



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

**Planning Board Meeting
March 25th, 2024
Approved Meeting Minutes**

Meeting Called to Order by Chairman Stratton

6:04 P.M.

Pledge of Allegiance

Quorum Call:

Present: Max Stratton, Dave Cobb, Harry Hansen, John Farrar, Sharon Klein, Jim Economos, Amalia Graziani (Alternate) – 6 Seated / 1 Alternate

Absent – Brendan Masterson

Town Staff Present – Shawn Marks, Tracy Kellogg

The Secretary notes a Quorum of 6 Voting Members

Announcements/Communications:

Sign Up Sheets are at the head table for the Lexington Center for Recovery Special Use Permit for anyone who wishes to speak during Public Hearing.

The Chair appointed Alternate Amalia Graziani as a voting member for tonight's meeting.

The Secretary notes a Quorum of 7 Voting Members

Business:

1.) 2023-05 SUP: Lexington Center Medical Office – Open Public Hearing

(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, review, and public comment.

Suzanne Tisne, Adrienne Marcus, Barbara Tabala, and Michael Moriello are in attendance for the Application, in addition to Bill Eggers of Medenbach & Eggers.



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Board member Jim Economos, Point of Contact for the Application

The Applicants, their Agent Bill Eggers, and Attorney Mike Moriello, provided a brief review of the Application proposal and engaged the Board in discussion on the Site Plan, supporting documentation, and review findings of the Board thus far:

- The Board has reviewed the Application, all supporting documentation, and the revised site plan; a Public Hearing was opened in February 2024 and commentary was received.
- Response received from the NYS Department of Transportation documenting that a Left-Hand Turn Gap Study would not be required for the proposed Use and the traffic which is proposed to be generated due to the proximity of the traffic lights on Route 209.
- Department of Health has provided documentation that the existing Septic System is adequate to support the proposed Use.
- To meet Public Health Law, the existing Water System will require modifications that the Applicants Engineer will provide details for moving forward; plans to be added to a revised Site Plan to include ultra-violet water treatment and a specialized system that meets the requirements for a water system to serve the public.
- The District Design Guideline packet is substantially complete, and discussion surrounding code requirements for Screening for the Use and for the transition requirements at the rear parking lot remains to be completed; Screening for code compliance Code Section 200-37, 200-39.
- The Site Plan has been revised and setbacks verified; additional details are required as set forth by the Town Engineer Review commentary which are to be addressed by the Applicants Engineer.

The Chair noted that the Public Hearing is Open, and that the Board is ready to continue to receive commentary from the floor.

Call for Public Comment:

Wendy Brown:

- Has been a member of the Board with Lexington Cetner for about a year; is a Nurse and works in the field of Addiction Treatment.
- Worked at Beth Israel Manhattan which was the “home of methadone” in its incipient stages of use as a treatment modality; has Town Board and Town Zoning Board experience in the Town of Bethel.



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- Was the head of the Sullivan County Addiction Task Force and helped to establish the Methadone Treatment Office in Sullivan County and worked with the District Attorney on the Opiate Epidemic.
- Previous work with Lexington in the establishment of the Monticello office was seamless and very professional.
- Access to medication treatment for Opiate Addiction is critical to saving lives and has proven to be a life saving treatment for those with addiction; cannot stress how important the impact is of a Methadone program on the community and the neighboring communities.
- Noted that the objections that were received during the establishment of the Sullivan County program site were readily and easily mitigated; traffic was a non-issue, and many concerns at the outset of the process were noted to have not come to pass and the location is successfully serving the communities in Sullivan County.

Kathy Anderson:

- Has lived in Ulster County for 64 years and is a Stone Ridge native.
- Works as a Nurse Supervisor with Lexington at the Monticello Office.
- Wishes to reiterate that Methadone is a lifesaving treatment that works; has watched countless individuals saved by the therapy in regaining their lives and their families.
- Reinforced that the proposal is a critical need in the community and all surrounding communities.
- Would not ask to bring something into Marbletown that she would not want to have in her own community in the Town of Rochester; supports Lexington and the great work they've done in Sullivan County.

