



TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: June 21, 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	Present
Laura Shabe	Present
Larry Ricci	Absent
Dan Proctor	Absent
Elisa Tinti (Alternate) for Dan Proctor	Present

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

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
Stone Ridge Shoppes	Kris Lovelett	Site Plan	3885 Main Street	B-1	69.2-5-4	Revised site plan submitted for review

Applicant Stacy Fakiris, Nadine Carney and Scott Davis of Peak Engineering, Sam Dellahey of Alfandre Architecture and Michael Moriello, Esq. were present on the application. Chairman Lanzarone asked applicant and/or representatives to provide brief overview of the project, both of the site plan and architecturally, for the benefit of those present prior to the public hearing. Nadine Carney provided the requested information relative to the site plan review and Sam

Dellahey provided a brief presentation of the architectural plans and materials to be utilized in the construction.

Chairman Lanzarone called the Public Hearing to order at 7:06 p.m. and asked if there were any persons from the public present who wished to speak. Claudine Brenner from Main Street, Stone Ridge inquired as to where the access would be. The Secretary was requested to bring up the Site Plan and access from Emmanuel's was discussed. Although there is no access proposed at this time, there is a location for such access noted on the Site Plan. The Plan also includes location of sidewalks although they will not be put in place at this time.

James DiDonna expressed his concerns which were denoted in a letter submitted to the Planning Board and attached hereto as "DiDonna Letter."

Chairman Lanzarone called for further comment, hearing none, called for a motion to close the Public Hearing. Upon motion of Vice Chairman Steve Wood, 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:

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

Nadine Carney continue with the application review and provided information relative to unfinished business with Dave Clouser of Barton & LoGuidice. Substantial rain had delayed required testing necessary to provide additional information to Mr. Clouser. Clarifications relative runoff and the stormwater facility under the lot were among items that needed to be addressed. Planner Franson confirmed the comments made previously by Dave Clouser that confirmed that "...minor revisions in the stormwater design can be to result in no significant impact....."

Chairman Lanzarone addressed comments made during the Public Comment and discussion took place with regard to each concern raised, beginning with the building design and size. Modifications to the plan that were a result of the comments made by DOT were noted by Nadine Carney. Ms. Carney was asked to provide information relative to the septic plan who thereafter responded that the Presby System was being utilized and preliminary approvals had been issued by the DEC and Ulster County Health Department but that final approvals could not

be obtained until a Negative Declaration had been issued. The availability of water and usage was discussed with Ms. Carney stating that gray water was being considered for use in irrigation and use in the toilets in the restaurant business. The final concern raised relative to overbuilding was addressed by Stacy Fakaris who stated that realtors in retail leasing indicated that the space could thrive.

Members of the Planning Board were asked for their questions and or comments. Member Todd Natale asked for information relative to the system that was being considered for the water collection.

Before proceeding with further questions/comments from the Board, Ms. Carney was asked to provide information relative to fauna and flora. It was noted that pertinent ecological and environmental studies had been prepared and were on file with the Board.

Vice-Chairman Steve Wood wished to note that the design was an example for future development and was a handsome addition to the Town and that there was a need for contemporary buildings, noting the Ulster County Planning Board had discussed the positive nature of connecting the neighboring site and the benefit to both parties.

Member Kris Lovelett requested that the applicant confirm that the water storage system, if necessary, would be below ground to which Ms. Carney complied, stating that the it “would not be an above ground storage system...”

Member Laura Shabe concurred with the comments by Member Steve Wood, adding that it did not appear that the application had been presented and reviewed piecemeal, that it was a coherent plan, to which Member Elisa Tinti agreed.

Chairman Lanzarone asked, in terms of the Town’s comprehensive plan and zoning, was this development in accordance to which Planner Franson indicated that it was consistent with the Design Guidelines, Gateway Plan and zoning requirements and also wished to go on record stating that the Northern Long Eared Bat, not the Indiana Bat was the only species of concern that had been named in the study.

Board recommended that approval of the well system be a condition of approval prior to the issuance of a building permit.

The Draft Negative Declaration was displayed for review by the Board (attached hereto and made a part hereof). **Chairman Lanzarone called for a motion to adopt a Negative Declaration.** Upon motion of Member Larry 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:

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

Draft Resolution was presented for review (attached hereto as “Draft Resolution) with amendments being made to same. **Upon Motion of Chairman Lanzarone, seconded by Vice-Chairman Steve Wood** 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 to approve the Resolution for was carried unanimously by the following vote:

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

Prior Approved Application:

<u>Applicant</u>	<u>Application</u>	<u>Location</u>	<u>Zoning District</u>	<u>SBL</u>	<u>Status</u>
Pine Cone Road Properties, Inc.	3 Lot Minor Subdivision	147 Beaverkill Road	A-4	54.2-1-13.110	Update approval; execute \$570.00 escrow voucher

The subdivision application had been approved with said approval having expired prior to having all of the conditions of approval met. **Chairman Lanzarone called for a motion to re-approve the Subdivision application of Pine Cone Road Properties, Inc.** Upon Motion of Member Larry Ricci, seconded by Vice Chairman Steve Wood, 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 to approve the Resolution for was carried unanimously by the following vote:

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

Chairman called for a Motion to establish escrow for the defunct application Applestone Meat Co. – High Falls Facility which had incurred \$607.50 in consultant expenses that were required to be paid. Upon Motion of Member Todd Natale, seconded by Member Larry 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 to approve the Resolution for was carried unanimously by the following vote:

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

ZBA Chairman Will Husta and ZBA Secretary Maggie were in attendance to provide information relative to four (4) Local Laws (attached hereto and made a part hereof as “Laws.” The Planning Board was asked to provide written comment, if any, by July 14, 2017.

Chairman noted upcoming NY Planning Federation Summer Training Session.

Chairman Lanzarone called for a Motion to approve the Minutes from April 19, 2017 and May 17, 2017. Upon Motion of Member Larry 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 to approve the Resolution for was carried unanimously by the following vote:

Vote:	All Aye
Richard Lanzarone (Chairman)	Aye
Steve Wood	Aye

Kris Lovelett	Aye
Laura Shabe	Aye
Todd Natale	Aye
Larry Ricci	Aye
Dan Proctor by Elisa Tinti	Aye

Chairman Lanzarone called for a Motion to close escrow and issue refund of \$27.50 relative to the Reynolds, Bash & Gorn Subdivision application. Upon Motion of Member Kris Lovelett, seconded by Member Todd Natale, 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 to approve the Resolution for was carried unanimously by the following vote:

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

Upon Motion of Vice Chairman Steve Wood, seconded by Member Kris Lovelett, the meeting was adjourned at 10:10 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Dated this June 29, 2017

Minutes Approved on: July 19, 2017

**DIDONNA BROS. LLC DBA STONE RIDGE TOWNE
CENTRE & MARBLETOWN CORNERS LLC**

P.O. Box 239 Hurley, New 12443

845-399-7310

JamesDiDonna@gmail.com

June 14, 2017

Richard Lanzerone Chairman
Marbletown Planning Board
Town of Marbletown
1925 Lucas Ave
Cottkill, NY 12419

Via, Email info@marbletown.net

Subject: Clock Tower Development

Ladies and Gentlemen:

As the owner of the Stone Ridge Towne Centre and the Marbletown Corners property I would like to express my concerns about the current plans to develop the 20,000+ square foot shopping center to our south.

1. Traffic

The Route 209 corridor in the area between Rte. 213 West and Rte. 213 East is a real concern for any new development of properties. We have provided for a left turn lane to enter our property from the North. We have a right in lane on the southern border of our property. These drives would be negatively impacted by a development to the South unless highway improvements (widening, and right turning lane in and out. In addition, the corridor, although in the lighting district, has no street lighting further creating a safety

RECEIVED
6/20/17

DiDonna Letter

hazard. A comprehensive highway plan including drainage, sidewalks and lighting is necessary to insure proper ingress and egress from any new development along this corridor. If this development is approved it should be tied to a comprehensive highway plan.

2. Drainage.

The highway drainage from the crest of Rte. 209 (Former Town Hall) to the corner of Rte. 209 /Rte. 213 W has been a continuing problem. Highway water drains onto our property and the Marbletown Corners Property. Further development should require a comprehensive highway drainage plan to eliminate street water from flowing on the property owners. In addition, a storm water retention basin should be included in the new development since most the property will be covered with impervious surfaces.

3. Water,

As the board is acutely aware water in the Hamlet area, on the Rte. 209 and all of Stone Ridge is stressed. We were required to provide drawdown testing during the development of the Towne Centre. The same provision of satisfactory drawdowns and purity testing will need to be completed to insure ours and other properties in the area are not negatively affected. As you are aware we are second largest commercial development in Marbletown any interruption in water supply would have a disastrous impact on our tenants. Low water affects everyone as we learned in 1995. In addition, the proper planning and installation of septic fields along with reserve areas is key to a properly operating commercial site.

4. Landscaping and Screening,

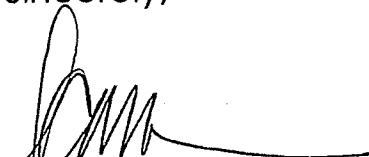
As with the Towne Centre and Marbletown Corners proper screening is a must. This will enhance the aesthetics of Stone Ridge and Marbletown. Stringent requirements have been placed on all commercial development regarding architecture and proper landscaping and screening.

5. Usage,

We are always in favor of improving our community to provide the best local services to the citizens of the area, however we are

concerned about the tenancy of an additional 20,000 square feet in Stone Ridge. At present, there are many empty commercial spaces in the town and without a comprehensive tenancy plan, empty unrented space will not enhance the Community.

