



TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: July 19, 2017
 Rondout Municipal Center, 1915-1925 Lucas Avenue
 Meeting Room M-1
 Cottekill, New York 12419

Richard Lanzarone (Chairman)	Present
Steve Wood (Vice-Chairman)	Present
Kris Lovelett	Present
Todd Natale	Absent
Laura Shabe	Absent
Larry Ricci	Absent
Dan Proctor	Present
Elisa Tinti (Alternate)	Absent

Planning Board Consultant Bonnie Franson of Nelson, Pope & Voorhis, L.L.C. was not able to present at the July Meeting.

A quorum being present, Chairman Richard Lanzarone called the meeting to order with the Pledge of Allegiance at 7:00 p.m.

Pending Application:

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
Paul & Eileen Brickner	Larry Ricci	3- Lot Subdivision	24 Stillwater Road	A-3	54.2-1-36.112	Conclude SEQRA Review; Schedule Public Hearing; Supplement Escrow

No new comments from Planner Franson had been submitted and the Short EAF Part I was displayed for review with the Chairman indicating that it would be read silently and would be determined that the responses were acceptable unless a member spoke up. Pursuant to the review, it was determined that items "9" and "15" should have been answered "yes" and item

“19” should have been “no.” With approval of applicant, the changes were made to the Short EAF Part I and resigned and initialed by the applicant.

An inquiry was made as to where the stormwater runoff from the driveway discharged to which the Applicant responded “to the property itself.”

The EAF Part II and the draft Negative Declaration (attached hereto) were then reviewed and upon completion, **Chairman Lanzarone called for a motion to adopt a Negative Declaration.** Upon Motion of Vice Chairman Steve Wood, seconded by Member Dan Proctor, and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

The Chairman then called for a motion to schedule a Public Hearing. Upon Motion of Vice Chairman Steve Wood, seconded by Member Dan Proctor and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

The Board directed the Planning Board Secretary to refer the application to the Town’s Engineering Consultant (Brinnier & Larios) so that a determination could be made with regard to stormwater runoff and that the plan was acceptable as presented.

One remaining motion to supplement escrow in the amount of \$500.00 was called for.

Upon Motion of Vice Chairman Steve Wood, seconded by Member Kris Lovelett and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

New Application:

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
D&H Canal Historical Society	TBD	Lot Line Adjustment – same owner	17 & 23 Mohonk Road	B-1 & R-3	70.46-3-4 & 70.46-3-22	Application review, classify under SEQRA, qualify as an LLA application

James T. DeWinter Jr., P.E. of DeWinter Engineering, P.C. and William Merchant were present on the application.

Mr. DeWinter provided an overview of the proposal which involved the movement of a property line 30 feet to add footage to a pre-existing non-conforming lot. The applicant answered questions from the Board regarding locations of septic and electric. Vice Chairman Wood inquired about an old issue with the septic groundwater and it was determined that the matter had been resolved some time ago.

Chairman Lanzarone called for a motion to Classify the application as a Type I action under SEQRA. Upon Motion of Vice Chairman Steve Wood, seconded by Member Kris Lovelett and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

The Long EAF Part I was reviewed by the Board with comment that the Long EAF “E.2” on Page 11 would need to noted “Well Drained” and that “E.3 h.” should denote “yes” specifically naming the Lock 16-20 Lockwalk and the Scenic Byway. A review of the Long EAF Part II ensued after which the Draft Negative Declaration was brought up for review (attached hereto and made a part hereof as “D & H Negative Declaration.”

Based upon the assertions of the Applicant, **Chairman Lanzarone called for a Motion to waive the requirement to conduct a full archeological and cultural survey on the basis that there is to be no disturbance.** Upon Motion of Vice Chairman Steve Wood, seconded by Member Kris Lovelett and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-Chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

Chairman Lanzarone called for a motion to adopt a Negative Declaration. Upon Motion of Member Kris Lovelett, seconded by Member Daniel Proctor and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

Chairman Lanzarone called for a motion confirming that the application meets the requirement as a Lot Line Adjustment. Upon Motion of Member Kris Lovelett, seconded by Vice Chairman Steve Wood and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

The Draft Resolution was displayed for review by the Planning Board after which time, **Chairman Lanzarone called for a motion to approve the Lot Line Adjustment with conditions.** Upon Motion of Member Kris Lovelett, seconded by Vice Chairman Steve Wood and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent

Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

Motion by Kris Lovelett to approve the Minutes of June 21, 2017, seconded by Member Dan Proctor and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

Chairman Lanzarone called for a motion to close the Stonegate Subdivision and Lotus Pond Subdivision escrow accounts. Upon motion of Vice-Chairman Wood, seconded by Member Kris Lovelett, and the affirmative vote of 4 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood (Vice-chairman)	Aye
Kris Lovelett	Aye
Laura Shabe	Absent
Todd Natale	Absent
Larry Ricci	Absent
Dan Proctor	Aye
Elisa Tinti (alternate)	Absent

The Board determined that a Special Meeting to discuss proposed Local Law No. 8 was to be held on July 27, 2017 at 7:00 p.m. and that members were to generate comments prior to be discussed at the meeting. The Planning Secretary was directed to circulate the latest draft of the

proposed Local Law and the comments submitted. A Notice was to be placed on the Planning bulletin board and noticed to the Daily Freeman. Chairman Lanzarone was going to set up a call- in number for those members unable to attend.