A.D. Coleman:

- Noted that the Chair of the Board had cited a study at the February 2024 meeting which spoke to the effects of Methadone Treatment Facilities on property values in communities; received and read the paper which was references.

Mr. Coleman read an excerpt from the research paper titled "Substance Use Disorder Treatment Centers and Property Values", a Working Paper published by the National Bureau of Economic Research in January of 2019.

- Noted that the population of Marbletown is 5,600 persons, representing roughly 0.7% of the population of Seattle which is noted to be roughly 750,000 people (city of reference in the study).
- Given the research is focused and derived from a large city, how can it be predicted that the same result or findings would occur in Stone Ridge? Pointed out that the studies are from large cities and not small towns equivalent in size to Marbletown.



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- Inquired as to how Marbletown will benefit from the treatment center; notes that he understands how Ulster County will benefit, and understands how people with addiction and substance abuse disorders will benefit and has no stigma in his head, but is “not clear why this is right for Stone Ridge, what the benefit is, what the profit is for Stone Ridge, and what the benefit is”.

Tim Hunt:

- Speaks in support of the Application; has experience in the profession of addiction treatment and is a member of the Town Board.
- Appreciates that concerns for property values and noted that perception plays an important role in the degree of impact and the perception of the community toward the facility impacts the success; that negative stigma, fear, and misunderstanding within a community plays a role in perception which then in turn can have an impact.
- The location is zoned appropriately, has provided for other medical facilities, and is in an optimum location in being tucked away, but does recognize that there are neighbors who may have those special circumstances of being adjacent and that mitigation and steps can be taken to lessen the impact of the perception.
- Zoning allows for the Use on the property and the infrastructure exists and is suited; does not see why the Application would not be approved; Continued communication and discussion are important to resolve fears and misconceptions.
- The office does stand to benefit the residents of Marbletown with addiction issues, but also to serve our neighbors, neighboring Towns, and all of Ulster County; looks incredibly well on Marbletown to welcome those who are in need as currently only 1 in 5 individuals with opiate addiction has access to treatment services and Marbletown can be an important resource to have an impact on that critical need.
- There has thankfully been some improvement in the number of overdoses and overdose deaths in Ulster County, but the problem is still severe, and the lack of treatment availability is critical to continued success in mitigating the Opiate Addiction Epidemic; it's effective treatment and we need to do a better job of making it available to those who will greatly benefit from it.
- A major shortfall in Ulster County is the ability to link people upon discharge from hospitals or from the Ulster County Law Enforcement Officer with treatment programs and options as there is a critical shortage of facilities and programs in the County; this life saving linkage to care is still desperately needed in Ulster County.
- Looking forward to offering support to Lexington Center in establishing and growing their treatment services in Marbletown but recognizes that like with anything new, any new service, there may be the need to troubleshoot issues that arise and that the Town Board is eager to work with the community and Lexington to fine tune and address any issues that do arise.



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Chairman Stratton:

- Has read 4 or 5 articles in addition to the article which was cited at last month's meeting and noted that the studies are all confirming that a negative effect on property values is a stigma associated with treatment centers, and that it's just that, a stigma, and that the research indicates that there is not a negative impact.
- There has been no study conducted in Stone Ridge as to what the effects may be and agreed that the majority of studies have data and findings which are extrapolated from large town and cities, but that the findings are the same across all studies that it's a baseless stigma.
- Responded to the inquiry of what the "...profit, the benefit..." is to the community to have the Methadone Treatment Center in Stone Ridge by noting "It's never been about profit and I'm just going to leave it at that".
- Noted that he doesn't see a more perfect place to establish the service given the location of the building and its proximity to Route 209, the setback off the roadway where there is existing infrastructure.
- This is an opportunity for Marbletown to "show how this can be done right and offer help to what is a very serious problem that effects people regardless of age, race, religion...it crosses all boundaries".
- The Use proposed by the Applicant is Medical Use, and it's not for the Board to differentiate between the type of medical service being provided. The property is Zoned for the medical Use being proposed, and as such, that's how the Board has to look at the Application and the review process.

