent is somewhat limited by poor soils. Route 28

serves as a gateway corridor to the Catskill Park. Hill Road is characterized by several outdoor recreational uses such as ski hill and a BMX bicycle race track.

Home occupations are common, and encompass a wide range of uses. As noted above, bluestone mines and quarries are found throughout the Town. Four commercial transmission towers are located on Halihan Hill and one is located on Jockey Hill Road. There is a children's summer camp off of the Sawkill Road. Other uses include junkyards and mobile home parks and limited agriculture.

Kingston is located within the Catskill Park and approximately 40% of the Town consists of New York Forest Preserve, which by law, must remain forever wild. State land ownership is disjointed, resulting in many land locked parcels and generally poor access, and consequently inability to use Forest Preserve land.

Most land uses appear to exist in relative harmony with one another. The Town has a rural, working feel rather than a suburban character, as might be expected of a location so close to the City of Kingston.

## **2.4 Transportation**

There are a total of eight ± miles of town roads and several miles of county and state roads in Kingston.

Transportation corridors are limited to Route 28, the main east-west corridor and gateway to the Catskill Park and Sawkill Road, a secondary east-west corridor. The only north-south link between these roads is Moray Hill Road, a partially unimproved local road.

Other roads are exclusively local roads providing access to residences. The lack of a significant road infrastructure is primarily a result of severe topographic conditions. The lack of roads also limits the potential for commercial development, or high traffic generating uses, except on New York Route 28.

## **2.5 Housing**

The Town's housing stock is of mixed vintage and style. Mobile homes are common on individual lots and there is one mobile home park as well. Most housing is in relatively good repair. Houses in Kingston rely on groundwater wells and septic systems for their water and sewer needs. Because of resource constraints, most houses require larger than average lots. The result is a relatively "spread out" housing pattern, contributing to the Town's rural character.

## **2.6 Infrastructure**

Other than a water line along the Sawkill Road to which access is no longer permitted, the Town of Kingston has neither public water nor sewer. There does not appear to be need or demand for such systems at this time.

## **2.7 Community Facilities and Services**

Kingston has limited community facilities and services. A recreation complex is located at the Town Hall in Sawkill. The Town has a volunteer fire company, also headquartered next to the Town Hall. The Town Highway Department is also located next to the Town Hall. Police protection is provided by contract with the County Sheriff.

### **Section 3.0 Planning Issues**

Based on the inventory of existing resources, discussion and public comment, the Plan has identified the following considerations as important to the future of the Town.

- Poor soils and limited groundwater supplies provide a natural limit to development density. Adoption of minimum lot sizes which recognize these limitations would protect the environment, especially groundwater supplies relied on for potable water by all residents.
- The Town of Kingston has to date been fortunate in avoiding most land use conflicts. However, the potential exists for incompatible uses to locate near one another, affecting quality of life and property values. Simple land use regulations would likely serve to encourage rather than discourage compatible residential uses.
- Reclamation and reuse of existing mines and quarries as well as the location and regulation of new mines and quarries, are an issue of concern.
- Similarly, commercial property owners should be protected from nuisance complaints or other impediments to operating their businesses. Simple land use regulations would likely serve to encourage rather than discourage compatible commercial uses.
- Home occupations are an important part of the Town's character and should be protected and encouraged.
- Hill Road is the location of several outdoor recreation oriented uses. It is an appropriate location for the continued development of such uses as well as other compatible uses.
- Farming and other open space uses contribute to the Town's character and should be encouraged.
- The Function and appearance of Route 28 as a gateway corridor to the Catskill Park should be enhanced and improved.

### **Section 4.0 Plan Goals**

Based on the above analysis, this Plan recommends that the Town adopt zoning encompassing the following points.

