



**Town of Marbletown
Planning Board
PO Box 217, Stone Ridge, NY 12484
(845) 687-7500 Ext. 171
Email: Planning@marbletown.net**

Approved Planning Board Meeting
December 18th, 2023
Meeting Minutes

Meeting Called to Order by Chairman Stratton

6:01 P.M.

Pledge of Allegiance

Quorum Call:

Present: Max Stratton, Harry Hansen, Dave Cobb, Brendan Masterson, Jim Economos, John Farrar

Absent – Sharon Klein, Ilan Bachrach

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications: None

Business:

The Chair Appointed Alternate John Farrar as a Voting Member for tonight's business

The Secretary notes a quorum of 6 voting members

1.) 2023-04 SBD: Mastropietro Minor SBD – Open & Circulated Application (D.C.)

Owner/Applicant: June Mastropietro

Address: 46 Fairview Avenue, High Falls, NY, 12440

SBL: 70.9-1-27.210; R1 Zone, 11.50 Ac. +/-

Requesting approval for a 2 Lot Minor Subdivision

Applicant June Mastropietro is in attendance for the Application

Application Point is Dave Cobb

Application Point Dave Cobb and Chairman Stratton provided an overview of the Applications progress and review:

- Minor Subdivision; dividing the 11-acre parcel into two lots.
- Topography was added to the Subdivision Plat and a revised Plat has been received and reviewed by the Board; setbacks and density requirements are conforming.



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- SEQRA Circulation deadline is December 20th, 2023. The Board has not yet received a SEQRA response from the NYS DEC.
- SEQRA responses received from SHPO “no impact”; Fish & Wildlife “no impact”; Fire Department, “no comment or concerns”; High Falls Water District, “no impact”; Town Highway Department, “no comment or concerns”.
- The Application will be continued into the January meeting to allow for completion of SEQRA process; EAF Part 2 and Part 3 to be reviewed and discussed in January 2024.
- Application is ready to go to Public Hearing and all requested documents and plat revisions have been received.

Motion to Open the Public Hearing made by D. Cobb, second by M. Stratton; call for a Vote with unanimous Aye. (6-0)

The Chair called for Public Comment x 2

Public Comment Received: None

Motion to keep the Public Hearing Open at the Call of The Chair made by M. Stratton, second by D. Cobb; call for a Vote with unanimous Aye. (6-0)

The Board will continue their review of the Application, complete the SEQRA process, and carry the Application and Public Hearing forward to the January 2024 Meeting.

Board member Harry Hansen recused himself from the Crestview Ridge Subdivision as he is a neighboring property owner.

The Secretary notes a Voting quorum of 5 with 1 member recused.

2.) 2023-02 SBD: Crestview Ridge 3 Lot Minor SBD – Closed Public Hearing (M.S. & B.M.)

Applicant/Owner: David L Smith

Agent: Terry Ringler

SBL: 69.4-1-46.410; 55.88 +/-acre, R-1; Rest Plaus Historic District
3 Lot Minor Subdivision; Phase 2 of Crestview Ridge Subdivision

Terry Ringler and Dave Smith are in attendance for the Application.

The Chair provided an update on the Application review:

- The Public Hearing is closed, and the Board has completed its review of the Application and is ready to consider a Determination.



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- All requests for documents, revisions, and responses to the review comments of the Town Engineer have been provided.
- The Applicant has expressed his wish to not post Bond or establish Surety, choosing instead to construct the proposed infrastructure and improvements, and to have that infrastructure and improvements inspected and approved as per Town Code requirements prior to signature upon the Final Plat and prior the Applicant filing the Final Plat.
- The Chair noted that the Town Attorney advised that the Applicants request to build out the infrastructure and improvements prior to Final Signature is an acceptable proposal and reinforced that there are several mandatory Conditions and requirements that will need to be met prior to the Final Plat being signed and Plat being filed.
- The Board discussed the Conditions for Final Approval that are to be met before signature upon the Final Plat can be considered and provided; roadway and infrastructure inspections and approvals, map notes and requested final revisions, Town Engineer approvals, as well as Town Highway and Fire Department approvals.
- The Town Attorney noted that the draft Road Maintenance Agreement and associated Deed, Covenant, Restrictions, and Easements have been reviewed and are satisfactory.
- The Rest Plaus Historic District Design Guidelines to be applied as Condition of Subdivision Approval for structures to be placed upon the parcels to be created.

