



## TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: January 20, 2016

Town of Marbletown Town Hall, 3775 Main Street, Stone Ridge, NY 12484

Richard Lanzarone (Chairman)	Absent
Steve Wood (Vice-Chairman)	Present
Sylvia Ricci	Present
Todd Natale	Present
Kristopher Lovelett	Present
Kathleen Hawk	Absent
Larry Ricci	Present
Mary Collins (Alternate)	Present

Also present was Planning Board Consultant Bonnie Franson,

In the absence of Chairman Richard Lanzarone, Vice-Chairman Steve Wood served as acting Chairman and called the meeting to order with the Pledge of Allegiance at 7:02 p.m.

### **New Application(s):**

Applicant – Board Member Delegate		Application	Location	Zoning District	SBL	Status
Brouwer/ Glenn LLA	Sylvia Ricci	LLA – Same owner	40 Marys Lane, Stone Ridge	A-3	61.4-3-7 & 14	New application

Applicant Marc Brouwer was present on the application and presented a synopsis of his application before the Planning Board. Planner Bonnie Franson reviewed the content of her application review (Attached hereto and made a part hereof as “Attachment 1”).

**Upon Motion of Member Sylvia Ricci**, seconded by Member Steve Wood, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0

members and 2 Members being absent, the motion to confirm that the application met the criteria for an LLA was carried unanimously by the following vote:

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

Part I of the EAF was visually displayed for review by the Planning Board, who then continued on to Part II of the EAF. Upon completion of said review, **Member Sylvia Ricci called for a Motion to issue a Negative Declaration and classify the action as Unlisted under SEQRA.** Upon Motion by Member Steve Wood, seconded by Alternate Member Mary Collins, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to confirm that the application met the criteria for an LLA was carried unanimously by the following vote:

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

**Member Sylvia Ricci called for a motion approving the LLA application** with the condition that a map note be added which would indicate that prior to the issuance of a building permit, the applicant shall prepare a Phase 1(a) and 1(b) archeological study for review by the Marbletown Planning Board to determine if any mitigation is required. Upon Motion of Acting Chairman Steve Wood, seconded by Alternate Member Mary Collins, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to confirm that the application met the criteria for an LLA was carried unanimously by the following vote:

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

**Pending Application(s):**

<b>Applicant – Board Member Delegate</b>		<b>Application</b>	<b>Location</b>	<b>Zoning District</b>	<b>SBL</b>	<b>Status</b>
Goldberg /Marks LLA	Richard Lanzarone	LLA-different owners-different townships	96 School Hill Road (Goldberg) & 84 School Hill Road (Marks)	R-1	70.3-6-5.200	New application

Mr. Goldberg was present on the application which application was pending before the Town of Rosendale Planning Board also. Bonnie Franson reviewed her comments, noting that the property was in an archeologically sensitive area and the same conditions applied to this application as to the prior Brouwer/Glenn application and the same conditions may apply, depending on the applicant's assertions. Vice-Chairman Steve Wood called upon the applicant to address his application and to go on the record as to what his intentions were. Mr. Goldberg indicated that there had been a misunderstanding prior in that the Town of Rosendale wanted the Town of Marbletown to sign off on the maps and that a letter was not sufficient as had been previously thought. Mr. Goldberg went on record to state that he did not intent to make any ground disturbances to the property. Vice Chairman Wood noted that the applicant was responsible to comment on that portion that pertained to the property in the Town of Marbletown only.

**Vice-Chairman Steve Wood called for a motion to classify the application as a Lot Line Adjustment.** Upon Motion of Kris Lovelett, seconded by Member Larry Ricci, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to confirm that the application met the criteria for an LLA was carried unanimously by the following vote:

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

**Vice-Chairman Steve Wood called for a motion to classify as an Unlisted Action under SEQRA.** Upon Motion of Kris Lovelett, seconded by Member Larry Ricci, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to confirm that the application met the criteria for an LLA was carried unanimously by the following vote:

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

The Board reviewed and completed Parts II and III of the Long EAF pertinent to the Goldberg/Marks LLA application.

**Vice-Chairman Wood called for a Motion to issue a Negative Declaration.** Upon Motion of Member Todd Natale, seconded by Member Kris Lovelett and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to issue a Negative Declaration was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Absent
Steve Wood	Aye

Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Absent
Mary Collins (Alternate)	Aye
Todd Natale	Aye
Larry Ricci	Aye

**Vice-Chairman Wood** called for a Motion approving the LLA with conditions. Upon Motion of Member Todd Natale, seconded by Member Kris Lovelett and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to approve application as a Lot Line Adjustment with conditions was carried unanimously by the following vote:

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

Conditions of approval:

- 1) Provide Agricultural Data Statement;
- 2) Revised Long EAF Part I;
- 3) Map note relative to non-disturbance of .5 acre and require to revisit Planning Board prior to issuance of any building permits in the future; and
- 4) Map note that .5 acre parcel shall not be a separate building lot.

Planning Board Secretary was directed to draft a resolution and provide to Mr. Goldberg and Surveyor William Eggers.

<b>Applicant – Board Member Delegate</b>		<b>Application</b>	<b>Location</b>	<b>Zoning District</b>	<b>SBL</b>	<b>Status</b>
Ballincurry Builders, Inc.	Steve Wood	5 Lot Major Subdivision	Canary Hill Road	A-4	55.1-3-22	Revised maps submitted 1/5/16

Colin Houston, P.L.S. and Louis DuBois P.E. were present on the application.