Site Plan maps for Applestone Meats and Subdivision maps for Pine Cone Road Properties were executed.

Meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Dated this 28th Day of July, 2017

Minutes Approved on: August 16, 2017

State Environmental Quality
Review (SEQRA)
NEGATIVE DECLARATION
Notice of Determination of Non-
Significance

Date: July 19, 2017

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation

The Town of Marbletown Planning Board ("Planning Board") has determined that the proposed action will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Further information regarding this Negative Declaration can be obtained from Richard Lanzarone, Chairman, Town of Marbletown Planning Board, 1925 Lucas Avenue, Cottekill, New York 12419 (Mailing address: PO Box 217, Stone Ridge, New York 12484, telephone (845) 687-7500 Ext. 171.

Name of Action:

1. D & H Canal Historical Society Lot Line Adjustment

SEQR Classification: Type I

Conditioned Negative Declaration: No

Description of Actions: Lot line adjustment to reconfigure two (2) existing lots (70.46-3-4 and 70.46-3-22), moving the line between the parcels 30 feet to the north.

Location: 17 Mohonk Road with Tax Map Number 70.46-3-4 comprised of .727 acres being located in the B-1 Zoning District and 23 Mohonk Road with Tax Map Number 70.46-3-22 comprised of 1.654 acres being located in the R-3 Zoning District, Town of Marbletown, County of Ulster and State of New York.

Reasons Supporting This Determination:

WHEREAS, the Planning Board is in receipt of a lot line revision map prepared by Timothy M. McCabe, L.S., P.C., consisting of one sheet, that depicts the layout of

**D&H NEGATIVE
DECLARATION**

the proposed lot line adjustment in accordance with Chapter 169-17 Lot line adjustment, and Chapter 200, Zoning, of the Code of the Town of Marbletown; and

WHEREAS, the Planning Board received a long Environmental Assessment Form, Part 1, dated July 5, 2017 and revised July 13, 2017, evaluating the potential impact of the proposed action relative to the lot line adjustment application; and

WHEREAS, the Planning Board and applicant are in agreement that the EAF, Part 1, is acceptable as revised at the July 19, 2017 Planning Board Meeting; and

WHEREAS, the Planning Board and applicant are in agreement that the EAF, Part 1, is acceptable as revised at the July 19, 2017 Planning Board Meeting; and

WHEREAS, the application was referred to Zoning Officer Allen who determined that the lot line adjustment was allowable under the Code and brought a currently nonconforming lot more into compliance; and

WHEREAS, based on a review of the full Environmental Assessment Form for the proposed project and a careful and thorough independent review by the Board and its consultant, the Planning Board identified no potentially significant adverse environmental impacts that might result from the proposed amendment, and will not require the prepare of an Environmental Impact Statement (EIS) for the following reasons:

- a. The project is approving only the adjustment of the lot line between the two parcels and the applicants have acknowledged that there will be no disturbance as a result of this approval.
- b. Since there will be no disturbance, there will be no adverse effect on surface water.
- c. The area potentially contains species or plant life that is threatened or endangered, but since no disturbance is proposed, referral to the Natural Heritage Program is not required.
- d. The Board found there will be no adverse impact on aesthetic resources.
- e. The New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), Historic Preservation Field Bureau files indicated the property is located within an archeologically sensitive area. Based upon assurances of Applicants that there will be no disturbance, the Board

waived the requirement to conduct a cultural resource survey.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board determines that the action as proposed and as represented by the Applicant will not have a significant adverse effect upon the environment and an environmental impact statement will not be required. A Negative Declaration is hereby issued.

Upon motion of Member Kris Lovelett, seconded by Member Dan Proctor, and the affirmative vote of 4 Members, 0 Alternate Members, the negative vote of 0 members, the abstention of 0 members and 4 members being absent.

Dated: July 19, 2017

For Further Information:

Contact Person: Richard Lanzarone, Chairman

Mailing Address: PO Box 217, Stone Ridge, NY 12484

Physical Address: 1925 Lucas Avenue, Cottekill, NY

Telephone Number: 845-687-7500 Ext. 171