Sincerely,



James M DiDonna
Managing Partner

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

Date: May 17, 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"), as Lead Agency, has determined that the proposed action will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: Stone Ridge Shoppes

SEQR Classification: Type I (as per 617.4(b)(9), project is substantially contiguous to a National Register Historic District)

Conditioned Negative Declaration: No

Description of Actions: A proposed mixed-use commercial development is proposed on an approximately 2.7-acre parcel (SBL 69.2-5-4) in the B-1 (South) Zoning District which is adjacent to a designated historical district. The project will include five (5) commercial buildings for office, retail and restaurant use, with a combined total of 17,320 square feet of gross floor area to be completed as one single phase project. The project site is located at the northeast corner of the intersection of U.S. Route 209 and Lamberti Lane (private road). Access to the development will be from U.S. Route 209. The development will be served by an on-site well and septic system.

Location: 3885 Main Street, Stone Ridge hamlet, Town of Marbletown, County of Ulster and State of New York.

Reasons Supporting This Determination:

WHEREAS, the Applicant, Stone Ridge Equities, LLC, submitted a site plan application on September 25, 2015, proposing the construction of a multiuse commercial development, which is a permitted use within the B-1 zoning district; and

WHEREAS, the Applicant formally submitted a site plan on September 25, 2015. Based on the Planning Board, agency, and consultant reviews, the site plan and accompanying documents have been revised to address said comments and to be consistent with the regulations set forth in Chapter 200, Zoning, of the Town of Marbletown Code, including associated design guidelines applicable to the B-1 South Zoning District; and

WHEREAS, the Planning Board is now in receipt of a site plan and architectural

renderings, prepared by Peak Engineering, PLLC., and Alfandre Architecture, P.C., submitted May 3, 2017. This Negative Declaration is based on review of this site plan, as amended, and the following sheets:

Sheet No.	Name	Revision Date
SP 1 of 8	Existing Site Conditions	4-12-17
SP 1 of 8	Proposed Site Layout	5-2-17
SP 1 of 8	Proposed Parking Plan	4-12-17
SP 1 of 8	Truck Movement Plan	4-12-17
SP 1 of 8	Proposed Site & Parking Details	4-12-17
SP 1 of 8	Proposed Site Grading Plan	4-12-17
SP 1 of 8	Lighting Plan	5-3-17
SP 1 of 8	Landscape Plan	5-3-17
UT 1 of 1	Utility Plans (Crossings)	4-12-17
SDS 1 of 2	Sewage Disposal System Plan	5-2-17
SDS 2 of 2	Sewage Disposal System Details	5-2-17
WS 1 of 1	Water Supply Details	5-2-17
SW 1 of 2	Stormwater Management Plan	4-12-17
SW 2 of 2	Stormwater Management Details	4-12-17
SESC 1 of 2	Soil Erosion & Sediment Control Plan	4-12-17
SESC 2 of 2	Soil Erosion & Sediment Control Details	4-12-17
NYS 1 of 1	NYSDOT Access Plan & Details	4-12-17
A1	Building Renderings	4-12-17
A2	Building Elevations	4-12-17

WHEREAS, the proposed Site Plan is consistent with the requirements set forth in Chapter 200, Zoning, of the Code of the Town of Marbletown and the Design Standards and Guidelines for Business Districts [Appendix A, 200 Attachment 2] contained therein; and

WHEREAS, the Planning Board received a Full EAF, Part 1, dated September 25, 2015, revised December 22, 2015; and

WHEREAS, on January 12, 2016, the Marbletown Planning Board expressed its intent to act as Lead Agency for this action, and circulated a Lead Agency Coordination Letter to the following involved and interested agencies: the NYS Department of Environmental Conservation, Region 3, Environmental Permits Division; the NYS Department of Transportation, Region 8 Office; NYS Office of Parks, Recreation and Historic Preservation; the U.S. Army Corps of Engineers; the U.S. Fish and Wildlife Service; the Ulster County Department of Health; the Stone Ridge Fire Department; the Ulster County Planning Department, and the NYS Department of Environmental Conservation Natural Heritage Program; and

WHEREAS, the following agencies consented to the Planning Board acting as Lead Agency: Ulster County Department of Health (response dated January 19, 2016); the NYS DOT (response dated February 12, 2016); the NYS DEC, Division of Environmental

Permits (response dated January 27, 2016). There comments were noted and addressed during SEQRA review of the proposed project as set forth below. There being no objections to the Planning Board acting as Lead Agency, the Planning Board declared itself Lead Agency on February 17, 2016; and

WHEREAS, At the February 17, 2016, Planning Board meeting, the Planning Board was in receipt of a memo dated February 17, 2016, as later amended February 23, 2016, from the Town Planning Consultant to the Planning Board, which provided a comprehensive list of additional SEQRA studies that had been requested by the Planning Board, various agencies, and the Town's consultants based on a review of the project and Full Environmental Assessment Form Part 2. Said list was provided to the Applicant; and

WHEREAS, the Planning Board has duly considered the record, together with the action, and the project narrative which will accompany the Special Use Permit and Site Plan have been or will be modified to address any potential significant adverse impacts identified by the Planning Board; and

WHEREAS, the Planning Board has analyzed the potential areas of environmental concern associated with the proposed action in accordance with procedures set forth at 6 NYCRR Part 617 and the criteria set forth at 6 NYCRR Part 617.7 implementing the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Planning Board consequently finds that the action will not have a significant effect on the environment for the following reasons:

Impact on Land. The proposed project will convert a 2.72 acre vacant site to commercial use. The development will result in the disturbance to the entire 2.72 acre site, as well as some additional area within the U.S. Route 209 right-of-way. The land disturbances will result in vegetative removal, and cut and fill of soils on the site to bring it to appropriate grade. A grading plan identifies the areas to be graded, and a Soil Erosion & Sediment Control Plan indicates how soil movement will be controlled during and post-construction. Any area that will not be developed with buildings or impervious surfaces will be landscaped in accordance with the landscaping plan. The increase in stormwater runoff that will also result, is addressed under "Impact on Flooding" below. With inclusion of appropriate soil erosion controls, the proposed project is not anticipated to have any significant adverse impact.

Impact on Geological Features. The proposed project will not impact any unique or unusual landform as they are not present on or adjoining the project site. The Applicant has indicated that construction of the proposed project will not require any blasting to remove bedrock. No significant adverse impact to geological features is anticipated.

Impact on Surface Water. The project site contains a palustrine wetland along the southeastern portion of the project site. The 0.08 acre wetland was delineated by North Country Ecological Services on April 13, 2016, and the development would result in the removal of the entire wetland. Mr. Brian Orzel of the USACOE visited the site on

July 21, 2016, and validated the wetland boundary, according to the Pre-Construction Notification Letter. The Applicant has submitted a NYSDEC and USACOE Joint Application Form, dated April 26, 2017, seeking permit coverage under Nationwide Permit 39, Commercial Developments, and a Pre-Construction Notification Letter dated May 5, 2017. Mr. Orzel indicated a jurisdictional determination will be made at the same time the Nationwide Permit is issued. Given the limited size of the wetland and its ecological value, it is determined that the minor disturbance to this wetland will not result in a significant adverse impact.

Impact on Groundwater. The proposed action includes the installation of a groundwater well to supply potable water to the development. Based on the representations of the project's engineer, it is not anticipated that the proposed project will have any significant drawdown or other impact to adjoining wells. In addition, stormwater runoff generated by the proposed project will be directed to a proposed stormwater detention facility which will include water quality measures to reduce pollutants before discharging to the ground. The project will not utilize bulk fuel oil as for energy supply, thus there are no concerns with regard to contamination of groundwater from same. Based on the foregoing, the project is not anticipated to have a significant adverse impact on groundwater resources.

Impact on Flooding. The proposed project site is not proposed to be located within the 100-year or 500-year floodplain. The project will result in disturbance to the entire 2.72 acre site, and will result in the introduction of 2.03 acres of impervious surface coverage to the site which will result in an increase to the amount and rate of stormwater runoff in the absence of stormwater controls. A Stormwater Pollution Prevention Plan (SWPPP), dated April 2017, has been submitted, documenting the infrastructure that will be constructed to mitigate any increase in stormwater runoff from the site – the site's runoff will be stored in Stormtech chambers (infiltration trenches), rain cisterns, and vegetated swales. The Applicant is required to secure a SPDES Permit for Construction activities from the NYS DEC, and must also comply with Chapter 167, Stormwater Management and Erosion and Sediment Control, of the Town of Marbletown Code. The Town's Engineering Consultant, in an email dated May 17, 2017, has indicated that the stormwater from the site can likely be addressed without any significant adverse impact.

Impacts on Air. The proposed project has the potential to generate short-term construction related impacts. Any potential for fugitive dust will be mitigated by the Soil Erosion and Sediment Control measures integrated into the project's design. Long-term, the project will increase traffic within the project vicinity. However, based on existing and anticipated traffic Levels of Service, no significant impact to ambient air quality is anticipated. The project does not propose any state-regulated air emission resources. It is not anticipated that the proposed project will result in any short- or long-term air impacts.

