

TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: July 18, 2018
 Rondout Municipal Center, 1915-1925 Lucas Avenue
 Meeting Room M-1
 Cottekill, New York 12419

Dan Proctor (Chairman)	Present
Steve Wood (Vice-Chairman)	Present
Kris Lovelett	Present
Larry Ricci	Absent
Laura Shabe	Present
Max Stratton	Present
John Kotsides	Present
Dave Cobb (alternate) for Larry Ricci	Present
Kimberly Cole	Absent

Also present was Planning Board Consultant Bonnie Franson of Nelson, Pope & Voorhis, L.L.C., Tracy Kellogg, Esq. and Larry Wolinsky, Esq.

Chairman Dan Proctor called the meeting to order with the Pledge of Allegiance at 7:06 p.m.

Chairman Proctor noted that he was introducing a different voting process and that the Secretary be polling the members of the Board when voting.

Chairman Proctor called for a Motion to approve the June 20, 2018 meeting Minutes. Upon Motion of Member Max Stratton, seconded by Member Kris Lovelett, and the affirmative vote of 6 members, 1 alternate member, the negative vote of 0 members and 1 member being absent, the motion to approve the June 20, 2018 minutes was carried by the following vote:

Vote:	All Aye
Dan Proctor	Aye
Steve Wood	Aye
Larry Ricci by Dave Cobb, alternate	Aye
Max Stratton	Aye
John Kotsides	Aye
Laura Shabe	Aye
Kris Lovelett	Aye

Pending Application:

Applicant - Board Member Delegate		Application	Location	Zoning District	SBL	Status
Martin Fetner	Max Stratton	Fetner 3-lot subdivision	Old Kings Highway Road, Accord	R-1	69.4-1-20.110	Long EAF Part I, Ag Data Statement and escrow had been submitted.

Bill Eggers, L.S. was present and provided an overview of the proposed 3-lot subdivision.

Member Max Stratton apprised the Board as to what had transpired since the last meeting. He had conducted a site visit with Bill Eggers, L.S. and encouraged other members to try to get out to the property to familiarize themselves. He summarized his concerns with site and location in the Rest Plaus Historic Site and positions of the proposed residences to minimize impact on the viewshed. Member Max Stratton believed the residence on the first lot would be visible, second lot was questionable and the third lot would be totally secluded. Planner Franson recommended topography may be shown between the grist mill and the subject property may be indicated as part of the Board's review. Member Laura Shabe inquired as to whether a viewshed study could be conducted to confirm that the visual landscape was protected. Referral was to be made to the Department of Environmental Conservation due to the location of the stream crossing and Joe Diamond was being consulted. Secretary was directed to provide a copy of the Rest Plaus Design Guidelines to Surveyor Eggers.

The issue of the creation of lots that did not front a public road and the need for an Open Development Area be requested to be granted by the Town Board was raised. It was noted that work was currently under way with regard to the road standards. Ultimately, final location of houses needed to be confirmed so that SEQRA process could move forward. Planner raised screening and vegetation and Surveyor Eggers was requested to notate tree row in relation to the second lot. Surveyor Eggers indicated that he would stake out proposed location of the structures to help the Board determine impact on the viewshed and provide something notated on map relative to viewshed (cross-section). The proposed plan needed to confirm residential locations and viewshed noted prior to circulating to agencies. With regard to the road, Attorney Tracey Kellogg would generate a referral to the Town with regard to the ODA.

Applicant - Board Member Delegate		Application	Location	Zoning District	SBL	Status
Stone Ridge Equities, LLC	Steve Wood	Hardenburgh Hills II Subdivision	Route 209	R-3	61.20-3-47	SWPPP approved by Joseph Mihm, P.E., revised EAF with attachments and revised SWPPP rec'd 7/3/18

George Fakiris of Stone Ridge Equities, L.L.C., Peter Reynolds of North River Architecture and Daniel Koehler, L.P.E. of Hudson Land Design were present.

