# **TOWN OF MARBLETOWN PLANNING BOARD MINUTES**

Date: February 21, 2018 Rondout Municipal Center, 1915-1925 Lucas Avenue Meeting Room C-4 Cottekill, New York 12419

Dan Proctor (Chairman)	Present
Steve Wood (Vice-Chairman)	Present
Kris Lovelett	Present
Larry Ricci	Present
Laura Shabe	Absent
Max Stratton	Present
Dave Cobb (Alternate)	Present

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

A quorum being present, Chairman Dan Proctor called the meeting to order with the Pledge of Allegiance at 7:03 p.m.

Chairman Proctor called for a motion to accept the Minutes of the January 17, 2018 meeting. Upon Motion of Member Kris Lovelett, seconded by Member Larry Ricci, and the affirmative vote of 5 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 1 member being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

# **Pending Application:**

Applicant- Board Member	Application	Location	Zoning	SBL	Status
Delegate			District		

Donald Brewer,	Dan	Zajkowski 4	299-300	A-3	70.3-6-	SEQRA Review,
PLS o/b/o Nancy	Proctor	Lot	Vly-Atwood		4.121 &	schedule Public Hearing
Janicke,		Subdivision	Road		70.3-6-2	0
Administratrix						

Don Brewer, PLS, CFM was in attendance to represent the applicant with regard to the subdivision application. Numerous community members were present for the scheduled Public Hearing on this application, and the Chairman provided some basic information regarding the subject property and what was being proposed. He noted further that the Board wished to hear comments from neighbors and concerned citizens present but discussion on the application was to be limited. The Chairman then stated that Surveyor Brewer would be given the opportunity to briefly address any concerns raised.

That being said, Chairman Proctor called for a Motion to issue a Negative Declaration. Upon Motion of Vice Chairman Steve Wood, seconded by Member Max Stratton, and the affirmative vote of 5 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

The Public Hearing thereafter commenced at 7:08 p.m. with a call being made to those present who wished to address the Board.

- Justin McClean indicated that his property abutted the subject property on the northern border. He questioned the amount of acreage depicted on the maps as compared to those on the County assessment rolls, the definition of "wasteland" designation and location of wetland and its expansion.

Chairman Proctor recognized Surveyor Brewer who provided responses if he so desired. Mr. Brewer first responded to the concerns regarding the acreage, noting that the County assessment records are approximate for tax purposes only and the acreage being assessed can be challenged. The survey presented with the application was based upon all evidence obtained by a deed and land record search. The designation of what constituted "wasteland" was not known but it was assumed it may refer to the wetlands. There was no new construction being proposed on Lot 1 which already had an existing residence and upon which wetlands were present. Mr. Brewer provided some research he had conducted relative to the stone walls (annexed hereto as "UCONN – Stone Wall Initiative). Based upon the NYS DEC records, the property was not located in an archaeologically sensitive area.

- Barbara Diebler Raised concerns about Federally regulated wetlands, steep slopes and erosion control relative to the areas of disturbance.
- Steve Smith Appreciated the lack of development along that portion of Vly-Atwood Road and stated that he would like it to remain pristine.
- Shannon Bowen Inquired as to whether the structures depicted would remain in the location as shown on the proposed plan when erected and questioned the dwelling limits of disturbance.
- Rochelle Geller Questioned the location of the houses "lined up like soldiers" and stated that he believed the current configuration would have a negative impact on aesthetics of the community.

Surveyor Brewer noted that dwellings were sited to have the least impact on the environment and aesthetics of the land. The Board is guided by a comprehensive plan created by the Town which wishes to preserve view sheds, and this was taken into consideration during review of the plan. Planner additionally noted that the original plan was for five (5) lots and was revised to four (4) lots – one of which already has an existing structure, which created less disturbance to the location than initially proposed.

- Caroline Medicci Voiced her concern regarding adequate water supply with the increase in demand.
- Jordan Tinker Expressed concerns with availability of water and fluctuations with supply.

It was noted that the Ulster County Department of Health had issued approvals for water and septic for each lot and made the determination that the water supply and septic plans were adequate.

Chairman Proctor called for a motion to hold the Public Hearing open and asked the public to submit within fifteen (15) days of this meeting any additional questions regarding the subdivision application. Upon Motion of Vice Chairman Steve Wood, seconded by Member Larry Ricci, and the affirmative vote of 5 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, the motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Chairman Proctor called for a motion to schedule a site visit. Upon Motion of Member Max Stratton, seconded by Member Larry Ricci, and the affirmative vote of 5 members, 1 alternate member, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Vice Chairman Wood indicated that site visits for Hardenburgh Hills application and the site visit for the Zajkowski Subdivision be coordinated to take place between the members of the Board.

