

**CITY OF KINGSTON**  
**Office of the City Engineer**  
rswenson@kingston-ny.gov

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

August 13, 2018

Certified Mail: 7016 1370 0002 4160 9096

Irish Cultural Center Hudson Valley  
84 Clifton Avenue  
Kingston, New York 12401

Re: NOTICE OF VIOLATION  
32 Abeel Street Construction Site

Dear Property Owner:

Please be advised that the on-going work at the above referenced site is in violation of our MS4 Local Law #4 of 2011, NYSDEC General Permit 3-18-001, and your Site Plan Approval dated April 16, 2018.

During a site visit conducted by this Office and that of the Planning Office on Thursday, August 9, 2018, conditions found where:

- No stabilized construction entrance,
- Silt fence not fully embedded,
- Un-treated drainage migrating off-site and causing erosion to Company Hill Path,
- Perimeter fencing at adjacent property lines is not stable and does not provide fall protection,
- Un-stabilized slope along property lines,
- Sidewalk trip hazards due to heavy vehicle displacement of sidewalk panels,
- Driveway at #42 is unprotected at top of slope to excavation,
- "IT Cable" riser broken at pole

I find it necessary to require of you to:

- Re-grade lot adjacent to the Company Hill to create a "level spreader" outfall, stabilize with conservation seed mix and mulch;
- Install fully-embedded silt fence up-gradient of the "outfall" to protect against soil particle migration;
- Re-grade the side-slopes at adjacent property lines to 1 ½ : 1, stabilize with conservation seed mix and mulch, provide additional protections, such as erosion control blankets, wherever direct runoff might enter the site or otherwise where sheet-flow concentrates and requires energy dissipation;

**CITY OF KINGSTON**  
**Office of the City Engineer**  
rswenson@kingston-ny.gov

Ralph E. Swenson, P.E., City Engineer



Steven T. Noble, Mayor

- 
- Re-install perimeter fencing at adjacent property lines, ensuring it provides for adequate fall protection, [OSHA 1926.502];
  - Protect side-slope at #42 driveway with protective barrier, alternatively provide 3:1 stabilized slope;
  - Install stabilized construction entrance

You have seven (7) calendar days to provide a compliance schedule. The timeframe required to develop a schedule for corrective action, nor the provision of such a schedule shall be deemed to release you from liabilities arising from deficiencies noted, or others not mentioned.

If you have any questions on this Notice or any other related matters, please feel free to contact my office or the office of the Corporation Counsel.

Sincerely,

Ralph Swenson, P.E.  
City Engineer

Cc: Bob Carey  
Dan Gartenstein, Assist. Corp. Counsel  
Suzanne Cahill, Planning Director  
Tom Tiano, Deputy Chief, KFD, BSD  
Steven Knox, BSD  
Steven Schabot, Alderman, Ward 8