Member delegate Vice-Chairman Steve Wood confirmed with Engineer Koehler that he received information from Ulster County Planning Board relative to the road (driveway); Phase I architectural study and comments of Joseph Mihm, P.E. Engineer Koehler provided update of materials provided (revised SWPPP, plans and revised EAF Part I) pursuant to comments of Board and Planner and Joseph Mihm, P.E. The plans had been revised relative to the wetlands as a result of a meeting that took place with the Army Corp. of Engineers on July 11, 2018; said changing adding small portion of land to wetlands but that applicants were still waiting written comments from Army Corp. of Engineers (expected in about four (4) weeks). A sensitivity analysis had been prepared regarding the site in 2005 and need to supplement additional areas was being investigated. He noted that road improvements are in the process of being prepared. Mr. Koehler inquired as to when information was needed to be provided with Vice-Chairman noting that it would be needed prior to approval but would be at discretion of Board. He also added that a meeting with NYS Department of Transportation was in the process of being scheduled. He asked that if new road standards were being developed, they be provided to them for consideration. Another issue that needed attention was discussion on protocols required to be performed relative to wells. There were hydrogeologists involved in the past from both sides and Mr. Koehler asked what avenue should take place to institute a discussion pertinent to current application. Member Lovelett brought attention to the aquifer study that had taken place and was used as a reference to the original Benison application review.

It was determined that jurisdictional determination letter from Army Corp. of Engineers and response from SHPPO were preferred prior to scheduling Public Hearing and reviewing a draft Negative Declaration.

Vice-Chairman Steve Wood motioned to declare the Planning Board as Lead Agency, seconded by Member Laura Shabe, and the affirmative vote of 6 members, 1 alternate member, the negative vote of 0 members and 1 member being absent, the motion was approved by the following vote:

Vote:	All Aye
Dan Proctor	Aye
Steve Wood	Aye
Larry Ricci by Dave Cobb, alternate	Aye
Max Stratton	Aye
John Kotsides	Aye
Laura Shabe	Aye
Kris Lovelett	Aye

New Application:

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
John Keeler	John Kotsides	Vly Woodland & DDG Industries, LLC LLA	154 Woodland Road	A-3	61.1-3-3 & 16.1-3-2	New application

No one being present to represent the application, the Chairman moved on to the next item on the Agenda.

New Application:

Applicant - Board Member Delegate		Application	Location	Zoning District	SBL	Status
Hix Snedeker Companies c/o Bohler Engineering, MA, LLC	Dan Proctor	Dollar General Site Plan	Corner Route 209 & 213	B-1	69.8-1-4	New Application

Caryn Mlodzianowski of Boehler Engineering and Hamm Snedecker and Bridget Madison of Hix Snedeker, applicant, were present relative to the application. Ms. Mlodzianowski noted that a Full EAF Part had not been provided, that review of Planner Franson had been received and they would be making same available in the future. Ms. Mlodzianowski move on to a presentation with regard to the proposed retail site plan. Chairman Proctor requested that highlights of Planner's review be noted publicly for the Board and the audience (annexed hereto and made a part hereof).

Member Kris Lovelett noted the design of the structure and existence of large flat walls which could be enhanced with additional architectural modifications. Vice-Chairman Wood built on those comments indicating that making the building visually adaptive may increase amenability to the allowance for a variance for the requested 7,500 square foot. Additional issues relative to compliance with the Design Guidelines in regard to lighting, parking and vegetation ensued. The short EAF had an error in reference to the Comprehensive Plan which was critical and required to be addressed in the Long EAF Part I.

Chairman Dan Proctor called for a motion to classify as a Type I action under SEQRA. Upon motion of Member Max Stratton, seconded by Vice-Chairman Steve Wood, and the affirmative vote of 6 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci by Dave Cobb, alternate	Aye
Max Stratton	Aye
John Kotsides	Aye
Laura Shabe	Aye

Larry Wolinsky, Esq. provided a brief explanation of the SEQRA process and that the Board required a Full EAF which, after review, could issue a resolution for a Notice of Intent to be circulated for the Board to serve as lead agency. Subsequently, a determination of significance would be based upon evaluation of the plans, rendered upon review of the Full EAF with either a negative declaration being issued or a positive declaration being issued if at least one significant issue was raised. The Full EAF required review by the Board before any determination could be made and the application was not at the point in review wherein this could take place.