Impacts on Plants and Animals. The Applicant proposes to disturb approximately 2.72 acres of the 2.72 acre site. Prior to submission of the site plan application, the majority of the site had been clear cut and grubbed of vegetation. The NYS DEC, in a

letter dated January 27, 2016, indicated that the Northern Long-eared Bat (NYS and Federal Threatened) has been recorded within or near the project site and the potential impacts of the proposed project on said species should be fully evaluated during the project review pursuant to SEQRA. The NYS DEC Natural Heritage Program, in a letter dated March 17, 2016, indicated that the Northern Long-eared Bat and the Bog Turtle (NYS Endangered and Federal Threatened) were present in the project vicinity. Lastly, the US Fish and Wildlife Service, in correspondence dated January 25, 2016, indicated they would take no action but wanted to be kept informed of the project as it progressed through planning board review. In response to the agency letters, the Applicant retained North Country Ecological Services (NCES) to prepare an Ecological Report. The Ecological Report, dated December 16, 2015, was submitted to the Planning Board on April 20, 2017. The report documented that 70 percent of the 2.72 acre property had been cleared and grubbed of vegetation, and 30 percent remained wooded. A small palustrine wetland was identified along the southerly portion of the property in proximity to Lamberti Lane. A portion of the wetland was removed during site clearing. The Ecological Report indicated that foraging habitat exists both on- and off-site, and the property contained several shagbark hickory trees which could be used for roosting and as a summer nursery for pups. The report indicated that if these trees were to be removed, that same occur during appropriate times when the bats are in their winter hibernacula. The report also indicated that the on-site wetlands and habitat were not considered to have the physical characteristics to be considered bog turtle habitat. The report concluded that no other rare species were documented. Wetlands are discussed under "Impacts on Surface Water" above. The Planning Board requires that any site plan that may propose disturbance to the habitat of protected bat species include the following note: *"Trees shall only be cut, removed, or lopped during the time period after October 31st through March 31st to avoid any potential impact to roosting Northern Long-Eared bats."*

With strict adherence to the above note, no significant adverse impacts on any protected species will occur.

Impacts on Agricultural Uses. The proposed project site was wooded, and as not in agricultural use. The site is not located within a County Agricultural District, but does adjoin a property located in Agricultural District No. 3. Based on a review of the proposed uses, and proximity to active agricultural operations, it is not anticipated the project will have a significant adverse impact on agricultural uses.

Impact on Aesthetic Resources. The proposed development is located along and is visible from U.S. Route 209 at the gateway to the Main Street National Register Historic District and the picturesque Stone Ridge hamlet. The project will not be visible from any property in the historic district.

The development, located within the B-1 South Business zoning district, is also subject to the design guidelines set forth in Appendix A of the Town zoning chapter. The design of the proposed development has evolved as part of SEQRA and site plan review. The most recent design plans for the proposed project are identified on the Architectural Renderings attached to the site plan. The architectural design of the project is

addressed in a memo dated May 13, 2017, from the Town's architectural consultant for this project, North River Architecture and Planning, PC, to the Planning Board. In that memo, the architect recommended that the architectural components be approved by the Planning Board.

The design builds upon recent successful local examples of "neo-rustic" design, as the Planning Board has understood it. It will include a cluster of vernacular working building types and materials, with a blend of neo-rustic design elements. The design also includes two story space in order to vary the regularity of the buildings and to better mimic local building types. The project site presents an important in-fill opportunity for the Stone Ridge hamlet to extend its walkable and traditional neighborhood development goals into the highway commercial district context. This is achieved by several elements: traditional building volumes, covered porches, a disciplined scheme for color, materials, and signage, and a moderate landscape buffer that extends the existing hamlet pattern of mixed hardwoods and shrubs. The design results in well-planned density in the Stone Ridge hamlet which is a central element in Marbletown's Town Plan. Based on the architectural renderings and details set forth in the site plan, the project is not anticipated to have a significant adverse impact on aesthetic resources.

Impact on Historic and Archaeological Resources. The project site directly adjoins property situated within the Main Street Historic District which is listed on the National Register of Historic Places. Further, the NYS DEC, in a letter dated January 27, 2016, indicated that a review of the statewide inventory of archaeological resources maintained by the New York State Museum and the NYS Office of Parks, Recreation and Historic Preservation indicate that the project is located within an area considered to be sensitive with regard to archaeological resources. Based on that information, the Planning Board requested that the Applicant submit a cultural resource survey documenting potential impacts on historic and archaeological resources. A Phase I Archaeological Investigation dated February 19, 2016, was prepared by Joseph E. Diamond, Ph.D., which concluded that no historical artifacts or prehistoric artifacts were located in any of the shovel tests and no further work was recommended. On March 7, 2016, the NYS Parks, Recreation and Historic Preservation issued an opinion that the project will have no impact on archaeological and/or historic resources listed in or eligible in New York State and National Registers of Historic Places. Therefore, no significant adverse impacts to historic or archaeological resources is anticipated.

Impact on Open Space and Recreation. The proposed project will not result in any reduction in public open space or recreational land or uses. The project will include a pedestrian and bike path and will integrate publicly accessible sitting areas to accommodate the needs of visitors to the site and the general public. No impacts to this resource is anticipated.

Impact on Critical Environmental Area. The proposed project is not within or in close proximity to a Critical Environmental Area. No impact is anticipated to this resource.

Impact on Transportation. The proposed project is anticipated to increase traffic within the project's vicinity. Access to the project site will be via a new entrance that will have direct access to U.S. Route 209 north of its intersection with Lamberti Lane. To evaluate the potential effects on transportation, Creighton Manning Engineering, LLP, prepared a Traffic Assessment Report, dated June 29, 2016. Response letters to Planning Board, consultant, and agency comments were also prepared by Creighton Manning and dated November 10, 2016, and December 2, 2016. The Traffic Report and sketch plan of site improvements, and improvements within the NYS DOT right-of-way, have been reviewed by that agency. The NYS DOT has determined that based on projected levels of service, a left turn-in lane, additional through lanes and a traffic signal on NYS Route 209 are not warranted. The NYS DOT has reviewed the traffic assessment, and additional submissions prepared by Creighton Manning, and has no further comments with regard to anticipated levels of service. The NYS DOT's comments, as per a May 7, 2017, comment letter, are related to entry design and engineering improvements within the NYS DOT right-of-way. Based on NYS DOT's review, the proposed project is not anticipated to have a significant adverse impact on traffic operations and levels of service.

The proposed project will incorporate sidewalks and a bicycle path to link the new development to other locations within the hamlet. Further, the site plan demonstrates that sufficient on-site parking can be accommodated to handle the anticipated number of visitors and employees to the development, subject to the specific assumptions set forth in the Parking Summary contained on Sheet SP 2 of 8 of the site plan.

The proposed project is not anticipated to have a significant adverse impact on transportation.

Impact on Energy. The proposed project will generate a demand for energy to cool and heat the proposed commercial buildings. The buildings will be designed to comply with the New York State Energy Code. Although the heating and cooling systems have not been fully designed, the project's architect on May 17, 2017, has indicated that various mechanical systems will be studied as the design is progressed. It is anticipated that high efficiency mechanical systems, high efficiency lighting and well insulated building envelopes will be used in the building design. Given the requirements of the NYS Energy Code for building envelope elements, it is anticipated that the resultant primary source of heating and cooling will likely be high efficiency air source heat pumps. If necessary, there may be low temperature propane back up heat. The current site lighting plan shows the use of LED pole and wall mounted fixtures, which will provide energy use reductions. The use of Energy Ventilation Recovery units are being explored for each building that will allow for fresh air ventilation, while reducing the need for air conditioning. To the extent practicable, the design will strive to exceed energy code requirements. Fuel oil will not be used for building energy needs. The proposed project is not anticipated to have a significant impact on energy resources.

Impact on Noise, Odor and Light. The proposed project will increase local ambient noise levels, and will increase nighttime illumination levels. While the project will increase noise, this increase will occur only during daytime and evening hours of

operation. Further, as the project is located in the B-1 Business zoning district, the uses and their operational characteristics are compatible with the area. A fence and landscaping will be installed along the southerly property boundary shared with an adjoining residence, in order to screen and buffer noise-generating activities and lighting associated with the proposed development. The proposed lighting will comply with the B-1 South design guidelines which will allow for energy conserving LED lighting but which will limit total illumination levels. The development is not anticipated to generate any odors and dumpsters and mechanical equipment will be fully enclosed or screened. Based on the foregoing, no significant adverse impacts from noise, odor or light are anticipated.

Impact on Human Health. The proposed project site is not anticipated to have any significant adverse impact on human health. It will be served by a septic disposal system that has been approved preliminarily by the Ulster County Department of Health as per an e-mail response dated May 2, 2017, indicating the plan meets the requirements of the NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems and the NYS DOH Public Health Law 75-A. The NYS DEC has issued a General Permit GP-0-15-001 permit for Groundwater Discharge of Treated Sanitary Sewage which was authorized on August 2, 2016. Solid waste will be handled by a private carter, and wastes will be disposed within fully enclosed containers. Appropriate animal traps and controls will be installed at the restaurant in accordance with health department standards. In terms of emergency service, the proposed project is not anticipated to have a significant impact on fire protection services as per conversations held between the Applicant's representative and the Stone Ridge Fire Department.

Consistency with Community Plans. The proposed project is consistent with the intent of the Town of Marbletown 2005 Comprehensive Plan, and the more recently prepared 2011 Draft Hamlet Plan. The project is consistent with, and incorporates many of the strategy's set forth in the Hamlet plan, including but not limited to: preserve existing historic character; avoid sprawl along routes 209 and 213 by concentrating growth in existing activity centers; protect gateways from strip-mall type development while enhancing their potential to provide appealing hamlet approaches; enhance existing activity centers as a means to provide a richer experience for residents and visitors, and to strengthen existing businesses in Marbletown; improve access to existing centers by promoting parking and pedestrian linkages in locations that promote walkability and hamlet-scale density; increase customer base so as to bolster and sustain local businesses. The proposed development is consistent with community plans.