# **New Application:**

Applicant- Boar Delegate	d Member	Application	Location	Zoning District	SBL	Status
Stone Ridge Base, LLC	Kris Lovelett	Applestone Meat Co Revised Site Plan & LLA	3607-3611 Main Street	B-1 & R- 3	61.20-5- 12.100 & 15	New application – initial review

Owner Joshua Applestone, Samantha Goff & Barry Medenbach, P.E. as agent were present.

Mr. Medenbach provided a synopsis of what was being proposed which included the installation of a picnic area, pavilion and grills. Certain issues raised in the preliminary review of the Planner were discussed, specifically: zoning regulations about parking and usage. Mr. Applestone expressed a desire to entertain any suggestions and a willingness to take measures necessary to move forward. Planner Franson reviewed the content of her report (attached hereto as Applestone Meat Co. Review). The Board requested that the intent to do nothing with the historic Pickard house as part of the plan be clearly expressed in the plan. Applicants were further directed to consult with the Code Enforcement Officer to discuss proposed uses and obtain opinion as to whether variance(s) would be required, in writing from CEO Allen. A revised EAF which addressed SEQRA comments of Planner needed to be provided by Applicant.

Planner Franson indicated that consideration be given to making changes in zoning designations at some point in the future. The parcels involved were subject to a proposed Lot Line Adjustment subject in two different zoning designations under the Code. The building that is in residential use is proposed to be converted to an office (behind the existing meat store) is a pre-existing structure and doesn't meet the setback requirement along the side lot line. A change in use is being proposed and it needs to be determined if a variance is required because of the change of use. Secondly, with regard to the accessory uses, what was allowed as an accessory use in that district is whatever was accessory to what is permitted in that District. A dialogue may take place between the Town Board and the applicants if consideration were ever to be given for the Zoning to be changed so that the entirety of the property is in the B-1 district. Talking to the Building Department as to what was allowed would be the first step. The

application would require referral to the Natural Heritage Program and New York State Department of Environmental Conservation.

Member Larry Ricci indicated Board should take into consideration an issue with a similar situation that was proposed in Rosendale and issues with air emissions from the wood-fired operation and how it impacted the neighbors. Signage with enforceable rules were suggested as part of the process.

Member Kris Lovelett called for a Motion to circulate intent for Planning Board to be Lead Agency. Upon Motion of Vice-Chairman Steve Wood, seconded by Larry Ricci, and the affirmative vote of 5 members, 1 alternate members, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Secretary was directed to wait to coordinate Lead Agency Request circulation until revised EAF was submitted.

Member Kris Lovelett called for a Motion to establish \$500.00 escrow. Upon Motion of Member Larry Ricci, seconded by Max Stratton, and the affirmative vote of 5 members, 1 alternate members, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

# **New Application:**

Applicant- Board Delegate	Member	Application	Location	Zoning District	SBL	Status
Stone Ridge Equities, LLC	Steve Wood	Hardenburgh Hills II	3607-3611 Main Street	B-1 & R-3	61.20-5- 12.100 & 15	New application — initial sketch plan review

Applicant Stacy Varsos of Stone Ridge Equities, LLC, Stephanie Bassler and Peter Reynolds of North River Architecture and Planning and Dan Kohler were present.

Ms. Bassler confirmed that a pre-application meeting had taken place late September 2017 and recognized Vice-Chairman Steve Wood to provide an introduction to the application before the Board Mr. Wood introduced Peter Reynolds to provide a synopsis. Mr. Reynolds indicated that the project had a history previously before the Planning Board. The plan involved 6 lots with single residences to be placed on each. Dan Kohler took over the presentation and provided explanation of lots, soils and other details provided on the sketch. The history of the existing road was discussed and the need for adequate access and previous records from prior application had been provided to the applicant with issues surrounding the road. It was noted that approval of road for dedication may be considered. It was noted that a 12-parcel subdivision had been previously approved, and this adjoining undeveloped 24-acre parcel owned by the same owner is now being considered for another 6-lots.

Planner Franson reviewed content of her comments (annexed hereto as "Hardenburgh Review). The issue of the dead-end road was raised, and the hammerhead design located within a circular cul de sac right-of-way. The applicants were directed to consult with Town Highway Superintendent to provide recommendations to bring the road up to standards as well as road frontage.