The Board read, reviewed, discussed, and edited the drafted Determination and Resolution for the Subdivision.

Motion to Approve the Determination and Resolution for the Crestview Ridge Subdivision made by M. Stratton, second by B. Masterson, with the following call of the roll; D. Cobb, Aye; J. Economos, Aye; J. Farrar, Aye; B. Masterson, Aye; M. Stratton, Aye. (5-0)

The Chair acknowledged Board member Harry Hansen's return to the Board as a Voting member.

The Secretary notes a Voting quorum of 6.

3.) 2023-03 SBD: Sans Minor Subdivision – New Application

(B.M.)

Applicant: AHB1 LLC; c/o Katy & Gregory Sans
120-121 Mill Road, Stone Ridge, NY, 12484
SBL: 61.1-2-22.200, A3 Zone, 7.07 Acres +/-

Requesting subdivision approval for a 2-lot minor subdivision to include an undersized flag lot which has received an Area Variance.

Bill Eggers of Medenbach & Eggers is in attendance as Agent for the Application



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Board member Brandon Masterson is Point for the Application

Agent Bill Eggers and Application Point Brendon Masterson provided an overview of the Application request and the Application progress:

- Subdivision Application contained an undersized Flag Lot and the Application was referred to the ZBA where a Variance was granted in October of 2023.
- The ZBA found the Variance Request to not be substantial and granted an Area Variance to create an undersized Flag Lot
- 3 Acre zoning; 7 Acre lot proposed to be subdivided into two separate lots; Flag Lots are required to be 1 and 1/2 times the size of the minimum lot size for the district; conforming flag lot would be 4.5 acre; proposal is a flag lot to be 3.4 acre (total acreage minus flagpole access strip).
- Sketch Plat depicts proposal to construct a Single-Family Residence upon the parcel and provides a call out for well, septic, and septic reserve.
- Septic Plans are being prepared for submission to the Board of Health; Perc holes dug, and data being obtained; request for septic feasibility letter if Board of Health Approval can not be obtained in full.
- Flag Lot granted an Area Variance to be 4.04 +/- acre in size (total acreage including flagpole access strip); the parent parcel contains an existing Single-Family residence and a detached garage and will be 3.03 acres if Subdivision is approved.

Motion to Open the Public Hearing made by B. Masterson, second by J. Economos; call for a vote with unanimous Aye. (6-0)

Call for Public Comment

1.) Charles Scarlatos of 43 Sun Mountain Road

- Did not receive a Public Notice in the mail for the ZBA or the Planning Board Public Hearing; parcel is adjacent and behind the parcel being proposed for Subdivision.
- The Ulster County parcel online database and Clerks Office has an incorrect number attached to the parcel which failed to provide owner contact information; contributed to the lack of notification on the Public Hearing; found out about tonight's Public Hearing from the neighbor at 39 Sun Mountain Road.
- Parcel proposed for subdivision has serious erosion and runoff issues; topography enables heavy runoff onto his parcel; major concern for water and environmental issues with the proposed development; does not feel he's being represented fairly by the Town on these major concerns.



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- Concerned that the septic systems being proposed is directly up hill and in line with his house; concerned that this will run downhill and onto his property potentially contaminate drinking water and Well; reiterated that the topography places his house downhill from the proposed house site; inquired as to if his Well is too close to the proposed septic system and if the appropriate distances are being maintained?
- Feels he is going to “bear the brunt” of the subdivision and that the proposed house over time will impact his parcel with runoff, erosion, and drinking water contamination.
- Noted that his parcel already has drainage and runoff issues which are exacerbated by the excessive runoff from the parcel being proposed for subdivision and the lack thereof; Noted that he has issues with his basement flooding, particularly after the heavy rain which has been experienced in the last couple of weeks.
- Marshlands which are “protected” located at the rear of his property and is of the understanding that he can be held responsible for anything which may run off the adjacent parcel onto his land and causes problems for the wetlands.
- Has been researching the placement of a swale at the property line between 43 Sun Mountain and 120-122 Mill to mitigate and manage the serious amount of runoff from 120-122 Mill; noted that a quote of ten-thousand dollars was given by a landscaper this past summer; has not had the work done yet.
- Was not previously given the opportunity to voice these concerns; feels that placing a development 100 or 200 feet from his home has to impact him negatively.