Consistency with Community Character. The proposed project is consistent with the community character of the hamlet and its southerly gateway. The most important aspect of community character is its aesthetic and historic resources, which are documented above.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Planning Board determines that the action as proposed will not have a significant adverse effect upon the environment as proposed and an environmental impact statement will not be required.
2. That this resolution shall be deemed a notice of determination of non-significance issued pursuant to 6 NYCRR Part 617 and Article 8 of the Environmental Quality Review Act, and the Planning Board secretary is hereby directed to file and circulate this Notice in accordance with the requirements of Part 617.

This Resolution is offered by Member _____, seconded by Member _____, adopted on a vote of ___ ayes, 0 ___ nays, ___ member abstaining.

Dated: _____, 2017

For Further information regarding this Negative Declaration, please contact:

Richard Lanzarone, Chairman, Town of Marbletown Planning Board
Marbletown Town Hall
Address: 1925 Lucas Avenue, Cottekill, New York 12419
Mailing address: PO Box 217, Stone Ridge, New York 12484,
Telephone (845) 687-7500 Ext. 171.

This Negative Declaration is to be filed with all involved agencies.

1. SPDES Wastewater – Since on-site wastewater treatment facility is proposed that will discharge 1,500 gallons per day to groundwater, permits and/or plan approvals will be required from the NYS DEC and the Ulster County DOH;
2. SPDES Stormwater (Construction) – Project activities to disturb over 1 acre of land must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activities, and a SWPPP must be developed which conforms to the requirements of the General Permit;

**Town of Marbletown Planning Board
1925 Lucas Avenue
Cottkill, New York 12419**

(845) 687-7500 Ext. 171

**RESOLUTION GRANTING SITE PLAN APPROVAL WITH CONDITIONS TO
STONE RIDGE SHOPPES**

For Property located on 3885 Main Street, Town of Marbletown, County of Ulster, State of
New York - SBL# 69.2-5-4

WHEREAS, a commercial development is proposed on an approximately 2.7-acre parcel (SBL 69.2-5-4) in the B-1 (South) Zoning District which is adjacent to a designated historic district. The project will include five (5) commercial buildings with accessory parking for office, retail and restaurant use, with a combined total of 17,320 square feet of gross floor area to be completed as one single phase project. The project site is located at the northeast corner of the intersection of U.S. Route 209 and Lamberti Lane (private road). Access to the development will be from U.S. Route 209 only. The development will be served by an on-site well and septic system; and

WHEREAS, on September 25, 2015, the Town of Marbletown Planning Board (the "Board") received a Site Plan application from Stone Ridge Equities, L.L.C, proposing the construction of a multiuse commercial development, which is a permitted use within the B-1 zoning district; and

WHEREAS, the Planning Board is now in receipt of a site plan and architectural renderings, prepared by Peak Engineering, PLLC., and Alfandre Architecture, P.C., submitted May 3, 2017. This Site Plan Approval is based on review of this site plan, as amended, and the following sheets:

Sheet No.	Name	Revision Date
SP 1 of 8	Existing Site Conditions	4-12-17
SP 2 of 8	Proposed Site Layout	6-6-17
SP 3 of 8	Proposed Parking Plan	6-6-17
SP 1 of 8	Truck Movement Plan	4-12-17
SP 1 of 8	Proposed Site & Parking Details	4-12-17
SP 1 of 8	Proposed Site Grading Plan	4-12-17
SP 1 of 8	Lighting Plan	5-3-17
SP 1 of 8	Landscape Plan	5-3-17
UT 1 of 1	Utility Plans (Crossings)	4-12-17
SDS 1 of 2	Sewage Disposal System Plan	5-2-17
SDS 2 of 2	Sewage Disposal System Details	5-2-17
WS 1 of 1	Water Supply Details	5-2-17
SW 1 of 2	Stormwater Management Plan	4-12-17

SW 2 of 2	Stormwater Management Details	4-12-17
SESC 1 of 2	Soil Erosion & Sediment Control Plan	4-12-17
SESC 2 of 2	Soil Erosion & Sediment Control Details	4-12-17
NYS 1 of 1	NYSDOT Commercial Driveway	6-6-17
A1	Building Renderings	4-12-17
A2	Building Elevations	4-12-17

WHEREAS, the proposed Site Plan is consistent with the requirements set forth in Chapter 200, Zoning, of the Code of the Town of Marbletown and the Design Standards and Guidelines for Business Districts [Appendix A, 200 Attachment 2] contained therein; and

WHEREAS, on January 12, 2016, the Marbletown Planning Board expressed its intent to act as Lead Agency for this action, and circulated a Lead Agency Coordination Letter to the following involved and interested agencies: the NYS Department of Environmental Conservation, Region 3, Environmental Permits Division; the NYS Department of Transportation, Region 8 Office; NYS Office of Parks, Recreation and Historic Preservation; the U.S. Army Corps of Engineers; the U.S. Fish and Wildlife Service; the Ulster County Department of Health; the Stone Ridge Fire Department; the Ulster County Planning Department, and the NYS Department of Environmental Conservation Natural Heritage Program; and

WHEREAS, the following agencies consented to the Planning Board acting as Lead Agency: Ulster County Department of Health (response dated January 19, 2016); the NYS DOT (response dated February 12, 2016); the NYS DEC, Division of Environmental Permits (response dated January 27, 2016). Their comments were noted and addressed during SEQRA review of the proposed project as set forth below. There being no objections to the Planning Board acting as Lead Agency, the Planning Board declared itself Lead Agency on February 17, 2016; and

WHEREAS, the Board referred the Site Plan Application to the Ulster County Planning Board (UCPB) to comply with General Municipal Law 239-n. The UCPB, in the referral response dated May 4, 2017 with an indication that there were required modifications which have been address in the revised submission; and

WHEREAS, the Stormwater Pollution Prevention Plan (SWPPP), dated April 2017, has been referred to the Town's Engineering Consultant, David Clouser, who indicated in an email on May 17, 2017, that the stormwater from the site can be addressed without any significant adverse impact; and

WHEREAS, pursuant to the State Environmental Quality Review Act, the Marbletown Planning Board determined that the action is a Type I action (as per 617.4(b)(9), and conducted an coordinated review of the proposed action. The Board reviewed the full Environmental Assessment Form, last revised on December 22, 2015, as well as documentation and other agency comments submitted in support of the full EAF.

On June 21, 2017, the Marbletown Planning Board determined that the action would not have a significant effect on the environment and a draft environmental impact statement would not be prepared, and issued a negative declaration; and

WHEREAS, a Public Hearing was held on the application on June 21, 2017, notice of same having been published in the Daily Freeman on June 16, 2017; and the neighbors within 500 feet of the perimeter of the property were notified in writing by certified mail of said public hearing; and the public given the opportunity to provide comment; and

WHEREAS, significant issues were/were not raised by the adjoining neighbors or public at the June 21, 2017 Public Hearing, and the Hearing was closed on _____ 2017; and

WHEREAS, the Planning Board has examined the proposed site plan and has determined that the plan meets the criteria for approval as set forth in Chapter 200 Zoning Law with the conditions imposed herein.

NOW, THEREFORE, BE IT RESOLVED, that the application for site plan approval of Stone Ridge Shoppes as shown on the site plan and revised to reflect the conditions placed herein and prepared by Peak Engineering, last revised on June 6, 2017, for the above-referenced site plan, is hereby approved and that the Chairperson of the Planning Board is authorized to endorse approval of said plan after compliance by the Applicant with the conditions set forth below.

NOW, THEREFORE BE IT FURTHER RESOLVED, as per Section 200-68.D of the Marbletown Zoning Law, the site plan approval granted herein shall expire one (1) year after the date of adoption of this resolution.

CONDITIONS OF SITE PLAN APPROVAL:

1. Revisions to the site plan as follows:
 - a. A note shall be added as follows: "Trees shall only be cut, removed, or lopped during the time period after October 31st through March 31st to avoid any potential impact to roosting Northern Long-Eared bats."
2. Submission of the following prior to the signing of the site plan for filing:
 - a. Evidence that the NYS Department of Transportation approves the design of the proposed driveway access and all work within its right-of-way.
 - b. The SWPPP, and the design of the stormwater management facilities shown on the site plan shall be approved by the Town consulting engineers for this project, Barton & Loguidice (B&L), and a memo indicating the plans and SWPPP are satisfactory shall be submitted from B&L to the Planning Board.
3. Submission of the following documents prior to the issuance of a building permit:

- a. Evidence that the Army Corps of Engineers has issued a Nationwide General Permit for proposed disturbances to on-site wetlands.
 - b. Submission of a copy of the Highway Work Permit issued by the NYS Department of Transportation.
 - c. Submission of a copy of the Ulster County Department of Health permit.
4. Compliance with the facts and findings of the adopted Negative Declaration.
5. The owner of Stone Ridge Shoppes shall not be required to obtain site plan approval if there is a change in tenants, provided the proposed mix of uses, floor area space to be occupied, and minimum parking requirements set forth on the site plan are complied with and that no such changes require changes in approvals and permits issued by the Ulster County Department of Health or the New York State Department of Environmental Conservation. Said determination shall be made by the Code Enforcement Officer prior to the issuance of any certificate of occupancy for a new tenant.
6. Payment of any outstanding application fees and consultant invoices.