Vice-chairman Steve Wood called for a Motion to classify as a major subdivision in the R-3 Zoning District with conservation subdivision design. Upon Motion of Member Kris Lovelett, seconded by Max Stratton, and the affirmative vote of 5 members, 1 alternate members, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye		
Dan Proctor (Chairman)	Aye		
Steve Wood	Aye		
Kris Lovelett	Aye		
Larry Ricci	Aye		

Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Vice-chairman Steve Wood called for a Motion to classify as a Type I action under SEQRA. Upon Motion of Member Kris Lovelett, seconded by Max Stratton, and the affirmative vote of 5 members, 1 alternate members, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Vice-chairman Steve Wood called for a Motion to circulate intent for Planning Board to serve as Lead Agency pending receipt of EAF. Upon Motion of Member Max Stratton, seconded by Kris Lovelett, and the affirmative vote of 5 members, 1 alternate members, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Vice-chairman Steve Wood called for a Motion to establish in the amount of \$1,000.00. Upon Motion of Member Kris Lovelett, seconded by Dan Proctor, and the affirmative vote of 5 members, 1 alternate members, the negative vote of 0 members, the abstention of 0 members and 1 members being absent, a motion was carried by the following vote:

Vote:	All Aye
Dan Proctor (Chairman)	Aye
Steve Wood	Aye
Kris Lovelett	Aye
Larry Ricci	Aye
Max Stratton	Aye
Laura Shabe by Dave Cobb (Alternate)	Aye

Upon Motion of Vice-Chairman Steve Wood, seconded by Member Kris Lovelett, all members in agreement, the meeting was adjourned at 9:34 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary
Dated this March 13, 2018
Minutes Approved on: March 29, 2018



UNIVERSITY OF CONNECTICUT

# Stone Wall Initiative

Purposes Then and Now

History in Ten Steps

Frequently Asked Questions

# Frequently Asked Questions



Large glacial erratics, such as the one below the tree, were too big to move from this scene in Sherman, CT.

Here's a list of questions that people have asked me, usually over and over. If you can't find the question you need answering, there are many <u>resources</u> to consult. Or just <u>contact</u> the SWI.

Answers are given below, by question.

- · Who?
- · When?
- · How many?
- Why New England?
- Why so few elsewhere?
- Wild walls?
- Protected?
- Epicenter?
- Different kinds?

#### WHO BUILT THEM?

The vast majority of the stone walls were built by European immigrants, generally from the British Isles. The oldest documentary record for a New England describes the 1607 by English settlers of the Northern Virginia Company, who attempted permanent settlement along the estuary of the Kennebec (then called the Sagadahoc) River north of what is now Portland, Maine (then called Falmouth). Native American stonework is also present, but widely distributed, and generally restricted to mounds, the fundations for fishing weirs, and short stacks of stone, possibly for defensive bulwarks. The existence of ancient European walls— allegedly built by Vikings or Celts— is possible, but unproven.

#### WHEN WERE MOST BUILT?

New England's stone walls span nearly four hundred years of construction history, during which many walls have been built, rebuilt, taken apart, and rebuilt multiple times. Most walls however, accumulated as residue along fencelines during the century between 1750 and 1850 when southern, interior, and coastal New England was then a landscape of agricultural villages and family farms, carved from what had previously been a forested wilderness. The half-century between the onset of the American Revolution in 1775 and the opening of the Erie Canal in 1825 was the time of most rapid construction, during which many of these earlier, haphazard walls, were rebuilt.

#### **HOW MANY WALLS ARE THERE?**

In 1939 the mining engineer Oliver Bowles estimated that there were probably more than 259,000 miles of stone walls in the northeastern U.S., most of which is in New England. Many walls have since been destroyed, but probably more than half of these remain.

WHY SO MANY IN NEW ENGLAND?



# NELSON, POPE & VOORHIS, LLC ENVIRONMENTAL . PLANNING . CONSULTING

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APPLESTONE MEAT CO. REVIEW

To:

Dan Proctor, Chairman

Marbletown Planning Board

From: Bonnie Franson, AICP CEP, PP

Re:

Applestone Meat Co. Revised Site Plan

**Date:** 3/29/2018

cc:

Lisa Mance, Planning Board Secretary

# I am in receipt of the following:

- Revised Site Plan for Applestone Meat Co., prepared by Medenbach & Eggers, PC, last revised March 7, 2018;
- New Grill Park Proposal, received March 29, 2018
- Revised EAF, dated March 6, 2018;
- Response letter from Medenbach and Egger, dated March 8, 018

# **Process**

- 1. Once the site plan and concept is further detailed, it should be sent to the Stone Ridge fire department for review and comment.
- 2. Has a GML referral been made?
- 3. Has the Notice of Intent been circulated and if so, has the 30 day referral period been met? If so, the Planning Board can declare itself lead agency.