Board Member J. Economos:

- Shared an experience that he had while in the Ulster County Sheriff's Office where he overheard two employees speaking about the overdose death of an individual who "was saved with Narcan two nights ago, we don't have to worry about them anymore, we didn't save them last night"; it was tragic that the conversation was being taken in stride, and that the problem of opiate addiction is a crisis in Ulster County and all across the State and elsewhere and it desperately needs to be addressed.
- Noted that Marbletown does not have a police presence in the Town, but that the closest location of the State Police is in Hurley which provides service to Marbletown; the placement of the treatment center is akin to the placement of the State Police in in that Hurley may not asked for a police force to be in the Town, but it was placed there and Hurley as well as all of the other Towns across Ulster County benefit from the service, including Marbletown.
- Shared that it's his opinion that the same needs to be done with the Methadone Treatment Office so that everyone may benefit from the desperately needed service.
- If there's no big sign on the highway announcing, "methadone here", will this not be yesterday's news?



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Additional Call for Public Comment: None Received

Motion to Close the Public Hearing made by J., Economos, second by H. Hansen; call for a Vote with unanimous Aye. (7-0)

The Applicants, their Agent Bill Eggers, Attorney Mike Moriello, and the Board, continued discussion on the Site Plan, supporting documentation, and the Application Proposal and review findings:

Board Member S. Klein:

- Has personal experience with Addiction in her family and that she has a response to the thought of having a clinic nearby and that living around the corner can be triggering as addiction has destroyed her life.
- Are there statistics as to what happens when people stop taking their medications? Are there statistics as to how many people fail at treatment or “fall off the wagon”?
- Has a concern for what happens to the people who stop taking their medication, fall out of recovery, and are addicts again; what do those people do in between if they end up on the cycle of being in the program and then out of the program?
- The elephant in the room is that some of these people are criminals and they go back to their old lives when they are not being treated and are out of recovery; what those people do is a concern.
- Inquired as to why the Office is not being established in Ellenville or Kingstin where there is more urban concentration?
- Noted that the EAF asks about an impact to the community, and that even false perceptions or false stigma contributes to the perception or impact.
- Works in real estate and noted that in discussion with other real estate agents, the perception of a Methadone Clinic has an impact on buyers’ perceptions, even if it is a false stigma or false perception.

Applicant Suzanne Tisne:

- Patients are provided with continual support once they are accepted into the program to include access to counselor if they feel they are faltering or have stopped taking their medication; patients are never without help and there is ongoing and continuous support.
- Does not have the statistics on how many patients relapse but could acquire data which speaks to that; noted that the program offered by Lexington Center has a 90% retention rate.
- If an individual has difficulty with one medication treatment, there are other medications that may be more beneficial; contact with the doctors and nurses, as well as counselors, help to ensure that needs are continually met.



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- Noted that there will always be those who struggle with their addiction despite the treatment, and that not all those who are accepted to the program remain in the program, an unfortunate reality and tragic fact.
- Lexington Center did an exhaustive search to find a property that was not only available and commercial, but one which was Zoning for the Medical Use; unable to locate a property that was both suited to the Use and Zoned for the Use in Ellenville or elsewhere; we looked all over and are thankful to have found the property in Marbletown which was available and zoned properly for the program to be established.

Chairman Stratton and Tracy Kellogg reinforced and reiterated that the Board is tasked with the review of the Application against Zoning Code specific to a Special Use Permit for a Medical Office Use, and that to make a distinction between the specific type of medical services being offered in the office of the proposed medical Use is improper and not within the purview of the Board. The Applicants proposal is for a Medical Office and that is how the Board is to review and consider the request as the parcel is property zoned for the proposed Use.