NO WRITTEN OR VERBAL NOTICE OF THE PENDING EXPIRATION OF THIS SITE PLAN APPROVAL SHALL BE GIVEN TO THE APPLICANT BY THE PLANNING BOARD OR ANY OTHER TOWN DEPARTMENT

Dated: June 21, 2017

Moved by: Member

Seconded by: Member

Resolution Approved with conditions:

Richard Lanzarone: Aye

Todd Natale: Aye

Laura Shabe

Steve Wood: Aye

Dan Proctor

Larry Ricci: Aye

Kris Lovelett: Aye

Motion carried by a vote of Ayes, 0 Nays, 0 absent

Dated: June 21, 2017

Heather Moody, Town Clerk

Filed:

Lisa K. Mance, Secretary

SUGGESTED CHANGES BY PZC TO LOCAL LAW 7 OF 2017: Solar Generation

1. Page 1 add I-1, I/B and B-2 districts to where allowed
2. Page 2, item (3) fix last word to say standard
3. Page 3, item 2 and 3 put max size
4. Page 4 item D a(1)-added districts
5. Page 6 item 2 add 'first 4 prime soil types'
6. page 6, item 4 add 'utility approved connection' instead of distribution line
7. page 6 add item 5-obtain connection letter from utility company

FIRST DRAFT

Local Law No. 7 of 2017

Town of Marbletown

A LOCAL LAW AMENDING CHAPTER 200 OF THE TOWN CODE, ZONING, REGARDING SOLAR GENERATION

.....

The text of Local Law No. 7 is as follows; (Shuster Draft 5/10/17, Rev. 6/6/17)

SECTION 1. SHORT TITLE AND PURPOSE

This law is to be known as the 2017 Solar Generation Law. Its purpose is to advance and protect the public health, safety and welfare of the Town of Marbletown by promoting a safe abundant, renewable and non-polluting energy resource; decreasing the cost of energy to residential and commercial energy users and increasing employment opportunities and business development.

SECTION 2. LEGISLATIVE FINDINGS AND AUTHORITY

This Solar Generation Law is adopted pursuant to sections 261-263 of New York State Town Law which authorizes the Town to adopt zoning provisions that, so far as conditions may permit, accommodate solar energy systems and equipment and access to sunlight necessary for generation of solar energy. The Town Board has determined that comprehensive regulations regarding the development of solar energy systems is necessary to protect the interests of the Town, its residents, and its businesses. This amendment will promote the effective and efficient use of solar energy resources; set provisions for the placement, design, construction, and operation of such systems to uphold the public health, safety, and welfare; and ensure that such systems will not have a significant adverse impact on the aesthetic qualities and character of the Town.

SECTION 3. ZONING AMENDMENT

ARTICLE 200, ZONING, is hereby amended as follows:

§200-8, Schedule of Use Regulations, shall be amended by adding, under the heading **UTILITIES**, a new use category entitled **Large Scale Solar Generating Systems** which shall be permitted, subject to issuance of a special use permit (**SU**) in the A-4, A-3, A-2, I-1, I/B, B-2 and R-1 Districts. Under the heading **ACCESORY USES**, a new category, **Small Scale Solar Generating Systems**, shall be added under both residential and nonresidential uses as Permitted (**P**), in all zoning districts.

A new section, **§200-49.1, Solar Generating Systems**, shall be added which reads as follows:

No solar energy system or device shall be installed or operated in the Town of Marbletown except in compliance with this article. The requirements of this law shall apply to all Solar Energy Systems installed or modified after its effective date, excluding general maintenance and repair. Solar-thermal systems and Building-Integrated Photovoltaic (BIPV) Systems are permitted outright in all zoning districts, subject to building permits if determined required.

A. Permit Requirements

- (1) All solar energy system installations shall be performed by a qualified solar installer.
- (2) A solar energy system proposed to be connected to the utility grid shall provide written proof from the local utility company acknowledging the solar energy facility will be interconnected to the utility grid. Any connection to the public utility grid must be inspected by the appropriate public utility.
- (3) Solar energy systems shall meet New York's Uniform Fire Prevention and Building Code and National Electrical Code standard.
- (4) A plan showing location of major components of solar system and other equipment on roof or legal accessory structure. This plan should represent relative location of components at site, including, but not limited to, location of array, existing electrical service location, utility meter, inverter location, system orientation and tilt angle shall be provided. This plan shall show access and pathways that are compliant with New York State Fire Code, if applicable.
- (5) Specification Sheets for all manufactured components.
- (6) All diagrams and plans must include the following: (a) Project address and section, block and lot (SBL) number of the property; (b) Owner's name, address and phone number; (c) Name, address and phone number of the person preparing the plans; and (d) System capacity in kW-DC.
- (7) Prior to operation, proof must be provided that electrical connections have been inspected and approved by a qualified electrician or agency, as determined by the Town of Marbletown.

B. Small Scale Solar Energy System as an Accessory Use

(1) Applicability

- a) For purposes of this local law, the term Small Scale Solar refers to solar photovoltaic systems which generate power exclusively for onsite use by the building or lot to which they are attached, and do not provide energy for any other lots. The use and/or structure shall be accessory to the main use and/or structure and shall be incidental, related, appropriate and clearly subordinate. If in compliance with the standards for accessory uses, the only approval required shall be a building permit, if necessary.

b) Solar energy collectors shall be permitted only to provide power for use by owners, lessees, tenants, residents, or other occupants of the lot on which they are erected, but nothing contained in this provision shall be construed to prohibit collective solar installations or the sale of excess power through a net billing or net-metering arrangement in accordance with New York Public Service Law § 66-j, as it may be amended, or similar state or federal statute.

(2) Roof-Mounted Solar Energy Systems.

a) Roof-Mounted Solar Energy Systems that generate electricity solely for on-site use are permitted as an accessory use in all zoning districts when attached to any lawfully permitted and constructed building or structure, subject to building permits. Such systems shall be exempt from site plan review under the Marbletown Zoning Law

b) **Height.** Solar Energy Systems shall not exceed maximum height restrictions within the zoning district it is located in, as illustrated in the Schedule of District regulations of this code, and are provided the same height exemptions granted to building-mounted mechanical devices or equipment. See also § 200-23 Height Exceptions.

c) **Aesthetics.** Roof-Mounted Solar Energy System installations shall be erected, when feasible, so that panels facing the front yard are mounted at the same angle as the roof's surface with a maximum distance of 18 inches between the roof and highest edge of the system.

d) systems shall be no larger in Kw than allowed under NYS residential permit

(3) Ground Mounted Solar Energy Systems

(a) Ground mounted solar energy systems that generate electricity solely for on-site use are permitted as accessory structures in all zoning districts, subject to a building permit.

(b) **Height and Setback:** A ground mounted solar energy system shall not exceed a height of 15 feet when panels are at full tilt. Panels shall not be located within the required side or rear yard setback and shall be set back at least 100 feet from the front property line.

c) systems shall be no larger in Kw than allowed under NYS residential permit

C. Single Development Solar Energy Systems,

NOTE: This category would apply to larger scale systems intended to serve such uses as a single subdivision, multi-family development, commercial or industrial facility, or other development under single ownership or lease. Additional standards for such systems can be added if desired. A Special Use Permit shall be required

D. Large Scale Solar Energy Systems.

A Large Scale Solar Energy System shall require a special use permit issued subject to the standards and procedures set forth in §200-46D.(17).

E. Definitions The following definitions shall apply specifically to this subsection.

Alternative Energy Systems – Structures, equipment, devices or construction techniques used for the production of heat, light, cooling, electricity or other forms of energy on site and may be attached to or separate from the principal structure.

Building-Integrated Photovoltaic (BIPV) Systems – A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows.

Flush-Mounted Solar Panel – Photovoltaic panels and tiles or other solar collectors that are installed flush to the surface of a building roof and which cannot be angled or raised.

Ground-Mounted, Freestanding, or Pole Mounted Solar Energy System – A Solar Energy System that is anchored to the ground and attached to a frame, pole or other mounting system, detached from any other structure for the purpose of producing electricity for onsite or offsite consumption.

Net-Metering – A billing arrangement that allows solar customers to get credit for excess electricity that they generate and deliver back to the grid so that they only pay for their net electricity usage .

Offsite Use – A solar energy system designed to be used primarily for export of solar energy to be used primarily by parcels other than the parcel it is located on.

Onsite Use – A solar energy system designed to be used primarily by the building and/or parcel on which it is located.

Photovoltaic (PV) Systems – A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells that generate electricity whenever light strikes them.

Rooftop Or Building-Mounted Solar System – A solar panel system located on the roof of any legally permitted and/or constructed building or structure for the purpose of producing electricity for onsite or offsite use.

Solar Access – Space open to the sun and clear of overhangs or shade including the orientation of streets and lots to the sun so as to permit the use of active and/or passive solar energy systems on individual properties.

Solar Collector – A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

Solar Easement – An easement recorded pursuant to NY Real Property Law § 335-b.

Solar Electric Generating Equipment – Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

Solar Energy System, Large Scale – A Solar Energy System that is intended to produce electricity primarily for distribution offsite (including those known as “community systems”) that uses photovoltaic systems and consists of one or more free-standing, ground mounted solar collection devices, solar related equipment and other accessory structures and buildings including substations, electrical infrastructure, battery storage containers, transmission lines and other appurtenant structures and facilities.

Solar Energy System, Small Scale – Solar photovoltaic systems which generate power exclusively for onsite use and consumption by the owners, lessees, tenants, residents, or other occupants of the premises of the building or lot to which they are attached and do not provide energy for any other lots, except as may be allowable under NY State or federal regulation.

Solar Energy System, Single Development – A collective solar energy system occupying less than or equal to two (2) acres area of use consisting of ground-mounted solar arrays or roof panels, and associated control or conversion electronics and that will be used to produce utility power to provide energy only for the onsite use and consumption of the specific lots or buildings associated with a particular use under single development or control.

