



TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: March 16, 2016

Town of Marbletown Town Hall, 1925 Lucas Avenue, Cottekill, New York 12419

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

Also present was Planning Board consultant Bonnie Franson,

Chairman Richard Lanzarone called the meeting to order with the Pledge of Allegiance at 7:08 p.m.

New Application(s):

Applicant – Board Member Delegate		Application	Location	Zoning District	SBL	Status
Habitat Real Estate Group	Kathleen Hawk	Free Standing Sign	3616 Main Street	B1	61.2-3-271	New application

Deborah Hitz was present on the application.

Planner Bonnie Franson reviewed content of her recommendations contained in the Application Review dated March 15, 2016 (attached hereto).

Concerns raised included whether the prior approval had expired with transfer of ownership or was previous approval still in effect; what the actual classification of the property was (residential versus commercial), dimensions of the sign and concerns with the ground lighting.

The Board noted that ground lighting has been discouraged by the Board in the past due to problems raised, most notably, glare cast upon oncoming traffic. Side or top mounting of the lighting was recommended with examples provided.

The application was tabled pending a determination from the Marbletown Code Enforcement Officer regarding questions raised and Chairman Lanzarone conveyed to applicant that she would be contacted when new information had been received.

Applicant – Board Member Delegate		Application	Location	Zoning District	SBL	Status
Elliott/Oakes LLA	Sylvia Ricci	LLA – Different Owners	171/191 Johnson Hill Road	A-4	55.3-2-3 (Elliott) & 55.3-2-2.110 (Oakes)	New application

Randal Oakes was present on the application and provided the Board with a review of what was being proposed in the Lot Line Adjustment application.

Bonnie Franson discussed content of her Application Review dated March 15, 2016 (attached hereto as “1”) and made recommendations to Board relative to the application.

Richard Lanzarone called for a motion to classify as an Unlisted Action under SEQRA. Upon Motion of Member Sylvia Ricci, seconded by Member Steve Wood, and the affirmative vote of 7 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 0 Members being absent, the motion carried unanimously by the following vote:

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

Chairman Lanzarone called for a Motion that the application met the criteria as an LLA. Upon Motion of Member Kris Lovelett, seconded by Member Steve Wood, and the affirmative vote of 7 members, 1 Alternate Member, the negative vote of 0 Members, the abstention of 0 members and 0 Members being absent, a motion determining that the application met the criteria to be presented as a Lot Line Adjustment was carried unanimously by the following vote:

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

Chairman Lanzarone called for a motion to waive the archeological study and referral for sensitive species study, based upon the assertion of Applicant that there would be no land disturbances. Upon Motion of Alternate Member Mary Collins, seconded by Member Kris Lovelett and the affirmative vote of 7 members, 1 Alternate Member, 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:

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

Conditions to be complied with were reviewed and are as follows;

- 1) Location of well and septic on both properties;
- 2) Corrected name of property owners;
- 3) Revised deed descriptions;
- 4) Corrected EAF (based on review and notations to correct items numbered “3,” “10,” “12(b),” “14” and “15.”

Chairman Lanzarone called for a motion to Issue a Negative Declaration. Upon Motion of Member Larry Ricci, seconded by Member Sylvia Ricci and the affirmative vote of 7 members, 1 Alternate Member, 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:

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

Chairman Lanzarone called for a motion to approve the Lot Line Application with Conditions as state. Upon Motion of Member Steve Wood, seconded by Member Kathleen Hawk and the affirmative vote of 7 members, 1 Alternate Member, 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:

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

Pending Application:

Applicant – Board Member Delegate		Application	Location	Zoning District	SBL	Status
Stone Gate Subdivision	Larry Ricci	4 Lot Sudivision	Atwood Road	A-3	54.1-1-21.200	New application

Andrew Willingham of Willingham Engineering and applicant, Mark Usvolk were present on the application. Andrew Willingham reviewed issues raised at the January 16, 2016 Planning Board meeting including grading, rural road profile, Lot No. 4 driveway and additional design details with the Board.

Bonnie Franson apprised the Board and applicant of her findings which were a result of a March 15, 2016 field visit and the content of her March 15, 2016 review (attached hereto as “2”).

The Board directed the Planning Board secretary to refer the applicant to Brinnier & Larios for review, that a site plan visit be coordinated with Larry Ricci for those members who have not been able to view the site previously, that a “no blasting” notation be added to the proposed map for signature.

Chairman Lanzarone called for a motion to classify the action as unlisted under SEQRA. Upon Motion of Member Larry Ricci, seconded by Member Steve Wood and the affirmative vote of 7 members, 1 Alternate Member, 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:

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

Chairman Lanzaone called for a motion to supplement escrow in the amount of \$500.00. Upon Motion of Member Kris Lovelett, seconded by Member Steve Wood and the affirmative vote of 7 members, 1 Alternate Member, 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:

Vote:	All Aye
Richard Lanzaone (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Sylvia Ricci	Aye
Kathy Hawk	Aye
Larry Ricci	Aye
Todd Natale	Aye
Mary Collins (Alternate)	Aye

Planning Secretary was directed to refer the application to the Ulster County Planning for GML review.

