

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

MINUTES OF September 9th, 2019 **Regular Meeting** of the Town of Marbletown **PLANNING BOARD**, held at the **Rondout Municipal Center**, Cottekill, NY.

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

Acting Chairman Ricci asked everyone to stand for the pledge to the Flag.

PRESENT:

Lawrence Ricci (Acting Chairman)
John Kostides
Harry Hansen
Max Stratton

ABSENT:

Dan Proctor
Steve Wood
Dave Cobb

Also present:

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

ACTION ON MINUTES

Mr. Ricci motioned to accept the August Planning Board Meeting Minutes as amended. Mr. Stratton seconded the motion.

All in favor. Motioned Carried.

5 ayes, 0 nays, 0 abstain, 3 absent

APPLICATIONS

PB2019-03SBD

John Russell, JR

4 Lot Subdivision (2 lot subdivision & 2 lot line adjustment within mapped subdivision)

Oakwood Drive, Kingston, NY 12401 Zoning District: R-1, SBL: 61.2-4-1. Acreage: 51.2

John Russell was present on behalf of the application.

Mr. Russell and Acting Chairman Ricci explained the status of the application to the Board.

Acting Chairman Ricci opened the meeting for public comment.

Mr. Shirak, the neighbor that was purchasing the property, stated that he just wanted to make sure the property being conveyed would be 3 acres.

Sandra Guarino who was an adjacent property owner to Mr. Russell's property stated that she was upset with the communication from the Town. She stated that the letters from the Town regarding the public hearing should have more information to explain the meaning of what was trying to be accomplished. She noted that if her husband had not gone into the Planning and Zoning Office, they would not have known what was going on.

Nick Brown stated that he owned an adjacent property as well that he had a Town approved Kennel. He was concerned that if new lots with homes were created on Mr. Russell's property it might cause issues with his kennel.

Attorney for the Town, Mrs. Kellogg stated that it would be more of a buyer beware for when the people bought the new lots since he had an approved kennel from the Town.

John Guarino was concerned about members of the community receiving notice if Mr. Russell went ahead and subdivided the remaining acreage.

Secretary Davis stated that for any new and or further development a notice would be sent out to every parcel within 500 feet of the parcel in question.

There were no further comments from the Board.

Chairman Ricci motioned to close the public hearing. Mr. Kostides seconded the motion.

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 3 absent

The Board read the prepared Decision, as shown below.

Whereas the proposed lot line adjustment will reconfigure two lots; and

Whereas the Town of Marbletown Planning Board received the proposed lot line adjustment map prepared by Medenbach and Eggers dated July 17th, 2019 revised August 20th, 2019 and September 6th, 2019; and

Whereas, on August 12th, 2019 the Town of Marbletown Planning Board has classified this as a Type II action under the State Environmental Quality Review Act (SEQRA); and

Whereas, pursuant to SEQRA, the Board, as lead agency, determined on August 12th, 2019 after review that the action would not have a significant effect on the environment and a draft environmental impact statement would not be required; and

Whereas, such action will not create any new nonconforming conditions under the Zoning Law with regard to lot size, setbacks or other required dimensions and will not impede the maintenance of existing or development of future access or utility services to either affected lot; and

Whereas, a map of the of the lots shall be submitted showing the location of any existing wells, sewage disposal systems and reserve areas and driveways; all utilities, including above and below ground; all structures including accessory structures; all easements; and bulk table demonstrating how each lot conforms to the Density Control Schedule of the Zoning Law applicable to the district in which said lots are situated.

Whereas the Board agrees that the application meets the criteria for a lot line adjustment and deletion as per §169-17 subdivision of land and Chapter 200 Zoning Law; and

Whereas the lots associated with this lot line adjustment were created from a Subdivision known as Oakwood Estates dated May 24th, 1984 and recorded with the Ulster County Clerk's Office on December 1st, 1986 as Filed Map No. 6651, which makes this an amendment to an existing subdivision.