Solar Panel – A photovoltaic device capable of collecting and converting solar energy into electrical energy.

Solar Storage Battery – A device that stores energy from the sun and makes it available in an electrical form.

§200-46. Uses Allowed by Special Use Permit, shall be amended to add a new section D.(17) to read as follows: I.

D.(17) Standards for Large-Scale Solar Systems as a Special Use

(a) Location and Siting.

1) Large-Scale Solar Energy Systems may be permitted, upon the issuance of a special use permit by the Zoning Board of Appeals, within the A-4, A-3, A-2, I-1, I/B, B-2 and R-1 Districts, subject to the requirements set forth in this Section, including site plan approval.

2) Large Scale Solar Energy Systems shall not be permitted to be constructed on areas of the first 4 prime farmland soil types as designated by the US Dept. of Agriculture.

3) In its review of the location and design of a large scale solar energy system, the ZBA shall review and consider its potential impact on the visual environment of scenic and historic resources, particularly: designated historic structures and districts, scenic vistas which have been deemed significant to the community and the region, views from public roads and places of public assembly, and the extent and visual impact of extensive clear cutting of forested lands.

4) The distance from the proposed site of a large scale solar generation facility to a distribution line approved by the receiving utility company shall not exceed one-half mile, as measured by a straight line from the nearest property boundary of the generation site to the utility approved connection point~~distribution line~~.

5) Applicant shall supply a support letter from the utility company that connection is possible

(b) **Special Use Permit Standards.**

1) **Height and Setback.** The height of the Large-Scale Energy System shall not exceed twenty (20) feet when oriented at maximum tilt, except when utility engineering standards require that utility poles or towers to connect the solar facility to the utility grid be of greater height. Setback requirements for all solar generating equipment and supporting facilities shall be a minimum of 50 feet from all street or property lines.

2) **Area of Use.** The area used for all facilities and appurtenances of a single Large-Scale Solar Energy System shall be a maximum of twenty-five (25) acres. Multiple solar energy systems may be clustered on the same or adjacent properties but the cumulative impact of all such units must be evaluated at the time of the initial approval.

3) **Lot Coverage.** Notwithstanding the provisions of the Density Control Schedule, a Large-Scale Solar Energy System shall be allowed up to 50% coverage of the lot on which it is to be installed. The surface area covered by Solar Panels shall be included in total lot coverage.

4) No light, noise, vibration, glare or similar effect which exceeds that normally generated by other uses permitted in the district shall be discernable at or beyond the property boundary.

5) A minimum fifty (50) foot perimeter buffer, except for the area of roadway access, consisting of natural and undisturbed vegetation or landscaping, as may be required by the Zoning Board of Appeals, shall be provided around all mechanical equipment and solar panel arrays to provide screening from adjacent properties and Town, county and state roads.

6) A land grading and vegetation clearing plan shall be prepared. Clear-cutting of all trees in a single contiguous area shall be limited to the area of the equipment compound plus the area of an emergency access roadway and the area required for solar access.

- 7) Non-invasive ground cover under and between the rows of solar panels shall be low-maintenance, drought-resistant, and non-fertilizer-dependent.
- 8) All local stormwater regulations shall be complied with. The applicant shall comply with the State Pollutant Discharge Elimination System guidelines. If determined to be necessary, a SWPPP (Stormwater Pollution Prevention Plan) shall be prepared and a stormwater, erosion, and slope analysis of the land shall be assessed by a New York State licensed professional engineer.
- 9) All Large-Scale Solar Energy Systems shall be enclosed by a continuous “wildlife friendly fence” at least six (6) feet high equipped with a self-closing mechanism to prevent unauthorized access. Such fence shall be set back at least 25 feet from all property lines and shall have 5”x 12” openings at ground level, spaced no more than 100 feet apart, to allow unencumbered travel by small animals. The type of fencing and the need for further landscaping to mitigate visual impacts shall be considered by the ZBA during its review.
- 10) **Signs.** A sign no greater than two square feet indicating the name of the facility owner(s) and a 24-hour emergency telephone number shall be posted. All signage shall be maintained in legible condition and contain accurate information. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations. No signage of any kind shall be allowed to be attached to solar panels or support structures, except any required safety warnings.
- 11) A decommissioning plan, as detailed below, shall be prepared and compliance made a condition of the issuance of a special use permit under this Section.

(c) Registration of Large Scale Solar Energy Production Facilities.

(1) Purpose. In order to ensure that all large-scale solar energy production facilities are properly maintained all owners of large-scale solar energy production facilities located in the Town of Marbletown shall be required to register the facility upon granting of a Certificate of Occupancy. The Town Board shall establish the fee structure for the registration which may be amended by resolution from time to time. Registration shall be effective for a three year period, with renewal required prior to the expiration date.

(2) Registration Requirements. The owner shall provide and certify to the Town the following:

- a) The name, mailing address, phone number, email address, and an emergency contact name for the corporation or owner of the solar energy production facility and any lessees.
- b) **Inspection of Facilities.** The owner and any and all lessees, renters, and/or licensees of large-scale solar energy production facilities shall agree in writing to allow the Code Enforcement Officer access to inspect all facets of said permit holder’s, renter’s, lessee’s or licensee’s placement, construction, modification, and maintenance

of such facilities, including, but not limited to, solar panels, support structures, and buildings or other structures constructed or located on the permitted site to verify accordance with any applicable technical, safety, fire, building, and zoning codes, laws, regulations, and other applicable requirements.

(3) Notification of Termination of Use. The owner shall sign a letter of commitment, which shall commit the large-scale solar energy production facility owner and its successors and assigns to notify the Building Inspector, in writing, within 30 days of the discontinuance of use of the facility. Failure to notify and thereafter remove the facility and all appurtenances shall be deemed a violation punishable under applicable provisions of the Town of Marbletown Zoning Law. Notwithstanding this provision, the Building Inspector shall have the right to independently investigate any discontinuance of the facility and render a written determination setting forth the extent, duration and facts evidencing the violation and the discontinuance of the facility. Upon rendering said written determination, written notice of the determination shall be provided to the owner and the lessees of the facility and the owners of the real property upon which the facility is situate by certified mail, return receipt requested. Sixty (60) days after proven receipt of the notice of the determination by the facility owner, any lessee of the facility and the owners of the real property said facility is situate thereon, the Building Inspector and the Town of Marbletown may commence legal proceedings and have the facility removed from the site in accordance with all applicable law.

(4) Renewal of Registration. Registrations shall be required to be renewed beginning with a period of time ninety (90) days prior to expiration until the anniversary date of the registration.

(5) Changes in Registration Information. The owner shall provide notice to the Town of any changes in registration information within thirty (30) days of such change.

(d) Safety

(1) Solar energy systems shall be maintained in good working order.

(2) If solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of the Town of Marbletown and other applicable laws and regulations.

(4) Information required in Sections B(4) and B(6) above must be provided to the fire department that is obligated to respond to a call from that location.

e. Decommissioning Plan for Solar Energy Systems

(1) The Decommissioning Plan shall specify that after the Solar Energy System will no longer be used or if operation is discontinued, it shall be removed by the applicant or any subsequent owner and shall include a signed statement from the party responsible for completing the Decommissioning Plan acknowledging such responsibility.

(2) The plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state prior to construction.

(3) The plan shall demonstrate that disposal of all solid and hazardous waste will be in accordance with local, state, and federal waste disposal regulations.

(4) The plan shall include an expected timeline for execution.

(5) The plan shall include a cost estimate detailing the projected cost of executing the Decommissioning Plan prepared by a Professional Engineer or Contractor. Cost estimations shall take into account inflation. Said plan shall provide that owner and/or facility operator shall provide financial security in a form and amount acceptable to the Town Attorney to secure the expense of dismantling said facility in its entirety and restoring the site.

(6) Removal of Solar Energy Systems must be completed in accordance with the Decommissioning Plan. If the Solar Energy System is not decommissioned after being considered abandoned, the municipality may remove the system and restore the property and impose a lien on the property to cover these costs to the municipality.

(7) Upon recommendation of the Building Inspector, the Town Board may waive or defer the requirement that a solar energy facility be removed if it determines that retention of such facility is in the best interest of the Town.

SECTION 4 SEVERABILITY

SECTION 5 EFFECTIVE DATE

Local Law no. 5 of 2017

A. §200—5 “Zoning Map” of the Town Code of the Town of Marbletown is hereby amended to add a note as follows:

A. “The current Industrial district located on Mohonk Road as 400 feet deep shall be re-drawn as outlined in Local Law # 5 of 2017.”