The Chairman indicated that the comment from the Ulster County Department of Public Works was required to be in writing.

Question was raised as to whether the easement from Usvolk's lot to Madarasz property could be legally extinguished.

Pending Application:

Applicant – Board Member Delegate		Application	Location	Zoning District	SBL	Status
Ballincurry Builders, Inc.	Steve Wood	5 Lot Major Subdivision of 38.71 Acres	Canary Hill	A-4	55-1-3-22	SWPP rec'd from Louis Dubois; Review rec'd from Joe Mihm and forwarded to applicants on 3/4/16; Erosion Sediment & Control Plan

						rec'd 3/9/16
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Engineer Louis DuBois was present on the application.

Mr. DuBois indicated that his most recent report responded to comments raised by Member Kris Lovelett to Joseph Mihm's report. Member Kris Lovelett reviewed the content of his comments and what had been addressed by Mr. DuBois.

Discussion took place between Mr. Dubois and Board wherein Member Lovelett noted that 2 foot map contours were advantageous, especially when providing detail where driveways and land disturbances were involved.

Mr. DuBois indicated that Joe Diamond was sending archeological study to Planning Board. Chairman Lanzarone indicated that same was to be reviewed by Planner Franson and Planning Board Secretary was to refer application to SHPO upon receipt of the report. It was noted that report and response were necessary for the Board to complete the SEQRA review.

Planner Franson also noted that, depending on the final limits of disturbance, a revised EAF may be necessary.

Chairman Lanzarone called for a motion to supplement escrow in the amount of \$1,000.00. Upon Motion of Member Kris Lovelett, seconded by Member Mary Collins and the affirmative vote of 7 members, 1 Alternate Member, 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:

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

The meeting was adjourned at 9:35 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Dated this 7th Day of April, 2016

Minutes Approved on: April 20, 2016



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TO: Richard Lanzarone, Chairperson
Kathleen Hawk, Lead Reviewer
Members, Marbletown Planning Board

FROM: Bonnie Franson, AICP CEP, PP

RE: Habitat Real Estate Group Holding Freestanding Sign

DATE: March 15, 2016

CC: Lisa Mance, Planning Board Secretary

I am in receipt of the following and offer the following comments:

- Application for a Freestanding Sign, dated 2/5/16, received 2/21/16.

Comments

1. Application. Please note that the tax parcel number is 27.1, not 271.
2. Zoning. The property is located within the B-1 zoning district, and is subject to the Group A design standards. Within the B-1 zoning district, the following is allowed:
 - A freestanding sign is allowed, where the principal building or group of buildings (including the principal building) on the same lot is set back at least 15 feet from the street,
 - One (1) freestanding sign is permitted on the property. No part of any freestanding sign or its support shall be located within six feet of any building or extend beyond any street line.
 - The area of freestanding signs shall not exceed 36 square feet per sign face.
 - No part of any freestanding sign shall be higher than 15 feet above grade.

The proposed freestanding sign meets the dimensional requirements. It proposes no more than 16 feet per sign face, and is no higher than seven (7) feet.

The applicant did not provide an updated sign location plan, and instead appears to be relying on a plan prepared for a previous applicant. It needs to be confirmed that the sign will be located as shown on that plan.
3. Use. The Ulster County GIS parcel viewer indicates that the current use is "single family detached". Is the applicant relying on the previous approved site plan, and is it still in effect (i.e., not expired)? It should just be confirmed that no other more recent site plan exists which may apply to this parcel, allowing the present real estate use.

4. Content. Note that the Marbletown sign regulations state as follows: *"Signs in business and industrial districts. Signs in business and industrial districts are permitted, provided such signs or lettering contains only the name or names of the lawful owners or operators of the establishment, or their trademarks, trade names or corporate names, and shall identify only the business, profession, general goods or services conducted or dispensed on the premises."* The signs that I have observed in the B-1 district along Route 209 which are subject to the design standards and the above do not typically include the phone number of the business. This should be discussed relative to the above – it may be useful to observe a few of the other real estate business signs along Route 209.
5. Sign design. The applicant needs to disclose the following to the Planning Board: proposed material of the sign and posts, and colors of the sign. The hard copy rendering that I received was in black and white, but there is an electronic rendering which appears to show the sign has a blue background with white lettering. Also, please confirm whether the same design for the sign's frame that was approved as part of the previous application will be used; the previously approved sign posts were more decorative.
6. Lighting. The Planning Board has expressed a preference for goose neck lighting to be installed along the top of the frame of the sign, and illuminating downward. In this way, the lamp source is hidden from view by the sign itself, and does not become a distraction to motorists and does not cause unwanted glare extending beyond the sign. The applicant proposes "uplit" lights and it appears they would be ground mounted. This needs to be discussed with regard to the Planning Board's previous determinations and the design standards below.