2.) Victor Soffer of 45 Mill Road

- The parcel proposed for subdivision has serious existing runoff and erosion issues; just passed the property on his way to the meeting this evening and because of the rain earlier today, the only part of Mill Road which still had water running across and was washing out was the part in front of 120-122 Mill Road.
- Work began on the existing residence a few months earlier, but the project halted a couple months ago and there’s now an attractive nuisance at the site of a project half finished; garage doors are wide open.
- An old boat on a trailer sits in the yard; whoever is doing the work on the structure appears to be doing a very “shoddy job”.

3) Allyson Levy of 76 Mill Road

- Not adjacent to the parcel proposed for subdivision, but resides up the street on Mill Road
- Feels technology failure is not a suitable reason for not being notified of the Public Hearing; sets a bad precedent for the Planning Board to consider the application



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because of it; the Subdivision plans were submitted, and it was turned down; “the subdivision was turned down”.

- The Variance reasoning was justified by saying there are many 1 acre lots with houses along Mill Road; This is not incorrect but the history of the many parcels and structures date back to a single farm; when the A3 law was passed it was passed to keep the rural setting.
- When this went before the ZBA, none of us went to the ZBA hearing because none of us thought that “just saying there are many homes on a 1-acre lot would be a reason in using that logic for giving a Variance”.
- Wants the Planning Board to send the Subdivision back to the ZBA and have the ZBA re-look at the Variance decision.
- Another neighbor did not receive notification because the property was in the process of being purchased and finalized.
- Feels there are “holes in the logic” of the ZBA variance decision and asks that the Planning Board not consider or accept the Subdivision Application; Insists that there must be some manner to mitigate the situation noting it’s a unique situation and that there must be something that can be done.
- Made note that “the people who own the property are not even in attendance, doesn’t that say something to the Board”?
- There are wetlands in the area and “Vly is Dutch for wetlands”; the eco-system is fragile and clearing the root systems will change the soil and alter the structure of the trees; changes runoff patterns and the way water travels having environmental impact.
- Along with her husband, bought 8 acres on Mill Road, cleared the woods, and put in rare and unusual plants back in thoughtfully, and I have an arborists background; trying to protect the woods. Trees stumps and pulling them out are real problems in terms of changing soil structure.

4) Carol Severing of 164 Mill Road

- Lives beyond the 500 feet mailing limit and has commentary as a neighbor on Mill Road; learned about the Variance and Subdivision from Allyson Levy.
- Very sad to hear a Variance was granted; Variances are granted for hardships; if the previous owner was still alive and looking to subdivide or build for a family member, that it would be a different situation; New owners are just looking to make money.
- Does not feel a flagpole variance, a second house, or a subdivision is appropriate; feels that the existing house can be fixed to “make your two-hundred-grand and go back to New Rochelle”; to flip houses seems “really lowlife for our Mill Road”; Is sure that whoever moves in will be lovely people but wishes that the people from New Rochelle didn’t come out and “try and do this to us”.



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- Badly made decision by the ZBA; feels the lot should have been held to the Code standards; Owners deserve to have 3 acres; looks bad for the ZBA and the Planning Board; and there's problems with the water, the neighbors are upset, and looks bad because there was some kind of precedent for 1 acre and homes on Mill Road.
- Does not feel that there was a hardship, and that the variance should have been granted; "there's no hardship on these folks from Westchester, the hardship is on us"; wants to go on the record as saying, "this sucks".

5) Alex Kahan of 152 Mill Road

- Does not see how this moves forward; the only one who is to be affected was not notified so everything should be put on hold and just go back; I would take legal action against the Zoning Board; it was a mistake, so stop everything and let the Zoning Board hear from him.
- My neighbor is going to be impacted and having not been informed, the process should be put on hold and an engineer should investigate the situation with the runoff and the water; "I don't know, maybe a swale".
- It wouldn't be fair to the new owners either, so the whole thing should be put on hold so that the new owner doesn't get "jammed up".
- If the owner wants to sell it for three-hundred thousand dollars, "I'll buy it and not build on it".

6) Michael Kelly of 30 Old Farm Road

- Recently purchased the property at 30 Old Farm and finished closing in October; moved from Woodstock and understands the "NIMBY" situation and responsible development is near and dear to his heart.
- The amount of water erosion noted on the property he purchased is "insane"; Driveway right now because of the heavy rains is just running out into Mill Road.
- Has a concern that the driveway being proposed with the Subdivision will exacerbate runoff and erosion issues along Mill Road.
- Does feel that more housing is needed because the prices are ridiculous, but in this case, would have liked to have seen the Town stick to the A3 Zoning and that no variance was given.