B. The current Industrial District located on Lucas Turnpike at 2452 Lucas Turnpike shall be re-drawn as outlined in Local Law #5 of 2017

I. Language for the Local Law:

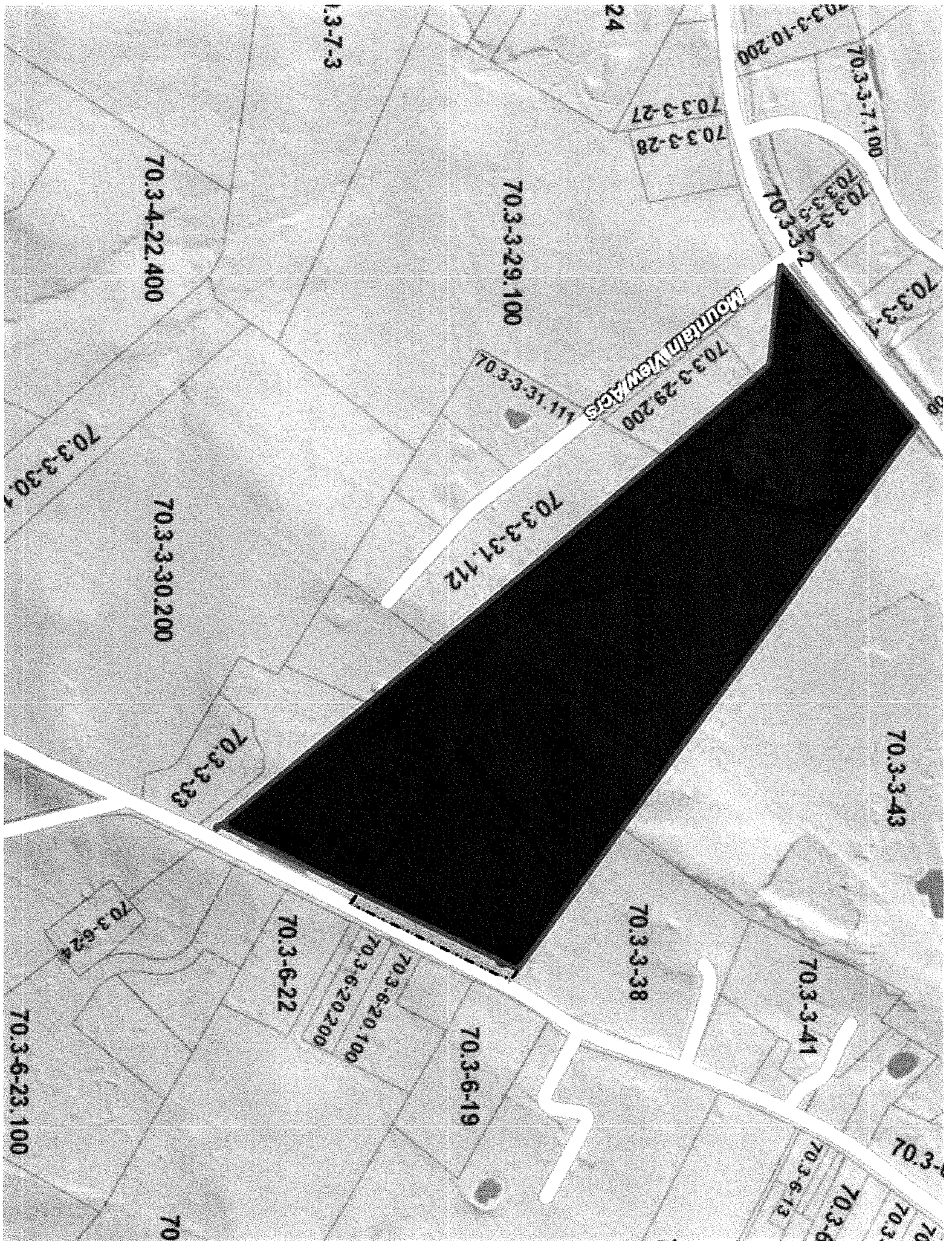
It is the intent of the Town Board to re-draw the District Boundaries of the Industrial Districts on Mohonk Rd. and Lucas Turnpike, to re-name the 2 Districts and expand existing uses to allow Light Industrial and other possible uses previously not allowed in Light Industrial Districts. The following parcels, or portions of properties described, shall become the new Industrial District. All parcels are as they existed for ownership and acreage as of adoption of Local Law # 5 of 2017.

1. Kithkin Corporation-186 Mohonk Rd; Tax Map Number-70.3-3-37.200 consisting of 7.74 acres
2. High Falls Water District-176 Mohonk Road; Tax Map Number 70.3-3-37.200 consisting of 6.91 acres
3. Delaura, Alex-200 Mohonk Road; Tax Map Number 70.3-3-34 consisting of 2.31 acres
4. Davis, Kathleen & Jasinski, Jr., Edwin-210 Mohonk Road; Tax Map Number-70.3-3-35 consisting of 2.85 acres
5. Kelly, Daniel- Aqueduct Way; Tax Map Number 70.3-3-47 consisting of 13.00 acres
6. Town of Marbletown-135 Canal Road; Tax Map Number 70.3-3-36 consisting of 10.8 acres
7. City of New York-DEP-5 Aqueduct Way; Tax Map Number 70.3-3-1; the South East portion of the 19.8 acres that abuts the Town Of Marbletown consisting of +/-3.5 acres

II. The Industrial District at 2452-B and 2452-C Lucas Turnpike shall be modified to include the following parcels:

1. JRC Realty Holding, LLC; 2452-B Lucas Turnpike; tax map number 69.4-1-58.210, consisting of 11.97 acres
2. NOTORANGE, INC.; 2452-C Lucas Turnpike; tax map number 69.4-1-58.110, consisting of 4.25 acres.

Parcel owned by Thomas Lynch at tax map number 69.4-1-59 consisting of 48.60 acres shall be changed from Light Industrial: I-1 to Residential: R-1



69.4-1-53

10.9-2-15

69.4-1-52

69.4-1-54

69.4-1-55.200

10.9-2-12

69.4-1-58.110



69.2-5-22.12

69.4-1-58.110

I. Language for the Local Law 6 of 2017:

It is the intent of the Town Board to amend the Schedule of Use Regulations and other applicable sections of Chapter 200: Zoning to reflect the creation of the two new Industrial/Business: I/B districts created by Local Law 5 of 2017.

II. §200-8 “Schedule of Use Regulations” of the Town Code of the Town of Marbletown is hereby amended as shown in the Schedule of Use Regulations attached to this Local Law:

III. Article II-Establishment of Districts-Section 200-4- F (currently ‘reserved’) shall read I/B Light Industrial/Business Districts purpose is to provide an opportunity for allowing a more wide range of possible uses, subject to certain development standards to maintain traffic, safety, access, utilities and development patterns.

IV. Article III-Section 200-8, Schedule of Use Regulations shall be amended to add columns for I/B Districts

V. Article IV-Definitions-Section 200-13, shall be modified by modifying the Definition: “District, More Restricted Or Less Restricted” to read: In the following list each district shall be deemed to be more restricted than the districts that follow it: R-1,R-2, R-3, A-2, A-3, A-4, SR, B-1, B-2, **I/B**, I-1

VI. Article VI-Supplementary Regulations for parking, Section 200-39-A(2)-Industrial Uses, shall be modified to read: (2) Industrial or Industrial/Business

VII. Article VI-Supplementary Regulations for Light Industrial District regulations, Section 200-40-C-(1(a) shall be amended to say: Any use permitted by right in the I-1 or I/B districts

VIII. Article VI-Supplementary Regulations for Light Industrial District regulations, Section 200-40-C-(1)(b) shall be amended to say: Any use permitted by Special Permit or by Site Plan Approval in the I-1 or I/B districts

IX. Article VI-Supplementary Regulations for Light Industrial District regulations, Section 200-40-E shall be amended to say: Area and Bulk Regulations. Area and Bulk regulations for the I/B Districts shall be in compliance with those for the I-1 District as set forth in the Density Control Schedule.....

X. The Density Control Schedule, Article V, Section 200-20 shall be amended as follow

§200-20, Density Control Schedule

Zoning District	Minimum Lot Dimensions				Required Minimum Yard Setbacks (feet)			Maximum Lot Coverage Including All Accessory Buildings	Maximum Building Height
	Residential		Nonresidential						
	Min Lot Area Per Dwelling Unit (Acres)	Min Lot Width (feet)	Min Lot Area (sq. ft.)	Min Lot Width (feet)	Front ¹	Side	Rear		
A-4	4	250'	40,000	125'	40'	30'	30'	30%	35'

A-3	3	200'	40,000	125'	40'	30'	30'	30%	35'
A-2	3	175'	40,000	125'	40'	30'	30'	30%	35'
R-1	3	125'	40,000	125'	40'	30'	30'	30%	35'
R-2 ²	-----	-----	-----	-----	----	----	----	-----	-----
R-3 ³	1	125'	15,000	110'	40'	30'	30'	30%	35'
SR	1	125'	40,000	125'	40'	30'	30'	30%	35'
B-1/E	1	125'	10,000	75'	20'	12'	30'	30%	3 ½ Stories
B-1/N	1	125'	40,000	200'	40'	30'	50'	20%	2 ½ Stories
B-2 Residential	1	125'	N/A	N/A	40'	30'	30'	30%	35'
B-2 Nonresidential	N/A	N/A	40,000	200'	50'	30'	50'	20%	2 ½ Stories
I-1 ⁴	Not Permitted		40,000	200'	40'	30'	30'	10%	25'
I/B ⁵ /Existing	1	125'	40,000	100'/200	30' 40	20' 30	30'	30%	3 ½=38 ft 2 ½ stories
I/B/New	1	125'	40,000	100'/200	40'	30'	30'	40%	Water Tower is 136' 2 ½ stories

NOTES:

1	The required front yard setback shall be measured as follows:
	a. For public streets, roads and highways, the required front yard shall be measured from the edge of the abutting right-of-way, except that where such public right-of-way or street is less than 50 feet in width, the required front yard shall be measured from a line 25 feet from and parallel to the center line of the abutting street or right-of-way.
	b. For private right-of-ways, private roads, or shared driveways, the required front yard shall be measured from a line 10 feet from and parallel to the center line of such right-of-way, private road or shared driveway.
2	The R-2 District is not mapped at this time
3	In subdivisions containing four or more lots, the minimum lot size per dwelling unit or use in the R-3 District may be reduced to ¾ acre, provided that the residence or use is served by and connected to a community water system that has been approved by the Ulster County Health Department, except as modified by §200-48
4	An I-1 District may be established in an A District, provided there is an amendment to the Zoning Map in accordance with provisions of §200-40 of this chapter.
5	Existing legally permitted structures that do not meet the setbacks for existing buildings shall require no Variance unless additions are proposed