Tracy Kellogg:

- As Board members you're charged with upholding the Code and conducting your reviews against the Zoning Code, but in that, there's not differentiation between the type of specific medical care which is going to be delivered at a Medical Office in the eyes of the Code.
- Its understandable that the topic is an emotional topic, and that the very nature of the topic brings with it certain stigmas, biases, and perceptions, but that the Board cannot allow those emotions, biases, or perceptions to impact or interfere with its review of the Application and its application of the Zoning Code to the Special Use Permit request.
- Regardless of the specific type of service or the specific type of patients served, the Board needs to review the Application as if it were any other Medical Office, and to mitigate and address the concerns it may have in general as if it were any other Medical Office and not specifically a Methadone Treatment Office.

The Applicants, their Agent Bill Eggers, Attorney Mike Moriello, and the Board, continued discussion on the Site Plan, Signage, Screening, and the review of the Application:

- The applicant noted that discretion in their operation is paramount, and that signage will be simple and will not indicate one way or the other what service is being provided at the Office; signage to be added to the Site Plan for review.
- Signage to advertise "Lexington Center" and the address, and that those who are benefiting from the program or using the service will know what that is and what it



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means; roadside signage is limited and simple, and signage on the building will also be limited and simple again to maintain discretion.

- Code section §200-37 and 200-39 were reviewed and discussed by the Board; the Site Plan was reviewed on the overhead projected and fencing was discussed to facilitate screening requirements.
- Appears to be an adequate existing wooded area at the rear of the lot which should be sufficient for screening, however, the transition between Zoning districts and parking Use should have additional screening.
- Fencing is proposed to be constructed along the eastern property line and run southward; to begin at the front of the existing office building and front parking area, and run to the rear lower parking area, turning at a right angle, and continuing along the rear of the lower parking area.
- Location of proposed fence would meet the needs of Code 200-37, 200-39, as well as mitigate visual impact concerns from the property owner adjacent on Lamberti Lane
- Submission and review of Leasing agreements between all parties on site by the Board and Town of Counsel; redactions allowed and encouraged as required.

The Chair polled the Board for consensus on the proposed location of the Fence and Screening: D. Cobb, OK; J. Economos, OK; H. Hansen, OK; J. Farrar, OK; S. Klein, I don't care; A. Graziani, OK; M. Stratton, OK.

The Board read, reviewed, discussed, and edited a draft EAF Part 3 Short Form

The Board read, reviewed, discussed, and edited a draft Negative Declaration

Motion to Approve the EAF Part 3 Short made by J. Economos, second by J. Farrar; call for a Vote with Unanimous Aye. (7-0)

Motion to Approve and Issue the Negative Declaration made by M. Stratton, second by J. Economos; call of the Roll with the following result: D. Cobb, Aye; J. Economos, Aye; H. Hansen, Aye; S. Klein, Aye; J. Farrar, Aye; A. Graziani, Aye; M. Stratton, Aye; Vote: 7 Aye, 0 Nay, 0 Abstentions (7-0)

The Applicant is requested to provide a revised Site Plan for final review and all additional and remaining supporting documentation required and requested by the Board.

The Board has 62 Days to complete its review and vote upon a Determination and Resolution



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2.) 2023-03 SBD: Sans Minor Subdivision – Closed Public Hearing

(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

Board member Brandon Masterson is Point for the Application

The Public Hearing is Closed

Chairman Stratton provided a brief review of the Application's request and Agent Bill Eggers engaged in conversation with the Board on the details of the Applications progress:

- The Planning Board Chair, ZBA Chair, and representatives from Medenbach & Eggers met with the owner of 43 Sun Mountain Road for a Site Visit on February 2nd. Concerns for runoff and erosion control were addressed; Chairman Stratton reinforced that there is no change in the level of concern for impacts to the property at 43 Sun Mountain.
- The revised Site Plan noted over an acre of ground disturbance; SWPPP is being prepared by the Applicants Engineer; to be a Condition of Approval for Signature upon the Final Plat.
- All supporting documentation has been reviewed by the Board and the revised Site Plan is complete and ready for final review and consideration for Determination.
- Applicants Engineer reports that Approval from the Ulster County Health Department is to be received; submission of which is to be a Condition of Approval for Signature upon the Final Plat.
- No further correspondence was received from adjacent property owners or neighbors on Mill Road.
- The Board discussed the impact of the existing driveway cut at 120-122 Mill Road and the impact of the cut for the proposed driveway on the water runoff along Mill Road; current lack of driveway culvert system at the existing driveway is contributing to the difficulties with runoff along Mill Road; additionally, poor upkeep of the property has contributed to runoff issues along the property line with Mill Road.
- The Highway Superintendent arranged to have work done on the swale along Mill Road and found that the culvert under Sun Mountain Road was not clear "to daylight", which was contributing to the runoff difficulties as well. The culvert and swale were improved and cleared by the Highway Department which improved the movement of runoff.