7) Jeffrey Anderson of 39 Sun Mountain Road (134 Mill Road)

- Owns the parcel adjacent at 39 Sun Mountain Road, 134 Mill Road Mailing address; Inquired as to if the Board researched the environmental impacts which may be caused



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by the placement of the proposed house as the highest point in elevation within 500 yards.

- Concerned that the development of the house will have impacts upon the downstream estuaries and wildlife; have there been any studies done?
- Sixty-five thousand dollars was spent on his property; a new driveway was constructed and the runoff from the proposed subdivision site will have a detrimental effect upon the improvements to his property.
- Noted that there is a spring or a low point near the property line in the subdivision and inquired if the Board did research on how clearing the property will have an impact on the runoff? This area floods regardless of if there is a storm.
- "...the area represents 20 acres and what has been approved is 3 homes to sit at the highest peak, 600 yards apart, in total 200 each, and if the Board hasn't looked at the impact, is it that you don't care"?
- "Are you saying to me that the individuals who have purchased this home can make a profit off my back, and I have to deal with the subsequent impact of the flow that will come right down into my home as you can see that home is in direct eye shot of where I live"?
- Noted that he's brought in sixty-five thousand dollars of soil and fill to offset what is going on with the parcel next door.
- Wants to ensure that the Board will provide enough time for him to place concerns and complaints in writing for submission.
- Notes that the proposed property line on the plan is a major wetland area and swamp; has had to raise his driveway up for access; concerned the pooling of water will go under the driveway and weaken it.
- We depend on zoning laws which are upheld and rely on our elected officials and our Board to do so; we should have laws that serve the community and a board who will look out for the best interests and listen to the concerns of the community.

8) Michael Brabham of 102 Mill Road

- I believe there is a gravesite on the property, what are we doing about that?
- Saw the headstone in May and it's been removed; Saw the headstone previously on the property when his dog got loose.
- Offered to show the Surveyor where the grave is located if needed.
- Believes the dates on the headstone were 1917 and 1983; it was polished and in very good shape.
- Work is underway at the existing house and can speak to the pits and oil tanks in the back yard of the existing residence upon the parcel.



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9) Scott Serrano of 76 Mill Road

- Lives at 76 Mill Road with Allyson; My understanding is there is a polished grave headstone that he saw when he was walking his dog.
- Probably a realtor or someone who wants to make money took off the top and there is just a base left there now.
- Believes it to be Hardold Tolchin's wife, previous property owner.
- Should not be bulldozed over or disrupted out of respect.

10) Meredith Flamhaft of 139 Mill Road

- Wishes the people who purchased the property did their due diligence in that with the area, doing one house nicely, they would get more money than putting two houses back-to-back; if it could be conveyed to the owners that people coming up here to buy property are not looking for that.
- Most people coming up to buy property are looking for more land and something a bit nicer; not to buy two houses squished in a lot.
- Could have made the money they want and have everyone be happy if they knew who the buyers are; could have saved money on the subdivision and put that money into the one house and make more money with a beautiful property.
- Buyers are not looking for 3 or 4 houses all squished together; not going to be an easy sell and not worth as much money; if they knew more about the market and who is looking for and buying property in the market.

Max Stratton:

- Offers apologies that in 14 years this is the first time he's aware of a neighboring parcel which was not made aware of a Public Hearing; the Board will do everything it can to ensure it does not happen again and it's unfortunate that technology and incorrect information was a causative factor; Public Hearing was also announced in the Daily Freeman as well as the Town Website which is standard practice.
- Assured the audience that the Board appreciate all concerns which are and will be communicated during the Public Hearing; Public Hearings are for that very purpose, to communicate concerns which impact the health, safety, and well being of the public and the neighborhood.
- The parcel proposed for Subdivision does have enough acreage that the owner could build an additional residence without Subdivision, and it would be a Use by right under the Marbletown Supplemental Density Code.
- Construction of one Single-Family Residence is not readily considered a development, and generally during construction contractors and developers enact standard practices



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to ensure construction runoff does not become a problem for or effect neighbors or the environment.

- The Planning Board's job, as the ZBA has approved a Variance, is to look at the Subdivision details and check that the Subdivision meets the Town Code in all other aspects given the Variance is granted for the Flag Lot size.
- Planning Board cannot "reverse" a Variance made by the Zoning Board of Appeals; two Boards are separate entities, and the Planning Board cannot rule on or overturn a ZBA's decision.
- The Planning Board has the authority and ability to mitigate many of the concerns which are being raised regarding stormwater runoff, erosion control, health, and welfare; the Subdivision is within their right to do and within the Boards responsibility and authority to review.
- With the gravesite, when its confirmed as being in existence, the Board will request that the Applicants Agent revise the Plat to reflect its location. Generally speaking, with grave sites, access does need to be made available to family members.
- The Board is tasked with reviewing an Application against the Town Code and decisions are made based on the Code only; we must look at the reviews and look at facts and remove all bias and emotion; remain unbiased and make decisions based solely on the Code.
- The Board hears and appreciates all of the commentary; has heard similar concerns and comments on other subdivisions in the Town; "The area is changing, and we need to find a balance".
- Requests that all who spoke tonight please place their commentary and concerns on paper and submit it to the Planning Board so they may better document and address the concerns which are within its purview.

Tracy Kellogg:

- The Planning Board and Zoning Board of Appeals are two separate bodies that do not interact in each other's decisions; distinctly separate bodies that should not make recommendations on each Board's decisions.
- The ZBA is a quasi-appellate Board making rulings on Variances and Appeals; The Planning Board function is to handle Site Plan reviews, Special Use Permit reviews, Subdivision, and Lot Line Adjustment reviews.
- The Planning Boards authority is to ensure the Subdivision meets the Code and is developed in a manner which is consistent with the needs of the community and is done so regarding health and safety.
- Variance has been granted, it's now before the Planning Board for them to review the proposal in total given the permitted undersized lot.



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- Planning Board cannot reverse a decision of the ZBA; it can look at the criteria in the Code for subdivision and mitigate public concerns which are directly related to the subdivision and development itself; Board can request topography information and further discuss the erosion and runoff concerns.
- Looked at the Ulster County database and aerial map and there's unfortunately no owner information for 43 Sun Mountain Road which queries from the parcel.
- Public Hearing was advertised in the Daily Freeman as well as on the Town Website which helps notify anyone beyond 500 feet to help ensure someone who may have missed a mailing or announcement gets notified.
- An aggrieved party has a 30-days to file a Notice of Intent to Appeal a decision made by a ZBA or by a Planning Board; the Appeal is through the court system and an Article 78; noted that an appeal of the ZBA decision is outside of the Planning Board purview and that the owner of 43 Sun Mountain Road should consult with a litigation attorney if they have specific questions about an Appeal or Article 78 process.
- If an Article 78 is filed, it does not stop the Planning Board from moving forward, and it would be a choice by the Applicant to delay or withdraw their application.
- With the specific authority of the Planning Board entails, the residents and neighbors would be best served submitting and discussing their concerns with erosion control, runoff, health, safety, and any perceived or actual environmental impacts; these items the Board can review and discuss mitigations for.
- The Applicants Agent will take tonight's discussion, concerns, and commentary, back to the Applicant and Owner so they are aware.

Motion to keep the Public Hearing open at the Call of the Chair made by M. Stratton, second by H. Hansen; call for a vote with unanimous Aye. (6-0)

The Board requested that Agent Bill Eggers take tonight's commentary and concerns to the Owner, and that neighbors formally submit their commentary and concerns in writing to the Planning Board. The Board will continue its review and maintain a Public Hearing at the Call of the Chair.

4.) 2023-07 LLA: Brownlie Lot Line Adjustment – New Application

(H.H.)

Applicant: Thomas Brownlie

Owner (both parcels): Thomas Brownlie

Owner Address: 3663 Atwood Road, Stone Ridge, NY, 12484

Parcel A Address: 73-93 Mill Dam Road, Stone Ridge, NY, 12484

Parcel B Address: 51 Mill Dam Road, Stone Ridge, NY, 12484

Parcel A SBL: 62.3-1-47.215; R1 Zone; 54.56 Ac. +/-

Parcel B SBL: 62.3-1-47.213; R1 Zone; 25.28 Ac. +/-

Transfer of 15.58 acres from Parcel B to Parcel A; common ownership



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Bill Eggers of Medenbach & Eggers acting as Agent and in attendance for the Application

