

FILED

CITY OF HUDSON PLANNING BOARD 2025 JUN -2 PM 2: 03  
DATED MAY 29, 2025

CITY CLERK'S OFFICE  
HUDSON, NEW YORK

**RESOLUTION GRANTING CONDITIONAL SITE PLAN APPROVAL**

**Mill Street Lofts**

**WHEREAS**, Kearney Realty & Development Group (the "Applicant") is proposing to construct two four-story multifamily housing developments totaling seventy units with associated parking, utilities, and amenities on an existing 3.31-acre lot (the "Project") on Mill Street in the City of Hudson, identified as Tax Parcel No. 109.36-1-10, in the Multiple Dwellings (R-4) Zoning District; and

**WHEREAS**, the Project is depicted on a site plan entitled "KEARNEY REALTY & DEVELOPMENT GROUP MILL STREET LOFTS" prepared by CPL, Architecture Engineering Planning dated April 26, 2024, last revised April 28, 2025, (the "Site Plan Set"); and

**WHEREAS**, by email dated November 7, 2024, the City Code Enforcement Officer determined that the Project may avail itself of the height variance set forth in the incentive zoning regulations; and

**WHEREAS**, on May 29, 2025, the Planning Board granted the Project a height variance allowing for a fourth story which exceeds the height limitation in the Zoning Law by one story; and

**WHEREAS**, on December 18, 2024, the Zoning Board of Appeals granted the applicant an area variance for reduced parking space dimensions; and

**WHEREAS**, on September 10, 2024, the Planning Board adopted a determination of significance for the Project, a Negative Declaration, determining that the Project, including the additional story, would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

**WHEREAS**, in response to further inquiries from the public and Planning Board members, Barton and Loguidice reviewed the potential impact on flooding and by memo dated May 15, 2025, concluded that the Applicant has sufficiently demonstrated that the Project will not result in adverse flood impacts to downstream properties and that the stormwater design complies with regulatory requirements, incorporates floodplain mitigation, and provides resilient infrastructure for site access and runoff conveyance; and

**WHEREAS**, an issue has been raised about a restrictive covenant on the Property which would prevent the development of the Project, but any such restrictive covenant is outside of the Planning Board's jurisdiction and may be enforced by the parties entitled to enforce such covenant; and

**WHEREAS**, an issue has been raised about whether the Property has been dedicated for public use, but there is nothing definitive in the Planning Board's record and accordingly the Planning Board's review has been limited the Project's compliance with the Zoning Law; and

**WHEREAS**, a duly noticed public hearing was opened on the Project on September 10, 2024, and re-noticed to include the request for application of the incentive zoning provisions on December 4, 2024; and

**WHEREAS**, the public hearing was closed on May 29, 2025; and

**WHEREAS**, during the public hearing all who wished to speak were heard and written comments were accepted; and

**WHEREAS**, prior to the issuance of a building permit for the Project, the applicant must demonstrate compliance with the conditions set forth below, as evidenced by endorsement of the Chairperson or her authorized designee of the Site Plan Set.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board hereby grants conditional site plan approval to the Site Plan Set and authorizes the Chair or her authorized designee to sign the Site Plan Set after compliance with the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Confirmation by the Planning Board Engineer that the Applicant has obtained a sewer extension permit from the City of Hudson and approval of the sewer connection as part of the City's SPDES permit by DEC.**
- 3. Planning Board Attorney and City Attorney approval of a legal document restricting the Project's affordable housing units in perpetuity as affordable units and evidence of recordation of same with the Columbia County Clerk. Documentation shall include evidence that the signatory of the document is authorized to execute said legal document.**
- 4. Submission of written correspondence from the City of Hudson DPW confirming coordination and final design details for the sidewalk and guide rail locations, as well as the hammerhead turnaround on North Third Street to the satisfaction of the Planning Board engineer.**
- 5. Submission of written confirmation from the City of Hudson and/or the State of New York that the Empire State Trail may be used as an emergency access route for the Project, to the satisfaction of the Planning Board Engineer.**
- 6. Revision of the Site Plan Set to include no trespassing signs in area of drainage ditch.**

7. Approval by the Planning Board of safety features around the drainage ditch, including but not limited to guard rail, fencing or a combination of both.

**BE IT FURTHER RESOLVED**, that the Applicant shall coordinate with the Planning Board's engineering consultant throughout final design and construction phases to ensure implementation of the drainage improvements as proposed in the CPL analysis and as reviewed by B&L. Any modifications to the approved drainage plans shall be reviewed and approved by the Planning Board prior to implementation.

**BE IT FURTHER RESOLVED**, that the certificate of occupancy for the Project shall not be issued until the Applicant completes installation of the sidewalk along Mill Street, to the satisfaction of the City Code Enforcement Officer.

Introduced: Randall Martin

Seconded: Theresa Joyner

Approved: Theresa Joyner  
Theresa Joyner, Chairperson

Yay Theresa Joyner, Chairperson  
nay Veronica Condra  
nay Gabrielle Hoffman  
abs Kali Michael  
yay T. Randall Martin  
yay Eugene Shetsky  
yay Bettina Young