

TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: October 17, 2018
 Rondout Municipal Center, 1915-1925 Lucas Avenue
 Meeting Room M-1
 Cottekill, New York 12419

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

Acting Chairman Steve Wood called the meeting to order with the Pledge of Allegiance at 7:00 p.m. Planner Bonnie Franson was not present.

Acting Chairman Wood noted that Chairman Proctor had generated a request for input relative to Planning Board process, noting that the process works only as well as the preparedness of the consultants and applicants but any positive input to streamline process would be beneficial.

Any discussion relative to the execution of a Memorandum of Agreement with the County of Ulster regarding application referrals was held over until Chairman Proctor and Attorney Kellogg could be present.

The first item that had been requested to be placed on the Agenda at the request of the Town – Hansen with Town of Marbletown, L.L.A. was postponed – pending further submission of documentation and representation.

Acting Chairman Wood called for a Motion to approve the Minutes of the September 19, 2018 meeting. Upon Motion of Member Kris Lovelett, seconded by Member John Kotsides and the affirmative vote of 4 Members, the abstention of 1 Member, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Abstain

Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

New Application:

Applicant- Board Member Delegate		Application	Location	Zoning District	SBL	Status
Clare Brettschneider	Kris Lovelett	Brettschneider/Pine Cone Road Properties, LLC, LLA	43-45 & 57 Narrow Road	A-4	54.2-1-13.150 & 54.2-1-13.11	New application for LLA, original subdivision approved by PB in 2016

Applicant Clare Brettschneider was present as well as her attorney, Marianne Connolly, Esq. The proposed lot-line was displayed for review with Applicant providing an explanation of the changes to the lot-lines. The boundary lines were being reconfigured to allow Esopus stream frontage on the Brettschneider parcel and a slight adjustment to straighten the boundary line between Pine Cone Road Properties, LLC and he Brettschneider property. No new lots were being created.

Member Kris Lovelett called for a Motion to confirm the proposal qualifies as a lot-line adjustment. Upon Motion of Acting Chair Steve Wood, seconded by Member John Kotsides and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Member Kris Lovelett called for a Motion to confirm action qualifies as an Unlisted Action under SEQRA. Upon Motion of Acting Chair Steve Wood, seconded by Alternate Member Dave Cobb and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

The comments provided by Planner Bonnie Franson were addressed and the EAF Part I was displayed for review. It was noted that “n/a” was not an acceptable answer on the form and that “9” needed to be answered “yes,” and that items “10,” “11” and “13b” should be “no.”

Member Kris Lovelett called for a Motion to issue a Negative Declaration pursuant to SEQR. Upon Motion of John Kotsides, seconded by Member Laura Shabe and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Member Kris Lovelett called for a Motion to approve the conceptual resolution with conditions that all application fees be paid and that new legal descriptions be submitted. Upon Motion of Acting Chair Steve Wood, seconded by Alternate Member Dave Cobb and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Abstain
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

New Application:

Applicant – Planning Board Delegate		Applicaiton	Location	Zoning District	SBL	Status
Stacy Sindt as agent for Pals 2012 LLC	Laura Shabe	Pals 2012 LLC, LLA	253 Chestnut Hill Road	A-3	61.2-1-45 & 61.3-3-14.2	New application for LLA

Stacy Sindt and Bill Eggers, L.S. were present and Stacy Sindt provided a description of what was being proposed. The EAF Part I had been revised pursuant to Planner Bonnie Franson's comments and that wells, septic, utilities, calculations for flag lot in bulk table, standard bat note and highway reservation note would be depicted on final maps prepared by Bill Eggers, L.S. The proposed formation of the flag lot would provide better access to the lot. The EAF Part I was reviewed with the same changes being made to the answers as done in the previous review so that “n/a” was not an answer, answer to question “3a” should be amended to +/-, and remove “urban” from “14.”

