

**PLANNING BOARD
TOWN OF MARBLETOWN
ULSTER COUNTY
COTTEKILL, NEW YORK
(845) 687-7500 Ext. 171**

MINUTES OF March 20th, 2019 **Regular Meeting** of the Town of Marbletown **PLANNING BOARD**, held at the **Rondout Municipal Center**, Cottekill, NY.

Chairman Proctor called the meeting to order at 7:00PM.

Chairman Proctor asked everyone to stand for the pledge to the Flag.

PRESENT:

Dan Proctor, Chairman
Max Stratton
Larry Ricci
Harry Hansen

ABSENT:

Steve Wood
Laura Shabe
John Kostides

Also present:

Dave Cobb and Sharon Klein, Alternates. Shaye Davis, Secretary. Tracy Kellogg, Attorney for the Town.

Mr. Cobb and Mrs. Klein took seats on the Board at 7:04PM.

ACTION ON MINUTES

Mr. Ricci motioned to accept the February Regular Planning Board Meeting Minutes. Mrs. Klein seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

APPLICATIONS

PB2019-01SBD – Continued Application – Point Person Laura Shabe

Minor 2-lot Subdivision

Estate of Myron Boice Jr. – Daniel Boice – Executor - Point Person – Laura Shabe

2387 Lucas Avenue, High Falls. SBL: 70.9-2-4.100. R-1 Zoning District. 100.6 +/- acres.

Proposes a 2-lot subdivision. Located in Flood Plain, National Wetlands Inventory, NYS Aquifer District, Ulster County Ag District #3.

SEQR: Unlisted Action

Daniel Boice, owner and Will Leabee, prospective buyer were present on behalf of the application.

Chairman Proctor gave the Board a little history on the application.

Mr. Boice and Mr. Leabee explained their potential plans for the property.

The Board discussed that they would want a Road Maintenance Agreement for all the parcels using the driveway.

The Board decided to read the decision.

RESOLVED,

The Town of Marbletown Planning Board grants Minor Subdivision Approval to The Estate of Myron Boice – Daniel Boice - Executor for the lands situated at 2387 Lucas Turnpike, High Falls, NY, known as SBL: 70.9-2-4.100, and located in the 'R-1' zoning district for a two (2) lot subdivision.

The revised Subdivision Plan dated February 5th, 2019 is approved with the following conditions.

CONDITIONS of APPROVAL for the APPLICATION:

- 1.) Obtain Ulster County Health Department Approval
- 2.) Payment of all outstanding fees to be paid in full prior to signature on Subdivision Plat.
- 3.) Road Maintenance Agreement submitted to the Planning Board and reviewed approved by the Town Attorney.
- 4.) Dates of revisions added to plat.
- 5.) Any and all associated map notes added to the plat.

The Town of Marbletown Planning Board further grants the authority to the Planning Board Chairman to certify all conditions have been completed without further resolution and to sign and date the plat at such time.

EFFECT of PRELIMINARY APPROVAL:

1. This Minor Subdivision approval and associated conditions shall be binding upon the applicant and all successive owners of the land so long as such use(s) shall occur.
2. This approval shall remain effective as an authorization to secure the required permits and establish the use(s) for a maximum of one year from this date of approval unless the applicant shall have submitted written request and the Planning Board shall have adopted

such resolution granting an extension and provided the applicant has submitted proof of having diligently pursued the implementation of the plans.

Draft resolution was prepared and were read, discussed and amended by the Planning Board.

Adopted March 20th, 2019, by the following vote:

Ayes: 6 Nays: 0 Absent: 3

Motion made by Mr. Stratton

Seconded by Mr. Cobb

Fuhrman Subdivision – Continued Application

Isaac Fuhrmann – Point Person – Larry Ricci

Proposes 3-lot Minor Subdivision

Located at 7 Ricci Road, Accord, Zoning District – A-3. SBL: 60.4-1-27.12

SEQR: Unlisted Action – Negative Declaration 1/16/19

Bill Eggers was present on behalf of the application.

Chairman Proctor explained the history of the proposed subdivision to the Board and the members of the public. He noted that again that several of the owners of adjoining lots and expressed concern about the environment impact of the subdivision. He stated that the Board takes everything into consideration when reviewing applications.

Mr. Ricci explained to the Board and public the timeline of the Department of Environmental Conservation (DEC) site visits and correspondence. He stated that in 2006 the wetlands were delineated by the DEC and classified as an unlisted stream next to the driveway. He stated that the driveway/path was put in in 2006 as well. In 2008 there was a complaint for the roadway and the water building up next to it. In 2018/19 during this current review there was concern about the stream and the newly ponded wetland next to the roadway. The DEC stated that a Protection of Waters Permit should be applied for. Mr. Ricci continued to state that after 30 or 60 days, not sure of which one, the permit is automatically approved.

Mr. Eggers stated that there are mandatory issues with the driveway and the ponded water that it has created. He stated that fixing the driveway by adding culverts would help with the issues. He also noted that he had reached out to a Biologist at the DEC again in regards to the parcel and was reaching out to the permitting division at the DEC.

There was no further discussion from the Board.

Chairman Proctor opened the meeting for public comment.

Charles Chrissy asked if the driveway was approved. He asked if the fire department had been contacted regarding the long driveway, and if there were turnarounds for the fire trucks in case of an emergency. He also asked where the utilities would run to access the proposed lots.

Chairman Proctor stated that the Board had reached out to the Fire Department but had not heard back from them. He also stated that an engineer was to review the driveway specs.

Mr. Cobb stated that the utilities would usually run in the center of the driveway to access the lots.

Chairman Proctor read a letter of concern regarding the construction of the driveways and homes cause more issues with the water flow and build up.

Mr. Eggers stated that the houses and driveway go up hill, so there is no wet area in that area, and it would not cause more water flow.

There were no further comments from the public.

Mrs. Klein motioned to keep the public hearing open for written comments only until Wednesday, April 3rd at 4:30PM. Mr. Ricci seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

The Board stated that they need to hear from the Kripplebush Fire Department regarding the driveway, and the DEC. They also needed to have a drafted Road Maintenance Agreement and the Protection of Waters Permit.

Mr. Stratton motioned to have Peak Engineering review the driveway profile and look at the site. Mr. Proctor seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

There was no further discussion regarding the application.

PB2019-01SPA – New Application

Christ the King Episcopal Church – Point Person – TBD

3021 State Route 2013, Stone Ridge, NY. SBL: 69.8-2-15. R-3 Zoning District. 4 +/- Acres.

Proposes 1,200 Sqft addition and new 68 space parking lot.

Matt Towne, Engineer and Allison Quin, representative was present on behalf of the application.

Chairman Proctor stated that the Board had not had a response from the Ulster County Planning Board and the Department of Transportation.

Mr. Towne explained the site plan to the Board. He added that they had submitted a Driveway Permit to the Department of Transportation.

Chairman Proctor opened the meeting for public comment.

A neighbor named Judy had concerns about water flow as her property is already flooded constantly. She also asked if the septic was going to be enlarged, if the parking lot lights would be changed and when the construction would take place.

Mr. Towne explained with the site plan the flow of water and how her property would not be affected and that the new parking lot would not cause that much more run off. He stated that the lights in the parking lot would be changed for the better by using Dark Sky compliant poles and light covers. He noted that construction would take place during normal working hours, 9-5PM.

Mrs. Klein from the Board asked about the water flow problems as well.

There were no more comments from the public or the Board.

Mr. Stratton motioned to keep the public hearing open. Mrs. Klein seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

PB2019-03LLA – New Application

Lot Line Adjustment

Eric Rosenberg & Michelle Kolb with Marbletown Vly, LLC

Vly Road & Scarawan Road, Stone Ridge, NY

SBL: 54.3-1-24 & 54.3-1-22. Zoning District AR-3.

Proposes a lot line adjustment conveying 35+/- acres from 54.3-1-24 to lot 54.3-1-22.

SEQR: Type 2 by Law

Bill Eggers from Medenbach and Eggers was present on behalf of the application.

Mr. Eggers explained the Lot Line Adjustment to the Board with the map.

The Board reviewed the plan.

Mr. Ricci motioned to accept the lot line adjustment. Mr. Stratton seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

PB2019-04LLA – New Application

Lot Line Adjustment

D&H Canal Historical Society and The Rockcliff House, LLC

Off Mohonk Road, High Falls, NY

SBL: 70.46-3-22.100 & 70.46-3-23.100. Zoning District: B-1.

Proposes a lot line adjustment conveying .60 +/- acres from lot 70.46-3-22.100 to lot 70.46-3-23.100.

SEQR: Type 2 by Law

Bill Eggers from Medenbach and Eggers was present on behalf of the application.

Mr. Eggers explained the Lot Line Adjustment to the Board with the map.

The Board reviewed the plan.

Mrs. Klein motioned to accept the lot line adjustment. Mr. Hansen seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

OTHER MATTERS:

Secretary Davis explained to the Board the issues with the time of the month the meeting was in regards to the Ulster County Planning Board and having to push applications another month due to not having a response in time.

TOMPB March 20th, 2019
REGULAR MEETING

The Board agreed.

Mr. Stratton motioned to change the regular meeting date to the second Wednesday of every month. Mr. Cobb seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

Mr. Stratton motioned to adjourn the meeting at 8:00PM. Mr. Cobb seconded the motion.

All in favor. Motion carried.

6 ayes, 0 nays, 0 abstentions, 3 absent

Respectfully submitted,
Shaye Davis, Secretary

Adopted and accepted, April 17th, 2019