## Comments

# Site Plan Comments

As a general comment, the rendering does not match the latest version of the site plan. The details should be discussed with the applicant.

- Please label the sidewalk, and provide the material to be used. 1.
- Please indicate where curbing is being installed a detail is provided, but it is unclear where the 2. curbing will be installed.

- 3. Is the wall mounted lighting being installed on the barn only? See also below regarding design standards.
- 4. The site plan seems to indicate that parking islands will be created will these be landscaped? Please indicate the treatment for the islands.
- 5. Please show the location of the propane tank it needs to be reviewed relative to the parking area.
- 6. Please "x" out any trees and structures that are being demolished, moved or removed.
- 7. The architectural submission suggests that there will be walkways to the dwelling converted to office and from the frontage into the grill into the park. It is shown as a different color from the paving. Please indicate whether all these walkways are being added, as they are not shown on the site plan, and what the materials will be.
- 8. The site plan needs to show the area that will be either concrete, gravel, macadam or other surface area around the grilling area and pavilion. This is not shown on the site plan. Please indicate the materials to be used and provide details for all surfacing. The limits of disturbance needs to be reviewed against the architectural conceptual renderings.
- 9. Much of the area to the rear of the Picard House is gravel based on a review of the photographs will these areas be reseeded?
- 10. Long striped lines are being shown in the parking area is this a drafting error? Also, one of the parking spaces at the rear of the parking area should be hatched as a "no parking" location and as a turnaround for vehicles that come to the end of a dead end aisle.
- 11. The proposed grilling station shown on the site plan does not appear to match the concept shown in the architectural rendering. See also comments under Design below.
- 12. Please show the location of all new mechanical equipment, to determine if screening is required.
- 13. Please indicate the location of the portable restrooms. As a general comment, can the restroom facilities be provided in one of the existing buildings? Can the septic systems accommodate the required load?
- 14. Will water be made available to the users? If so, from where and what would be the method of delivery?
- 15. Will the pavilion be internally lit?
- 16. In general, there is no method of securing the site from the Route 209 frontage. Will persons be able to hang out in the grill park in the evening? While this is a dawn to dusk operation, how will that be controlled?
- 17. How will refuse from the grill park be addressed? Will trash cans or a dumpster be installed? They are required to be screened.

## **Design Comments**

In general, the conceptual references are useful to get a sense of the design concept for the project, but specific information is needed with regard to design, materials, colors, etc., to ensure that the project meets the design guidelines applicable to the B-1 zoning district. The response letter to comments indicates that building plans are being developed. Are these concepts intended to be the "building plans"? The narrative addressing the B-1 zoning district should specifically indicate whether the plans meet the specific requirements of the design guidelines. The general intent and objectives of the design guidelines are referenced only.

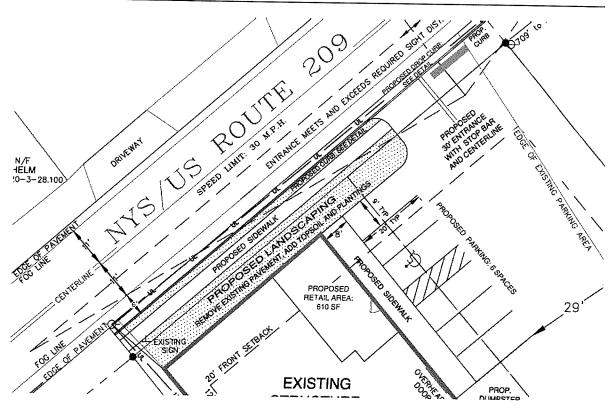
- 1. The narrative in one location states that there will be four 22-inch Weber kettle grills, and elsewhere it states a "minimum" of 8 Weber grill stations will be created. This needs to be made consistent, and locations shown on the site plan. Specifically, the narrative states that there will be a minimum of four (4) new grill stations, and there will be four (4) Weber kettle grills per work station this would total 16 grills. But later in the narrative, it states there will be eight (8) new charcoal grill stations. If there are 8 work stations, and there are four grills per station this would be 32 kettle grills. It may be that grills and work stations is being used interchangeably the total amount of grills and work stations should be clarified, and shown on the site plan.
- 2. The narrative indicates landscape materials are to be determined these need to be shown on the site plan, with a landscape schedule and species identified. The narrative states that new canopy trees and shrubs are to be installed, but these are not shown as of yet on the site plan.
- 3. Is a masonry grilling station being installed? Or are they all weber stations?
- 4. The applicant should explain the term "Eichler" friendly as it applies to the concept fencing shown.
- 5. The fenced area within which the propane tank and vehicles will be stored does not appear to be shown on the site plan. It suggests a fence will be installed between the propane tank and the grill park, to block views of this space.
- 6. A food truck seems to be stationed by the propane tank will a food truck be located on the site to sell food accessible from the walkway?
- 7. One image shows that there will be sidewalk access to the grill park from Route 209, but a different image does not show it.