Member Laura Shabe called for a Motion to confirm the proposal qualifies as a lot-line adjustment. Upon Motion of Member Kris Lovelett, seconded by Acting Chairman Steve Wood and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye

John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Member Laura Shabe called for a Motion to classify the action an Unlisted action under SEQRA. Upon Motion of Member John Kotsides, seconded by Acting Chairman Steve Wood and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Upon Motion of Member Kris Lovelett to issue a Negative Declaration, seconded by Member Laura Shabe, and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Upon Motion of Member Kris Lovelett to approve the application subject to the conditions as stated, seconded by Acting Chairman Steve Wood and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

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	Escrow rec'd., Ag Data Statement mailed; site visit conducted; view shed study provided; maps revised 6/5/18

Bill Eggers, L.S. and Mr. Fetner were present as agent. Revised maps and Full EAF Part I had been proved the day prior to the September meeting and the NOI had been circulated. The Town had signed off on the response and it was noted that the Planning Board could declare itself Lead Agency.

Acting Chairman Wood called for a Motion for the Planning Board to declare itself Lead Agency. Upon Motion of Alternate Member Dave Cobb, seconded by Member John Kotsides and the affirmative vote of 4 Members, the abstention of 1 Member, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Mr. Fetner indicated that he disagreed with using physical markers to demarcate the treeline. Vice-chairman Wood polled the Board as to whether physical markers needed to be used or that boundaries denoted on actual maps would be sufficient. The Board unanimously agreed that notation on maps would be acceptable to denote treeline not to be disturbed. Bill Eggers, L.S. had provided standard driveway crossing section and Member Lovelett suggested the backslope be provided as part of the profile, specifying the minimum and maximum tie in grades and what happens to the grading after the swale. This detail would provide the information necessary for the Board to determine the limits of disturbance and the ability for it to confirm disturbance was under the threshold. The Board asked that basic road and sediment control measures be depicted even though a full Storm Water Prevention Plan (SWPPP) wasn't being required.

The referral response of the Ulster County Planning Board received earlier in the day and its recommendations relative to a SWPPP were read for the benefit of the applicant and Mr. Eggers. The Board noted that the requirement of a Department of Environmental Conservation permit would be the responsibility of the applicant. Vice-chairman Wood noted that sample design guidelines for the Rest Plaus Historic District were needed to be submitted by the Applicant.

Acting Chairman Wood called for a Motion to schedule a Public Hearing for November 29, 2018. Upon Motion of Vice-Chairman Steve Wood, seconded by Member John Kotsides and the affirmative vote of 5 Members, the abstention of 0 Members, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Aye
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

Acting Chairman Wood inquired from Bill Eggers, L.S. if he was clear as to what was necessary to conclude the SEQRA review. It was again noted that the taking the architectural guidelines provided in the Crestview application be taken and applied to this current application. In addition, the referral response of the Fire Chief was necessary.

Acting Chairman Steve Wood noted that the applicants were ready to proceed in the Hardenbergh Hills II Subdivision application and enough documentation had been provided for the Board to move forward on the SEQRA review. Member Laura Shabe inquired as to how the

Hardenbergh application could now move forward and Acting-Chair Wood provided further explanation.

Acting Chairman Wood called for a Motion to schedule a Public Hearing for November 29, 2018. Upon Motion of Member Dave Cobb, seconded by Member John Kotsides and the affirmative vote of 4 Members, the abstention of 1 Member, the negative vote of 0 members and 2 members being absent, the Motion was carried by the following vote:

Vote:	All Aye
Dan Proctor	Absent
Steve Wood (Acting-Chair)	Aye
Kris Lovelett	Aye
Laura Shabe	Abstain
Max Stratton by Dave Cobb, Alternate	Aye
John Kotsides	Aye
Kimberly Cole	Absent
Larry Ricci	Absent

The Board clarified with Surveyor Eggers that although the LLA with the Town of Marbletown and Harry Hansen appeared on the Agenda, no formal application had been submitted and it could not be reviewed.

Upon Motion of Member Kris Lovelett, seconded by Alternate Member Dave Cobb and the affirmative vote of all, the meeting was adjourned at 8:24 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Respectfully submitted on November 23, 2018

Minutes Approved on: