



### TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: November 16, 2016  
 Rondout Municipal Center, 1915-1925 Lucas Avenue  
 Meeting Room M-1  
 Cottekill, New York 12419

Richard Lanzarone (Chairman)	Present
Steve Wood (Vice-Chairman)	Absent
Sylvia Ricci	Present
Todd Natale	Present
Kristopher Lovelett	Present
Kathleen Hawk	Present
Larry Ricci	Absent
Mary Collins	Present o/b/o Steve Wood
Dan Proctor	Present o/b/o Larry Ricci

Also present was Planning Board Consultant Bonnie Franson of Nelson, Pope & Voorhis, L.L.C.

Chairman Richard Lanzarone called the meeting to order with the Pledge of Allegiance at 7:05 p.m.

#### **Pending Application:**

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
<b>Lotus Pond Farm Subdivision</b>	Larry Ricci	2 Lot Minor Subdivision	270 VanWagenen Road	A-3	62.1-1-29.200	SEQRA review, Public Hearing & application review

Nadine Carney of Peak Engineering, Terry Ringler, Jr., L.S. and applicant Paula Allen were present on the application Planning Board with Ms. Carney requesting that Joseph Diamond be added to the contact list relative to the SHPPO referral.

The draft Negative Declaration was brought up for review with Chairman Lanzarone making note that an additional from North County Ecological Services, Inc. report had been submitted addressing the Northern Wild Monkshood and additional map revision dates with the accuracy of the revised dates of

November 2 and November 4 being confirmed. Copies of the Short EAF Park II were distributed and reviewed by the member of the Board.

**Chairman Lanzarone called for a motion** to adopt the Negative Declaration. Upon motion of Member Kathleen Hawk seconded by Member Kris Lovelett and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

The Public Hearing was commenced at 7:24 p.m. and Chairman Lanzarone called upon persons present who wished to address the Board relative to the application. Applicant Paula Allen introduced herself to the Board and expressed that she was looking forward to living in the area.

**Chairman Lanzarone called for a motion** to close the Public Hearing. Upon motion of Member Kris Lovelett seconded by Member Sylvia Ricci and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

Ms. Carney provided comments pertinent to the November 5, 2016 as they related to the application. Ms. Allen had retained an attorney relative to the requirement to file a CPS7 and addressed the Board relative to same and her opposition to the requirement to file same. Discussion ensued with regard to the ownership of the driveway and who would be using said

driveway. At the current time, Ms. Allen was construction a single - family home and Ms. Ensler accessed her residence by a separate driveway. The map was brought up for the Board to review. It was determined that a Road/Driveway Maintenance Agreement would be prepared and would be required as a condition to approval. Member Kris Lovelett noted that access from Van Wagenen Lane was an alternative option if ever needed in the future although currently, an existing easement was being used to access the new lot being created.

The Board asked that that “Note 11” be reviewed and discussed. Ms. Carney noted that a line had been added to the map to denote the road boundary. Chairman Lanzarone noted that it was not “as per the Town of Marbletown’s Planning Board decision” but that it was per the “State Highway Law §189” with Surveyor Ringler disagreeing, stating that he would be happy to address changes upon receipt of letter from attorney. Mr. Ringler inquired as to specifically what the note should reflect to which the response was given that it needs to note that “it is reserved for public highway use.” The 25’ width was questioned by the surveyor and standard adopted by Town and County was noted and that it was a community standard. Surveyor Ringler was directed to review New York State Highway Law §189 and ensure that it had been complied with and it was noted that it was the obligation of the Board to reflect compliance with the New York State Highway Law.”

Remainder of draft Resolution was reviewed and corrections being made and removal of material previously covered in detail within the Negative Declaration. **Chairman Lanzarone called for a motion for approval with conditions.** Upon motion of Member Kris Lovelett seconded by Alternate Member Dan Proctor and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

Conditions to approval:

1. A Mylar and 8 paper sets of the sub-division map;
2. New legal descriptions

3. Driveway Maintenance Agreement acceptable to the Town Attorney which indicates that the applicant is solely responsible for the maintenance of the driveway
4. Revised map note “11.” to delete “as per the Town of Marbletown Planning Board’s decision” and replace with “as per New York State Highway Law Section 189.”
5. Correction to wetland map note to “undisturbed.”