Chairman Dan Proctor called for a motion to establish escrow with an initial deposit of \$20,000.00. Upon motion of Member John Kotsides, seconded by Member Max Stratton, and the affirmative vote of 6 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Aye
Steve Wood	Aye

Kris Lovelett	Aye
Larry Ricci by Dave Cobb, alternate	Aye
Max Stratton	Aye
John Kotsides	Aye
Laura Shabe	Aye

Chairman Proctor opened the meeting to public comment. Comments provided included concerns relative to increased traffic, traffic patterns and safety. For the benefit of the Public, Planner Franson read requirements to allow a waiver to be considered relative to square footage of structure which involved aesthetics and setbacks.

Hamm Snedecker addressed the Board and public indicating that this was a preliminary plan and different architectural concerns and recommendations would be considered in moving forward to make a good faith effort to work in conjunction with the Town.

Chairman Dan Proctor called for a motion to close escrow with regard to the Zjakowski Subdivision. Upon motion of Member Laura Shabe, seconded by Member Max Stratton, and the affirmative vote of 6 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, the motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci by Dave Cobb, alternate	Aye
Max Stratton	Aye
John Kotsides	Aye
Laura Shabe	Aye

Upon Motion of Vice-Chairman Steve Wood, seconded by Member Kris Lovelett, all members in agreement, the meeting was adjourned at 8:56 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Respectfully submitted on August 7, 2018

Minutes Approved on: August 15, 2018



PRELIMINARY SITE PLAN REVIEW - TOWN OF MARBLETOWN PLANNING BOARD

APPLICANT/OWNER/PROJECT ID

Applicants: Hix Snedecker Companies

Landowners: Barbara Parete

Name of Development: Dollar General Site Plan

SITE LOCATION AND ZONING

Street Address and Jurisdiction: State Route 213, Stone Ridge, NY

Zoning District: B-1/N. The regulations that apply would be the B-1 New column of the dimensional requirements.

Agricultural District?: Within 500 feet – requires agricultural data statement **Historic District/Archaeo. Sensitive Area?:** Yes; within proximity to the Stone Ridge National Register historic district (approximately 1,100 feet away).

DESCRIPTIONS AND APPROVALS

Project Summary: Action involves a proposed site plan to develop a 7,500 square foot general merchandise retail store.

Preliminary SEQR Classification: Type I Action (Unlisted Action within or adjacent to historic district) - to be confirmed by Planning Board. Site is within approximately 1,100 feet of the Stone Ridge National Register Historic District.

Planning Board Approval(s): Site Plan Approval.

Other Required Approvals and Referrals: Ulster County Health Department (review septic system and well), NYSDOT (review access); NYSDEC (sensitive species); NYSOPRHP (archaeologically sensitive area and historic district); Stone Ridge Fire District; Ulster County GML referral; and others as determined by the Planning Board.

DOCUMENTS REVIEWED

Plan: Preliminary Site Plan, Name of development not provided on site plan, prepared by Bohler Engineering, dated June 29, 2018.

Floor Plans/Architectural Plans: None submitted.

PRE-APPLICATION MEETING: Pre-application meeting not held.

ON-SITE NATURAL CONDITIONS/IMPROVEMENTS & OCCUPANCY

Topography: Not provided on the site plan. Appears to be flat to rolling based on soils.

Soils: Not provided on the site plan. BOD Bath-Nassau-Rock outcrop complex, hilly; STD, Stockbridge-Farmington-Rock outcrop complex, hilly as per Ulster County Soil Survey.

Vegetation and Habitat: Not provided on the site plan. Aerial photographs indicate it is wooded.

Streams, Wetlands, Flood Hazard Zones. None shown on the site plan. Needs to be field checked.

Existing Structures on Site: None.