Based on a review of the design standards for the B-1 zoning district, we note the following:

8. The zoning chapter defines "building" as: "Any structure which is permanently affixed to the land, has one or more floors and a roof, and is intended for the shelter, housing, or enclosure of persons, animals or chattel." Is the pavilion a "building" as per the zoning law? A fundamental question is whether the design guidelines apply to the pavilion.

The design guidelines state that "The total footprint of any single building or group of attached buildings shall not exceed an area of 2,000 square feet except in the B-1 District in High Falls, where such footprint shall not exceed 2,500 square feet." The barn and pavilion appear to meet this requirement.

- 9. Building materials. Exterior materials of new construction shall be compatible with those traditionally used in the hamlets and may include wood (clapboard, board and batten or shingles), natural stone (laid horizontally) or red common brick. These guidelines will apply to the barn, which is partially in the B-1 district; it is unclear if the standards apply to the pavilion. The applicant has not indicated any changes will be made to the Picard House. The applicant should indicate if the dwelling being converted to an office will be renovated and resided it is in the B-1 zoning district, but it is a pre-existing building. Note that "Facades of metal, plastic, plywood panels, ceramic tile, vinyl or similar materials are not permitted."
- 10. Fences or walls with a maximum height of 42 inches may be located between a structure and the street, either parallel or perpendicular to the street, if constructed of either vertical wood pickets, with a separation between pickets at least equal to the width of the picket, or natural stone. This will guide construction of the stone wall in front of the buildings.
- 11. The design guidelines state that "Chain-link fences or solid wood fences are prohibited" under the heading "building façade materials. In addition, the regulations state: "Where the site of a regulated activity abuts an existing residential use or a residential district boundary, a year-round buffer of trees, shrubs, walls or fencing shall be provided or maintained that is sufficient to screen the activity from the abutting lot or residential district." Thus, a fence or landscaping is required along the adjoining neighbor's property, but it is unclear if it can be a solid wood fence. The fence for Stone Ridge Shoppes was a solid fence to the rear of the property. This issue is raised, as I believe the design guidelines were proposed to be revised to address this issue, but were not.
- 12. It appears that the Pickard House is being repainted from a review of the photos. Note the following: "Building colors. Building colors shall be selected from the historic color pallet recommended by any commercial paint manufacturer".
- 13. All mechanical equipment must be screened. Specifically: "All roof-, wall- or ground-mounted mechanical equipment, such as heating and air conditioning units, exhaust fans, satellite dishes, etc., shall be confined within the principal structure or within an area enclosed by a wall, fence, berm or hedge of sufficient height and density to screen the equipment year round from view from adjacent streets, properties and parking lots. Such equipment shall not be located on the building roof and, if not housed within the building, the preferred location is at the rear of the building".
- 14. Parking. Parking lots abutting public streets shall be separated from the street by a buffer area of at least five feet in width which includes trees or low walls, or hedges or shrubs or a combination thereof. This was not addressed for the existing parking lot at the frontage with Route 209. See the excerpt from the previous site plan screening the parking lot should be addressed at this time.



- 15. Parking landscaping. No parking space shall be located more than 75 feet from a large deciduous tree or conifer. Said another way, the design guidelines require that parking be within 75 tree, which may necessitate additional plantings. This needs to be reviewed.
- 16. Lighting. Light fixtures from a manufacturer of historic lighting are preferred. The proposed lighting does not appear to meet this standard. What is the proposed height of the pole it cannot exceed 18 feet or the building height, whichever is less. The revised design standard adopted by Local Law 1 of 2017 requires the submission of a photometric plan. Please provide the color rendition for the LED lighting LED 2700 K to 3000 K is preferred, and shall be consistent with the recommendations of the International Dark Sky Association.