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- The Board Chair noted that his discussion with the Highway Superintendent on the matter resulted in the suggestion that additional culvert installations at the site will go a long way to preventing any potential future impacts and to assist in further mitigating the current runoff concerns.
- The Applicants Agent noted that further discussion on the runoff along Mill Road is needed so that the feedback and the potential mitigations can be incorporated into the development of the SWPPP for the site.
- Looking to avoid an increase in the concentration of the stormwater flow; continued discussion with the property owner and Applicants Engineer for potential addition of a retention pond or an increase in number of culverts to channel runoff in multiple locations.

Chairman Stratton will arrange for a Site Visit with the Highway Superintendent and the Applicants Engineer to further discuss plans for Stormwater and Erosion Control along the property boundary and Mill Road. The Board will continue its review and discussion on the Application at the April 2024 Board Meeting.

3.) 2024-01 SBD: Hecht & Weprin Subdivision Revision- New Public Hearing (M.S.)

Applicant/Agent: Medenbach & Eggers PC

Owner: Jared Hecht & Carrie Weprin

Address: 653-681 County Route 2 & 643-645 County Route 2, Accord, NY, 12404

SBL: 61.3-1-25 & 61.3-1-21.113; 39.0 Ac. +/-, A-3

Requesting approval for the revision of an approved Subdivision Plat to reflect a Lot Line Adjustment between two parcels under common ownership with a conveyance of 2.9 acre.

Bill Eggers in attendance for the Application.

The Chair provided a brief review of the Application request and the Board engaged in discussion with the Application Agent on the details of Application and the Plat:

- Revision of an Approved 3 Lot Minor Subdivision with Lot Line Adjustment which was Approved by the Board in 2023; Maps filed in December of 2023; subdivision was Hecht & Weprin 2023-01 SBD.
- Additional Lot Line Adjustment to convey 2.9 acre from the "Lot #1" created during the Approval of Subdivision 2023-01, to SBL: 61.3-1-25; Increase the "green belt buffer".
- No additional parcels are being created; only conveyance of 2.9 acre between adjacent.
- The Subdivision and Lot Line Adjustment Plat is compliant to Zoning Code 169 and 200, and the Board has completed its review of the Application; ready to move to Public Hearing.



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Motion to Open the Public Hearing made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (7-0)

The Chair Called for Public Comment: No comments received.

Motion to Close the Public Hearing made by H. Hansen, second by J. Economos; call for a Vote with unanimous Aye. (7-0)

The Board read, reviewed, discussed, and edited a draft Determination and Resolution for the Hecht & Weprin Subdivision Revision, moving to a Vote on the Application

Motion to Approve the Determination and Resolution for the Hecht & Weprin Subdivision Revision Application made by M. Stratton, second by D. Cobb; call of the Roll with the following result: D. Cobb, Aye; J. Economos, Aye; H. Hansen, Aye; S. Klein, Aye; J. Farrar, Aye; A. Graziani, Aye; M. Stratton, Aye; Vote: 7 Aye, 0 Nay, 0 Abstentions (7-0)

Other Business:

1. 4321 Route 209 LLC: Site Plan Modification

Applicant Doug Posey in attendance for the Site Plan Modification request

The Board and the Applicant/Agent engaged in discussion on the proposed Site Plan Modification request:

- Placement and Installation of a required Fire Protection System necessitated a need to relocate an Emergency Vehicle Access Lane which was to be located along the Eastern side of the Assembly Building.
- A 15,000 Gallon Water Tank to support the Required Automatic Sprinkler System is to be located at the Eastern end of the Assembly Building and connected to the Sprinkler System pumps and hardware; location necessitated by the design of the system in connection with potential costs incurred.
- Emergency Vehicle Access Road proposed to be relocated and constructed of a pervious paver system which will blend in with the site; Access Lane to be fully marked as an Emergency Lane and will begin at the proposed location of the original Access Lane but will now connect to the Eastern Site Access Road instead of the Northern Site Access Road.
- Modification reviewed and approved by the Fire Chief and the Fire Code Official; Code Officer noes compliance with Fire Code Section 503 and applicable Zoning code.



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- No change in the SWPPP will result from the relocation of the Access Road or the movement of the proposed storm water culvert; confirmed by letter from Engineer with stamp and signature; less impervious surface now being used on the site – less blacktop.
- At the developers own risk and subject to the Board, the scheduling and sequencing of the project required that the Tank structure be placed on site prior to this final discussion of Board Approval for the modification.
- Condition of Approval to be that the visible portion of the tank which is not built into the Assembly building be blended into the aesthetic of the building and the site by way of historic or heritage color paint, of a dark matte style, or by using screening.

Motion to Approve the Site Plan Modification Determination and Resolution for 4321 Route 209 LLC made by S. Klein, second by D. Cobb; call of the Roll with the following result: D. Cobb, Aye; J. Economos, Aye; H. Hansen, Aye; S. Klein, Aye; J. Farrar, Aye; A. Graziani, Aye; M. Stratton, Aye; Vote: 7 Aye, 0 Nay, 0 Abstentions (7-0)

2. Hasbrouck House SUP/SP Condition for Bond or Surety Inquiry

Agent Stephanie Bassler of North River Architecture is in attendance on behalf of the Hasbrouck House

The Board and the Agent engaged in discussion on the Special Use Permit and Site Plan Approval for the Hasbrouck House and the Approvals Conditions:

- Initial request to discuss the possibility of removing the Bond or surety requirement from Conditions of Approval on the Special Use Permit.
- Engineers submitted final sets of Septic System plans to the Health Department at the end of February 2024 and they are still being reviewed; additionally outstanding well tests requested by the Engineer are pending to confirm flows on site to ensure sufficiency to support the commercial changes on the property.
- Noted that the Health Department required the Residential and Commercial components of the Septic Plans to be separated for review.
- Applicant reported that the expiration for the Extended Approval on the Special Use Permit is April 8th, 2024, and the requisite Conditions of Approval will not be fulfilled by the expiration, which will require an additional submission to request an Approval Extension request.
- The Chair noted that no additional consideration can be given to Approval Extensions as per Town Code; Site Plan Approval maximum is for 2 years, and Special Use Permit needs to be exercised within a year of Approval.



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- Of Counsel made summary that the Board does not have the authority to approve an additional extension and advised not to consider the Application for such.
- Special Use Permit Approval will expire on April 8th, 2024, without recourse other than fulfilling the Conditions of the Approval.
- The Applicant is requested to re-submit their Applications for Special Use Permit, Site Plan, and Subdivision in full, without prejudice; the process for re-submittal is the same as if for a new Application.
- The Board agreed with the Applicant that it is advantageous to continue to implement sound mitigation strategies and all other requirements of the previously approved Special Use Permit as they prepare to return to the Board for re-submission.
- The re-submission process should be very streamlined as about all of the work has already been completed previously, and once all required Agency Approvals have been received, the process should be much neater and seamless in moving forward.

3. Approval of February 2024 Meeting Minutes

Motion to Approve the minutes of the February 2024 Planning Board Meeting made by M. Stratton, second by S. Klein; call for a vote with unanimous Aye. (7-0)

Motion to adjourn the meeting made by H. Hansen, second by J. Economos; call for vote with unanimous Aye. (7-0)

Meeting Adjourned

7:55 P.M.

Draft Submitted: 4/14/2024

Minutes Approved: 4/22/2024

Shawn Marks