APPLICATION/MAP COMMENTS

Note that as a pre-application meeting was not held, these are general, preliminary comments with regard to the proposed application, and potential procedural questions.

1. Process. The applicant is seeking site plan approval (see 200-68 of the Zoning Chapter). The applicant should fill out the site plan checklist to determine if all required submissions have been fulfilled at such time that the full plan is detailed. In addition, the property is subject to the design guidelines for the **B-1 South** district. Note that the design guidelines have been amended, and may not be yet incorporated in the Zoning Chapter that is online. Please review the local laws available on ECode.

The plan will need to be transmitted to the Ulster County Planning Board for GML review as the property adjoins a state highway. Public hearings on site plans are optional and the Board will need to decide whether to hold a hearing.

The Planning Board has engaged the services of an architect to review other new nonresidential buildings. It should discuss whether it wants to retain an architect for this application.

2. Was this application transmitted to the Building Department for confirmation that the use is allowed? It appears to be allowed as a permitted use - a general merchandise use.
3. The site is within 500 feet of an agricultural district, so an agricultural data statement must be submitted.
4. Site plan. In general, the following information has not yet been provided on the plan. The applicant needs to request a waiver from the Planning Board, if it is proposing not to submit certain data:

Legal data.

- The names of all owners of record of the property in question and of all adjacent property and the lot, block and section number of such properties as shown on the official Town assessment rolls.
- Boundaries of the property...metes and bounds are not provided.

Existing features.

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

Development data.

- Title of development, name and address of record owner, engineer, or surveyor preparing the plan (in addition to firm name)
- The location of all proposed water lines, valves and hydrants and of all sewer lines or alternative means of water supply and sewage disposal and treatment.
- The proposed location, direction, power and hours of operation of proposed outdoor lighting.
- The proposed screening and landscaping plan.
- Proposed stormwater drainage system (as per SWPPP).
- The location and design of all projecting and freestanding signs.
- Additional data which may be required. Where, due to special conditions peculiar to a site or the size, nature or complexity of the proposed use or development of land or buildings, the

Planning Board finds that all or portions of the additional data listed below are necessary for proper review of the application, it may require any or all of the data to be included in the required submission.

- A survey of the property by a licensed surveyor showing all appropriate dimensions, angles, bearings and other relevant data.
- Existing contours with intervals of five feet or less, referred to a datum satisfactory to the Board, and all proposed grades. (normally, the Planning Board requests 2-foot contours.
- Stormwater pollution prevention plan, if required.

5. With regard to the B-1 South guidelines, note the following:

- a. The parking requirements that apply are: "Buildings and parking lots shall be set back a minimum distance of 100 feet from the centerline of the pavement of Route 209 and State Route 213. Setbacks from all other streets shall be governed by the standards set forth in the Density Control Schedule. The area between the outer edge of the right-of-way of Route 209 and/or State Route 213 and the one-hundred-foot setback line shall be planted with a mix of evergreen and/or deciduous trees, as necessary, to supplement existing vegetation to create a buffer. Existing vegetation may be required to be replaced and/ or supplemented to achieve the intended purpose of the buffer, which is to substantially limit the view of the parking lot and buildings. Plantings shall be in an irregular, random pattern to create a natural - appearing buffer area. Existing trees, walls, fences or landscaping shall not be removed from the buffer/setback area without prior approval of the reviewing board. Provision of sidewalks, bikeways and footpaths in this buffer/setback area will be encouraged...."

While the parking spaces are setback 100 feet, the driveway that is part of the parking lot is not.