The Board discussed the presence and classification of the prickly pear plant which had been located on the property.

Colin Houston provided explanation of most recent revisions made to the maps presented on the application. Vice Chairman Wood noted that the 5' topos didn't adequately reflect the steepness of the terrain.

Vice Chairman Wood polled the Board as to whether the plan presently before the Board was acceptable for the applicant to proceed. The Planning Board voted unanimously that the current plans were acceptable. Member Todd Natale noted that stormwater development was one of the remaining issues.

**Vice-Chairman Wood called for a Motion to establish escrow in the amount of \$2,000.00.**

Upon Motion of Member Kris Lovelett, seconded by Member Larry Ricci and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the the motion to establish escrow in the amount of \$2,000.00 was carried unanimously by the following vote:

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

<b>Applicant – Board Member Delegate</b>		<b>Application</b>	<b>Location</b>	<b>Zoning District</b>	<b>SBL</b>	<b>Status</b>
Stone Gate Subdivision	Larry Ricci	4 Lot Minor Subdivision	Atwood Road (Route 213)	A-3	54.1-1-21.2	Review Engineer Review; revised site plans

Applicant Mark Usvolk and civil engineer Andrew Willingham were present on the application.

Vice-Chairman Wood asked that the application review be temporarily suspended to re-open discussion relative to the Ballincurry Builder, Inc. application and the written response of NYS Natural Heritage Program which indicated that the presence of the Indiana Bat (endangered) and Northern Long-eared Bat (threatened) have been documented in relatively close proximity to the property (1 ½ miles and 2 ½ miles respectively). The Board requested that a brief narrative be issued in letter form by applicant with regard to the species and construction timeframes.

The Planning Board returned to the pending Stone Gate Subdivision and Member Larry Ricci called upon Andrew Willingham to update the Board relative to the application and progress that had been made. Planner Franson noted that the application was originally submitted as a 3 lot subdivision and that it now was a 4 lot subdivision. It was noted that the Agenda incorrectly specified that the property was in the B-1 Zoning District. Planner Franson encouraged members that had not visited the site to do so if possible.

Discussion ensued with respect to access and the existence of an easement on the parent parcel. Planners January 18, 2016 Comment “6” addresses this concern (annexed hereto and made a part hereof as “Attachment 2”).

The Board was polled relative to their opinion that the present plan was acceptable to move forward. Member Kris Lovelett indicated that he would prefer more detail with regard to Lot # 4 – visual impacts needed to be substantiated. Both members Larry Ricci and Kris Lovelett expressed desire to visit the site. Member Todd Natale noted that 10’ contours don’t visually convey difficulty of driveway access and Andrew Willingham indicated that he was in the process of working on this.

**Vice-Chairman Wood called for a motion** supplementing escrow in the amount of \$500.00. Upon Motion of Member Sylvia Ricci, seconded by Member Kris Lovelett and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion to establish escrow in the amount of \$2,000.00 was carried unanimously by the following vote:

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

**Vice-Chairman Wood called for a motion** type as an Unlisted action under SEQRA. Upon Motion of Member Sylvia Ricci, seconded by Member Kris Lovelett and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion classifying action as Unlisted was carried unanimously by the following vote:

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

Planning Board secretary was directed to send letter to NYS Natural Heritage Program.

**Vice Chairman Steve Wood called for a motion** to approve the October 15, 2015 Minutes of the Planning Board. Upon Motion of Member Sylvia Ricci, seconded by Member Todd Natale, and the affirmative vote of 4 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 1 member and 2 Members being absent, the motion classifying action as Unlisted was carried unanimously by the following vote:



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

**Vice Chairman Steve Wood called for a motion** to approve the October 29, 2015 Minutes of Planning Board. Upon Motion of Member Kris Lovelett, seconded by Member Sylvia Ricci, and the affirmative vote of 4 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 2 members and 2 Members being absent, the motion was carried unanimously by the following vote:

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

Vice-Chairman Steve Wood called for a motion to confirm approval of Planner Bonnie Franson's contract for 2016. Upon Motion of Member Kris Lovelett, seconded by Member Sylvia Ricci, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 2 Members being absent, the motion was carried unanimously by the following vote:

<b>Vote:</b>	<b>All Aye</b>
Richard Lanzarone (Chairman)	Absent
Steve Wood	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Absent

Mary Collins (Alternate)	Aye
Todd Natale	Aye
Larry Ricci	Aye

**Chairman Steve Wood called for a motion** to supplement escrow relative to the Pine Cone Road Subdivision application. Upon Motion of Member Kris Lovelett, seconded by Member Sylvia Ricci, and the affirmative vote of 5 members, 1 Alternate Member, the negative vote of 01Members, the abstention of 0 members and 2 Members being absent, the motion was carried unanimously to supplement escrow in the amount of \$500.00 by the following vote:

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

Vice-Chairman Wood directed Planning Board Secretary to draft letter to applicants requesting additional escrow.

Member Todd Natale wished to address the contour requirements and how the increments were established within the Code indicating that the current 10' contours don't adequately reflect the condition(s) of the terrain in certain instances.

The meeting was adjourned at 9:18 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Dated this 26<sup>th</sup> Day of April, 2016

Minutes Approved on: June 15, 2016