Application Point is Harry Hansen

The Application Agent provided an overview of the Application request and engaged in discussion with the Board on the details of the Application request and the proposed Lot Line Adjustment:

- Conveyance of lands between two parcels under common ownership
- 15.58 acres to be conveyed from Parcel B to Parcel A, as depicted on the Sketch Plat
- The Board discussed the wetlands contained on Parcel B and discussed separation distances, setbacks, and future buildability of the parcel following the conveyance.
- The owner wishes to adjust the lot line so as to maintain the ability to access the conveyance, and have the ability to access the small pond, proposed to be located at border line between the two parcels as proposed on the sketch plat.
- Board reviewed the proposed Sketch Plat for accuracy and compliance with Zoning Code.
- Wetlands are marked on the Plat and separation distances noted; wetlands are Federal Wetlands and not State protected.
- Board reviewed and discussed the buildability potential of Parcel B with the Agent.

Motion to accept and open the Application made by H. Hansen, second by D. Cobb; call for a vote with unanimous Aye. (6-0)

Motion to Classify the Application as a Type II Action under SEQRA made by H. Hansen, second by B. Masterson; call for a vote with unanimous Aye. (6-0)

The Board read, reviewed, discussed, and edited the drafted Determination and Resolution for the Lot Line Adjustment.

Motion to Approve the Determination and Resolution for the Brownlie Lot Line Adjustment made by D. Cobb, second by M. Stratton, with the following call of the roll; H. Hansen, Aye; J. Economos, Aye; J. Farrar, Aye; B. Masterson, Aye; M. Stratton, Aye; D. Cobb, Aye. (6-0)

Board member Harry Hansen recused himself from the Crestview Lot 3 Design Approval Application as he is a neighboring property owner.

The Secretary notes a Voting quorum of 5 with 1 member recused.



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5.) 2023-01 SPDA: Crestview Lot 3 Design Approval – New Application

(M.S.)

Applicant: David L. Smith

Owner: Jordan Heiden

Address: 11 Crestview Ridge Road, High Falls, NY, 12440

SBL: 69.4-1-46.300; 5.10 +/-acre, R-1

Design & Placement Approval per previous Subdivision Condition of Approval

Motion to accept and open the Application made by M. Stratton, second by J. Economos; call for a vote with unanimous Aye. (5-0)

The Chair provided an overview of the Application request and the Board engaged in conversation and review of the Application proposal and the supporting documentation:

- The Applicant and Owner have applied to the Board to satisfy a Condition of Approval for the 2007 Crestview Subdivision which stipulates that before a structure can be built upon any parcels within the subdivision, the Board is to provide review and approval for the design and placement of the structure upon the parcel.
- Design and Placement review per the guidelines established for the Rest Plaus Historic District and as per the Deed Restriction and Covenants.
- A Site Plan, Cover Page, Construction Plans, and material specification cut sheets were provided by the Applicant as supporting documentation.
- Lot 1 and Lot 2 received previous Board approval in 2018; this Application is for Lot 3 of the 2007 Crestview Ridge Subdivision.
- The proposed structure is substantially similar in size, design and placement as the structures previously constructed upon Lot 1 and Lot 2.
- Following a review of the Application supporting documentation, the consensus of the Board is that the Applicant has provided documentation which demonstrates substantial compliance and conformity to the Rest Plaus Historic District Design Guidelines.

Motion to Classify the Application as a Type II Action under SEQRA made by M. Stratton, second by J. Economos; call for a vote with unanimous Aye. (4-0)

The Secretary notes Voting Alternate John Farrar was not present in the room for the SEQRA Classification vote, and that the available quorum was 4 Voting members.

The Board read, reviewed, discussed, and edited a draft Determination and Resolution for the Approval of Placement and Design for a Single-Family Residence upon the parcel.



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Motion to Approve the Determination and Resolution for Design and Placement made by M. Stratton, second by B. Masterson, with the following call of the roll; D. Cobb, Aye; J. Economos, Aye; J. Farrar, Aye; B. Masterson, Aye; M. Stratton, Aye. (5-0)

The Chair acknowledged Board member Harry Hansen's return to the Board as a Voting member

The Secretary notes a Voting quorum of 6.

6.) 2023-05 SUP: Lexington Center Medical Office – Open Application

(J.E.)