- b. Building size. The total maximum footprint of a building is 5,000 square feet. There is a special alternative which would allow the building to exceed this footprint to a maximum of 7,500 square feet – the Planning Board will need to make a determination as to whether to allow the larger footprint. In general, the building and use would have to be of significant design to allow the special conditions to apply as per the design guideline amendments.
 - c. Screening will be required to the abutting residential district. Not shown. Refer to the transition requirements contained in § 200-37 of the Zoning Chapter.
6. Limits of disturbance. The area of disturbance must be calculated to determine whether a SWPPP will be required.
7. Aisle width. It is unclear why 40 feet drive aisles are proposed – the truck loading diagram is unclear, so it cannot be determined that the purpose is to accommodate a truck.
8. Dumpster. The dumpster should be placed in a location that is not visible from the main roads. Details of the proposed dumpster enclosure will be necessary. It is difficult to determine whether it will be visible, as landscaping – existing and proposed – is not shown in that area of the site.
9. Culvert. Based on a site visit, it appears that a culvert crosses from the north to south side of NYS Route 213. The location needs to be shown. There may be a drainage channel associated with it, which should be shown if it exists.

10. Topography needs to be shown, and any wetlands identified if they are present. The site is lower than surrounding areas, and water may pond, but it is difficult to see with the thick vegetation that is present.
11. Utilities. The site is adjacent to a residential neighborhood. Are the dwellings on septic and well? The septic for the store is close to the dwellings and has to be reviewed for separation distances to nearest wells.
12. Outdoor storage. Will any outdoor storage or sale of materials occur?
13. Fences. Are any fences proposed?
14. Fire department. This application will need to be sent to the respective fire department for review, and to assess fire access. Will fire access be required around the entire building? As the site plan is not detailed, it is unclear whether there will be doors and access provided to the rear or sides of the building.
15. Design Guidelines. At some time, the applicant will need to submit a narrative, elevations, and/or other visual representations of the design of the buildings and site, to ensure the property meets the design guidelines for the B-1 district. A single rendering has been provided, and the following is noted:
 - a. The site plan shows what appears to be a concrete apron around the building and under the dumpster. It also shows striping by the parking stalls in front of the building. This is inconsistent with the rendering, which illustrates landscaping along the front wall of the building, and a landscaped area with a tree where the striping is shown.
 - b. Landscaping (lawn) is shown behind the building in the rendering. All grading needs to be shown to get a sense of the areas that will be stabilized later with landscaping.
 - c. Will the sidewalk be elevated above the parking space level, and separated by a curb? The parking area includes wheel stops along one length of the parking, but not the other. Why? Also, the concrete sidewalk along the side façade appears to be wider than shown on the site plan.
 - d. The specific materials of the building will need to be specified.
17. NYSDOT. Please show the guardrails at the street edge, to determine whether the proposed access is beyond the guardrail. The plans should be referred to the NYSDOT, as this may affect the ultimate layout.
18. Right-of-way. Does the site plan show the accurate highway right-of-way? Metes and bounds are not provided. Does DOT have any utility easement on the site for the culvert?
19. Utilities and lighting. Will the site use electricity or propane? Utilities need to be shown. Also, the location and design of all lighting with a photometric plan is required.
21. Adjoining buildings. All adjoining buildings are to be shown if within 200 feet of the property as per the site plan requirements. Are the dwellings to the east or south within 200 feet of the lot lines.

22. Signs. Please provide a calculation for the size of the proposed wall sign. As per 200-42.B, in business or industrial districts (B-1, B-2 or I-1), the aggregate area, in square feet, of all signs on any wall shall not be greater than the length, in feet, of such wall. A freestanding sign is shown in addition to a façade sign. Please provide details of the sign – it cannot exceed 36 square feet per sign face or be higher than 15 feet above grade. All proposed sign illumination needs to be detailed.

SEQRA COMMENTS

1. Classification of action. The application appears to be a Type I Action due to its location in close proximity to a historic district. A long EAF Part 1 must be submitted. Also, the EAF must be created using the EAF Mapper. The summary list of auto-populated responses is not included with the EAF that was submitted, so we cannot confirm it was prepared using the Mapper.
2. The site is within an archaeologically sensitive area so it will be sent to the State Historic Preservation Office, and a cultural resource survey will need to be submitted.
3. The bog turtle (DEC wetlands across the street) and northern long-eared bat show up as potential species that will need to be evaluated.
4. The USFWS database should be reviewed to assess whether additional sensitive species are potentially present.

Date of Review: July 13, 2018.