**Pending Application:**

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
<b>SUNY Ulster</b>	Richard Lanzarone	Freestanding Sign	525 Cottekill Road	S-R	62.3-4-1	Memorialized resolution

Draft Resolution was displayed for review and the specific content of the approval were confirmed by the Board.

The Board noted that the sign was on property owned by the Stone Ridge Fire Department and would normally be restricted to 4 square feet (community pole) but there were 9 reasons substantiating a partial governmental immunity exemptions requested by the applicant. Chairman Lanzarone recounted conversation with Dennis Doyle of the Ulster County Planning Board.

**Chairman Lanzarone called for a motion** to accept and memorialize the Resolution with conditions. Upon motion of Member Sylvia Ricci seconded by Member Kris Lovelett and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

**New Application:**

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
<b>Green 209, LLC</b>	Richard Lanzarone	Major Subdivision	3800 Main Street	R-3/B-1	69.2-4-29	Pre-application review

Applicants Tobias Levy and Jessica Sillas representing Green 209 were present on the application. Mr. Levy provided an overview of the present plan. Various questions posed by the Board including water supply study and ingress/egress from the development were responded to and discussed. The feasibility of the use of Hendricks Lane as an access was also discussed and the need to make a clear determination that it could not be used.

The Board, through Chairman Lanzarone, requested the applicants to submit a revised map pursuant to the requirements specified for conservation subdivisions with the Town and to depict lot lines on the revised maps.

**Chairman Lanzarone called for a motion to** declare the Marbletown Planning Board as Lead Agency. Upon motion of Member Kris Lovelett seconded by Member Kathleen Hawk and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

The Planning Board Secretary was directed to generate the Lead Agency request to NYS Department of Transportation, NYS DEC, Army Corp. of Engineers, Ulster County Department of Planning, NYS SHPPO, fire district, Fish & Wildlife, the Marbletown ZBA, Ulster County Department of Health and the Marbletown Town Board.

**Chairman Lanzarone called for a motion** to classify as a Type I action. Upon motion of Member Sylvia Ricci seconded by Alternate Member Dan Proctor and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

**Chairman Lanzarone called for a motion** to classify as a super subdivision. Upon motion of Member Todd Natale seconded by Member Sylvia Ricci and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

Planner Franson noted that because the application was a super subdivision, the Board was required to conduct a site visit. Alternate Member Mary Collins inquired as to how the Board would be addressing this residential and commercial aspects of application. to which Chairman responded that it would treated as two separate applications and that a site plan application would need to be submitted relative to the commercial site plan review.

Planner Franson inquired as to when engineers (Brinnier & Larios) may be brought in. It was determined that plans needed to be developed further and it would be premature to involve the engineers. It was requested that the civil engineer provides information relative to the checklist that was provided when approximately 90 % of the items had been completed which would then be forwarded to the Towns' engineers.

**Chairman Lanzarone called for a motion** to establish escrow in the amount of \$5,000.00. Upon motion of Member Todd Natale seconded by Member Sylvia Ricci and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

The applicants were asked if they were clear as to what was expected and that Planning Board secretary would be sending a list of requirements. Mr. Levy noted that he had received a fairly comprehensive list from Planner Franson and the Board noted that the same type of documents would be generated upon filing of the Site Plan application.

**Chairman called for a motion** to approve the minutes of September 21, 2016. Upon motion of Alternate Member Dan Proctor seconded by Member Kris Lovelett and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Aye
Steve Wood by Mary Collins	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci by Dan Proctor	Aye
Todd Natale	Aye

Member Todd Natale raised issue of maps contours and what would be required on maps as the standard in the future.

Planning Secretary was directed to compile a list of standard notes to be reviewed with Planner Franson and Alternate Member Dan Proctor volunteered his services in the process to develop policy.

Motion to adjourn by Member Sylvia Ricci, seconded by Member Kathleen Hawk, was unanimously passed 7 – 0.

Respectfully Submitted,

Lisa K. Mance, Secretary

Dated this 1<sup>st</sup> Day of December, 2016.

Minutes Approved on: December 21, 2016