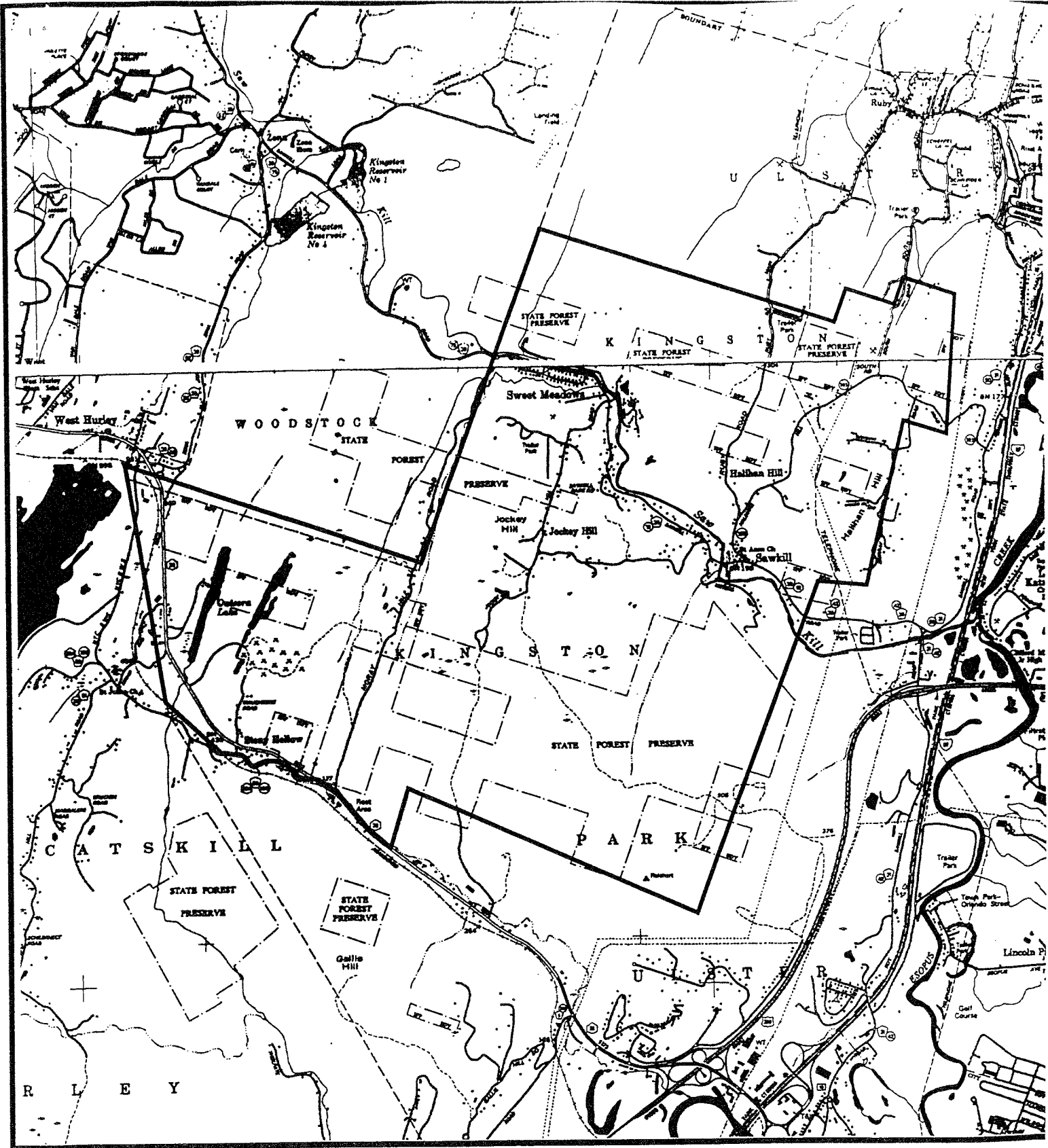
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  - "Mixed Use" allows for a mix of commercial and residential uses, both in the same building, on the same property, and on adjacent properties.
5. Within the area to be zoned "Residential", home occupations should be allowed and regulated.
6. All isolated pre-existing uses of land in contrast to the zoning district in which the land is located, should be permissible as "grandfathered", non-conforming uses.
7. In determining the boundaries of future zoning districts, the plan recommends that all Mixed Use Districts encompass the whole of any parcel which fronts on a road designated for Mixed Use. This will avoid administrative difficulties associated with splitting parcels into two districts and will encourage the type of appropriate commercial development envisioned by this plan.

In order for zoning to be effective the position of paid "zoning ordinance enforcer" should be created and a Zoning Board of Appeals appointed. Signs should be posted on roads entering the Town indicating that zoning is in effect.

The plan should be periodically reviewed and updated by the Town Board and Planning Board.

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# LOCATION MAP

## Town of Kingston Ulster County, New York



Scale: 1" = 3500'