10. Signage.

- Any sign lighting shall be via an external light source oriented to avoid glare towards adjacent roadways.
- Internally lighted signs are prohibited.
- Signs constructed of wood with painted, carved or mounted letters are preferred.

11. Lighting.

- Light fixtures from a manufacturer of historic lighting are preferred.
- Illumination levels shall not exceed a maximum of two footcandles at the property line or 10 footcandles anywhere on the site.
- All external light sources shall be designed to direct glare away from adjacent streets, properties and the sky.
- Light fixtures shall be no higher from finished grade than 18 feet or the building height, whichever is less.
- To provide optimum color rendition, lamps are preferred in the following order: metal halide, high-pressure sodium, low-pressure sodium. A mixture of lamp types on the same site is to be avoided.



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To: Richard Lanzarone, Chairperson
Larry Ricci, Lead Reviewer
Members, Marbletown Planning Board

From: Bonnie Franson, AICP CEP, PP

Date: March 15, 2016

Cc: Lisa Mance, Planning Board Secretary

Re: **Stone Gate Subdivision (Usvolk - Tax Parcel 54.1-1-21)**

I am in receipt of the following:

- Subdivision Plan, dated February 26, 2016, hard copy received March 12, 2016, prepared by Willingham Engineering.
- Transmittal letter, dated February 26, 2016, prepared by Willingham Engineering.

Comments

1. Field visit. On March 15, 2016, I visited the site and photographed areas of the site. See attached photos. We previously suggested that the applicant submit photos of the structures and disturbed areas of the site. As we did not receive any photos, we have attached photos from the site visit. These are provided for the benefit of the Planning Board members who have not had the opportunity to visit the site.
2. Section 169-A(4) requires that the map show such features as existing structures including buildings, structures, wetlands, watercourses, rock outcroppings, and other features. With this in mind, we note the following are present and are not all shown on the map.
 - Wetlands, in association with the intermittent stream that appears on the site;
 - A stone building structure, which may have historic value;
 - An area which appears to have been quarried;
 - Rock outcrops.

We note that the applicant's representative has attempted to show "wet area", but it is our recommendation, based on the field visit, that a wetland scientist demarcate the wetlands on the site in the vicinity of Lot 3. It cannot be determined, in the absence of a wetland delineation, that the wetland is contained within the buffer area. Further, the buffer is around the stream, and not the potential wetland itself.

3. Engineer review. Given the significant amount of water coming off of this site, and the steep terrain and disturbances required to access the top lot, we recommend that the Town Engineer review the plans.
4. GML Review. The application will be subject to Ulster County Planning Department GML review.

Subdivision Map

1. The subdivision map does not fully show the extent of streams and intermittent streams on the site, wetlands, or rock outcrops. At a minimum, the plan should show all drainage ways. It should include a certification that blasting will not be required. If that cannot be guaranteed, a blasting protocol may be needed, as mitigation to any necessary rock removal.
2. SWPPP. There should be a calculation of impervious surface cover, to determine whether the project remains within the SWPPP parameters to require soil erosion controls only, if this has not been provided.
3. The disturbance limits are tightly drawn so as to remain under the 5 acre threshold. The applicant should confirm that he is willing to provide a map note that limits disturbance to the areas shown. If so, silt fences should demarcate the limits of disturbance on the individual lots.
4. On P-2, reference is made to “rock cut” for the driveway serving Lot 4. Is blasting required?
5. As mentioned previously, a primary concern is with the wet and drainage areas on Lot 3 in particular. The full extent of drainage and wetlands needs to be shown to ensure that appropriate setbacks from septic systems can be accommodated.
6. The required separation distances between the septic systems and wells should be identified on the map.
7. Given the results of the percolation and deep tests, what kind of septic systems are proposed? Is the mottling indicative of wet soils and poor drainage?
8. Typical driveway profiles include an optional asphalt binder course. Given the amount of water traveling down the slopes at the top of Lot 4, how will the driveway be stabilized – given the steepness, is the driveway more susceptible to erosion?
9. Are all the erosion control measures, for which details have been provided, shown on the erosion control sheet, e.g., catch basin?

SEQRA COMMENTS

1. Classification of action. The Planning Board classified the action as an Unlisted action.
2. Cultural resource survey. The site appears to have been quarried, and a stone structure was observed during the field visit. The photos show several of the structures on the site. The foundation of the “dwelling” is provided on the map. It is my recommendation that, given the presence of these features on the project site, that a cultural resource survey be conducted.



Figure 3 Rock outcrop on project site.



Figure 4 Stone structure on Lot 3.