Applicant: Lexington Center for Recovery

Address: 10-14 Gagnon Drive, Stone Ridge, NY, 12484

SBL: 69.2-5-8.100, B1 Zone, 4.30 Ac. +/-

Requesting Special Use Permit Approval for an outpatient health care office

The Chair called the Application to the floor for continued discussion and review

Board member Jim Economos is Point of Contact for the Application

The Board engaged in discussion on Site Plan Review Commentary received from the Town Engineer as well as Traffic Data provided by the Applicant:

- Ag Data Statement to be submitted by the Applicant; site is adjacent to Stone Ridge Orchard.
- Additional Site Plan details to be added to the Engineered Plat; Zoning Table, signage, wayfinding, landscaping and screening proposal, and proposed area of disturbance, and required consent and approval blocks.
- Based on proposed area of disturbance, appropriate Soil and Erosion control plans to be submitted for review and added to the Site Plan.
- Town Engineer noted that Board should request additional details on the flow of traffic and parking plan noting that frequent traffic cycling through the site every 15 minutes is not "typical" office style traffic; Traffic Study is pending from the Applicant.
- Proposed parking area screening and setback distances to be confirmed with Applicants engineer.
- A traffic breakdown was provided by the Applicant which enabled the Board to have a better understanding of the proposed traffic over the course of a typical day of operations; data was taken from a similar site in Sullivan County.
- Sample data provided a breakdown of traffic onto and off the site in 30 minutes intervals; Breakdown was by day of the week and time of day; Highest number of clients in a day noted to be 87; highest number of vehicles in a day noted to be 57.



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- Sample data provided from the Sullivan County site enabled the Board to better understand the frequency and number of clients proposed to be on site at specified intervals throughout the day and better conceptualize the traffic impact at the site.
- The board noted that based on the spreadsheet traffic data, the impact does not appear to be significantly impactful.
- State DOT and Ulster County Planning Board requested to review the Traffic Study being developed by the Applicant; Applicant proposed 150 patients as the maximum number served at the Site.
- Traffic Study is underway and upon receipt of the Traffic Study, a meeting with the Applicant and Applicants Engineer is requested to be set up with the Application Point and the Board Chair to discuss additional information required by the Board and additional details which are being requested by the Town Engineer.
- Marbletown resident Tim Hunt, who has expertise and experience in the field of Addiction, Treatment, and Recovery, wished to express his strong support for the Application and reinforced the importance of the Application and the proposal being reviewed by the Board noting that a critical need exists in Ulster County for the service being proposed; rare in that it's uniquely situated for privacy and discretion, as well as zoned for the Use.
- The Board discussed the role of public transportation such as UCAT in servicing the site; safe crossing of Route 209 and designated bus stops are to be considered; clients walking down Gagnon Drive from being let off the bus is a consideration which much be considered; Medicaid cabs and carpooling are the most common transportation modes in addition to privately owned vehicles.
- Details on capacity of existing septic and water supply to be researched and provided by Applicant; attempt to find records at the outset of the process was not successful. Contact to be made again with the Health Department and Medenbach & Eggers. J, Economos has been in contact with the previous owner of the property to inquire as to if septic plans were retained and may be available for the Board to review.

Application remains open and under review by the Board. Additional information is requested by the Board before it sets a Public Hearing. The Application is to be included on the January 2024 Meeting Agenda for the continuation of discussions and review.

Other Business:

1. Approval of November Minutes

Motion to Approve the minutes of the November 2023 Planning Board Meeting made by M. Stratton, second by J. Farrar; call for a vote with unanimous Aye. (6-0)



**Town of Marbletown
Planning Board
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(845) 687-7500 Ext. 171
Email: Planning@marbletown.net**

2. Approval of 2024 Meeting Schedule

- The Board reviewed and discussed a drafted Meeting Agenda noting regularly scheduled Board meetings to be held on the 4th Monday of each month in 2024, with an exception noted that the May and December meetings will be the 3rd Monday due to holidays.
- Board training opportunities scheduled prior to selected meeting dates.

Motion to Approve the 2024 Meeting Schedule and Training Dates made by M. Stratton, second by J. Economos; call for a vote with unanimous Aye. (6-0)

Motion to adjourn the meeting made by J. Economos, second by B. Masterson; call for vote with unanimous Aye. (6-0)

Meeting Adjourned

8:31 P.M.

Draft Submitted 1/8/2024

Minutes Approved 1/22/2024

Shawn Marks