SUGGESTED CHANGES BY PZC TO LOCAL LAW 8 OF 2017: MULTIPLE RESIDENTIAL STRUCTURES ON A LOT

1. Made item 2 as item 1 and item 1-Guest house as item 2
2. Clarified lot must conform to density
3. Clarified required conformance requirements
4. Clarified 2 family units count as 2
5. Clarified use of Guest House as no Transient occupancy
6. Add Use table modification
7. Reflect not allowed in R-3, SR and B-1
8. Add abbreviated Site Plan review

PROPOSED AMENDMENT REGARDING MULTIPLE STRUCTURES ON ONE LOT
Town of Marbletown (Shuster Assoc. 59/17) (Rev. 5/23/17)

SECOND DRAFT

§200-24 shall be retitled **Compliance with Lot Area and Density Requirements**

§200-24.A shall be amended to read as follows:

A. Multiple residential structures are permitted on a single lot in any district subject to the following conditions and procedures:

(12) Three or fewer one family dwellings in addition to the existing dwelling may be constructed on a property that conforms to the current density in the District it is located in, subject only to issuance of a zoning permit, as per §200-66, and building permits, if the CEO determines that each dwelling could be situated on a lot which complies with all the standards of the Density Control Schedule regarding: density, setbacks and lot coverage. The Plot Plan must show the lots can conform in the event of future subdivision of the parcel. The minimum distance between structures must be at least 60' to accommodate potential future side setbacks of 30' for each structure and show a possible 30' rear setback for each structure. Two-family dwellings shall require approval of a special use permit. Each two-family dwelling shall count as 2 dwellings in regard to maximum allowed without sub-division.

(21) A guest house, as defined in §200-13, may be located on a lot that is at least 3 acres ~~complies with the minimum area requirements of the district that apply to the principal structure with no additional acreage required on the lot,~~ subject only to a building permit and the following:

(a) the lot must be at least 3 acres

(ba) The owner of the property resides in the principal residence on the property.

(cb) The guest house has a floor area of less than 700 square feet.

(de) The guest house may be used for temporary occupancy but may not be leased or rented for transient occupancy any period of time.

(2) Three or fewer one family dwellings may be constructed on a property, subject only to issuance of a zoning permit, as per §200-66, and building permits, if the CEO determines that each dwelling could be situated on a lot which complies with the standards of the Density Control Schedule in the event of future subdivision of the parcel. Two-family dwellings shall require approval of a special use permit.

move to
attest
reg

Formatted: Indent: Left: 0"

(3) If the CEO determines that future compliance with the Density Control Schedule, as per (2) above, is not possible, site plan approval by the Planning Board shall be required.

(4) More than one structure may be located on a single parcel in the case of uses such as multi-unit housing, commercial uses, industrial parks and similar uses which are planned, built and operated as one integral development with shared parking area, utility systems and management. Site plan approval and/or issuance of a special use permit is required depending on the particular use.

§200-13, Terms Defined, shall be amended by addition of the following definition:

GUEST HOUSES – A separate dwelling unit from the principal residence on the site which is available for temporary occupancy by friends, relatives or acquaintances of the primary resident of the site but is not subject to lease or rent for transient occupancy any period of time.

§200-8, Schedule of Use Regulations-One Family Dwelling, Supplementary Regulations-add 200-24

Make not allowed in R-3, SR and B-1

§200-69-abbreviated Site Plan Review Requirements:

(a) The location of existing buildings on site and on adjacent property if within 200 feet of the property line.

Formatted: Font: 12 pt

(b) The location of wooded areas, rock outcroppings, drainage facilities and other significant features affecting site development.

Formatted: Font: 12 pt

(c) the access shall be reviewed by the Highway Superintendent or other authorizing Agent and the Fire District where the property is located.

Formatted: Font: 12 pt

(d) if shared, the access shall meet the minimum standard for a shared driveway

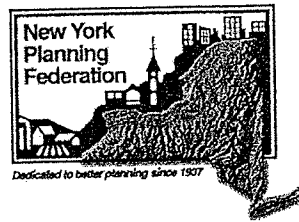
Formatted: Font: 12 pt

(e) Proof of septic and water for all structures has been submitted

Formatted: Font: 12 pt

(f) Future Plans of Any Remaining Acreage

Formatted: Font: 12 pt



2017 PLANNING AND ZONING SUMMER SCHOOLS REGISTRATION FORM

Name _____
Title _____
Municipality or Organization _____
Address _____
City, State, Zip _____
E-mail Address _____
Phone () _____

SCHOOLS

(Please check the school you will attend)

Town of Cortland (Cortland County) _____
Friday, July 28, 2017
Ramada Cortland Hotel and Conference Center
2 River Street
Cortland, NY 13045

Town of Sheldon (Wyoming County) _____
Monday, July 31, 2017
Byrncliff Resort & Banquets
2357 Humphrey Road
Varysburg, NY 14167

Town of Poughkeepsie (Dutchess County) _____
Monday, August 7, 2017
Locust Grove
2683 South Road
Poughkeepsie, NY 12601

City of Albany (Albany County) _____
Thursday, August 10, 2017
Albany Law School
80 New Scotland Ave
Albany, NY 12208

FEES

The Association of Towns and the Planning Federation offer reduced registration prices to their respective members:

- Member Registration: \$80.00 (pre-reg); \$90.00 (at the door) _____
- Non-Member Registration: \$100.00 (pre-reg); \$120.00 (at the door) _____

PAYMENT INFORMATION

Online Registration

We encourage you to register online for these schools as space is limited. Online registration can be done at www.nytowns.org. We accept ONLY Visa or Mastercard.

Mail-In Registration

Check enclosed in the amount of \$ _____
(Make checks payable to Association of Towns of the State of New York)

Mail this completed registration form to:

Association of Towns of the State of New York
150 State Street
Albany, New York 12207

Registration includes: materials, breakfast and lunch.
On-site registration opens at 8:30 AM, classes begin at 9:15 AM and end at 3:45 PM. Each location/date will provide a total of 5 credit hours of training.

Cancellation Notice

For refunds to be given, notice of cancellation must be received 10 days prior to event, less a \$10 processing fee. NO REFUNDS after that deadline.

Questions

Please contact the Planning Federation at (518) 512-5270 or Patty Kebea at AOT (518) 465-7933 with any questions or concerns.

THE ASSOCIATION OF TOWNS

OF THE
STATE OF NEW YORK

GERALD K. GEIST
Executive Director

KIMBERLY A. SPLAIN
Deputy Director

150 State Street
Albany, NY 12207

Telephone
Area Code 518 – 465-7933
Fax # 518 – 465-0724

RECEIVED

JUN 08 2017

TN OF MARBLETOWN

LORI A. MITHEN-DeMASI
Counsel

SARAH B. BRANCATELLA
Associate Counsel

KATHLEEN N. HODGDON
Associate Counsel

Dear Town Clerk,

Please share this mailing with any planning, zoning or other land use officials for your town.

2017 Planning and Zoning Schools

Town of Cortland (Cortland County)

Friday, July 28, 2017

Ramada Cortland Hotel and Conference Center
2 River St, Cortland, NY 13045

- Sign Regulation, Part 1 and 2
Sarah Brancatella, Esq. – Association of Towns
- Case Law Update
Robert Rosborough, Esq. – Whiteman Osterman & Hanna LLP
- Short-Term Rental Zoning, Planning and Enforcement Issues
Brody Smith, Esq. – Bond Schoeneck & King, LLP

Town of Sheldon (Wyoming County)

Monday, July 31, 2017

Byrnclyff Resort & Banquets
2357 Humphrey Rd, Varysburg, NY 14167

- Planning and Zoning Primer
Donald Young, Attorney – Boyland Code
- Proposed SEQRA Regulations
Charles Grieco, Esq. – Bond, Schoeneck & King
- The Substance and Procedure of Interpreting Zoning Provisions
Corey Auerbach, Esq. – Damon Morey, LLP
- Ethics for Planning and Zoning Boards
Sarah Brancatella, Esq. – Association of Towns

Town of Poughkeepsie (Dutchess County)

Monday, August 7, 2017

Locust Grove
2683 South Rd, Poughkeepsie, NY 12601

- SEQRA
Nina Peek, AICP – AKRF, Inc
- Ethical Considerations in Planning and Zoning Decision Making
Mark Schachner, Esq. – Miller, Mannix, Schachner and Hafner, LLC
- Roundtable Discussion, Questions and Answers
Mike Welti, AICP – Barton & Loguidice, PC
- The Planning Board and Its Function
Frank Fish, FAICP – BFJ Planning, Inc

City of Albany (Albany County)

Thursday, August 10, 2017

Albany Law School
80 New Scotland Ave, Albany, NY 12208

- Case Law Update
Robert S. Rosborough, Esq. – Whiteman Osterman & Hanna, LLP
- Roundtable Discussion, Questions and Answers
Chuck Voss, AICP – Barton & Loguidice, PC
- Ethical Considerations in Planning and Zoning Decision Making
Mark Schachner, Esq. – Miller, Mannix, Schachner and Hafner, LLC
- SEQRA: New Environmental Assessment Forms
James Eldred, Environmental Analyst – NYS Department of Environmental Conservation

Please visit the Association of Towns website (<http://www.nytowns.org>) for online registration, an expanded version of the agenda with course descriptions, and additional information on training for town officials and employees.