Now, therefore it be resolved, the map depicting the plan of the lot line adjustment/amended subdivision of lands now or formerly belonging to John Russell and Stephan Shirak and Jill Obrig as shown on maps prepared by Medenbach and Eggers, PC, a licensed land surveyor, dated September 6th, 2019 is hereby approved.

Adopted September 9th, 2019, by the following vote:

Ayes: 5 Nays: 0 Absent: 3

**Motion made by Mr. Stratton
Seconded by Ms. Klein**

PB2019-02SPA – New Application

DiDonna Brothers, LLC – Ulster Saving's Bank

James Reynolds, Architect

Amendment to Site Plan Approval 2003

3857 Main Street, Stone Ridge, NY 12484

Zoning District: B-1 SBL: 69.2-5-3.200 Acreage: 6.25

James Reynolds, the architect for the project and John Ricci from Ulster Savings Bank were present on behalf of the application.

Mr. Reynolds explained the changes he had made to the site plan. The majority of the changes were to the front of the building. Mr. Reynolds had added a window to the right side of the

front and a community bulletin board on the left side of the building. He also stated that there would be no new lighting besides the additional need for under the drive-thru, which would be the same as the other drive-thru lanes. He stated that there would be no new light poles installed either.

Chairman Ricci brought up the concern of the handicap parking. He stated that the Board knows that only one spot is required and that it meets the code but adding at least 1 more handicap space would like to be accomplished.

The Board and the applicant discussed if another handicap spot would be able to fit in the front of the building, the all agreed that it would be impossible to make another one there.

The Board reviewed and completed SEQR Part 2.

Mr. Hansen motioned to accept Part 2 of SEQR. Mr. Stratton seconded the motion.

All in favor. Motioned Carried.

5 ayes, 0 nays, 0 abstain, 3 absent

Mr. Stratton motioned to declare a Negative Declaration under SEQR. Ms. Klein seconded the motion.

All in favor. Motioned Carried.

5 ayes, 0 nays, 0 abstain, 3 absent.

Chairman Ricci opened the meeting for public comment.

Bond Bungaurd from the Shawangunk Journal asked when the project was going to start.

Maggie Colon stated that she had concern regarding the handicap parking as well. She stated that the 4 spots that are currently there are all used by handicap people. She noted she'll go there and see handicap stickers in every window of all the cars parked in all 4 spots. She stated that there needs to be more than 1 spot dedicated to handicap parking.

The Board discussed the possibility of having at least 1 spot dedicated to handicap parking across the driveway. They also requested that a crosswalk be established for the residents of the community to use to cross. The applicants stated that they would speak to the owner of the property and see if it was at all possible to add handicap parking.

Mr. Kostides motioned to close the public hearing. Mr. Stratton seconded the motion.

All in favor. Motioned Carried.

5 ayes, 0 nays, 0 abstain, 3 absent.

The Board read the prepared Decision, as shown below.

Ulster County Planning Board:

Motion to accept the Ulster county Planning Board's comments of "Required Modifications" as listed below:

Lighting

Lighting details, particularly with respect to any lighting proposed under the expanded drive-thru canopy have not been provided.

Required Modification

Lighting levels will need to be calculated for the plan with levels not to exceed the illuminating engineering society (IES) Outdoor Site/International Dark Sky Association (IDSA) Area recommended Illuminance Levels (see attached). All Luminaires are required to be LED and will need to meet the "fully shielded" definition adopted by the International Dark Sky Association (IDSA) or be an approved fixture of IDSA with cut sheets provided.

By the following vote:

Ayes: 6 Nays: 0 Absent: 3

Motion made by Mr. Ricci

Seconded by Mr. Stratton

Findings of the Planning Board with review of the amended application

1. The Planning Board received a zoning referral for an Amendment to a Site Plan Approval.
2. A public hearing was held September 9th, 2019.
3. The Applicant, Ulster Saving's Bank – James Reynolds, Architect, had submitted to the Marbletown Planning Board a Site Plan application for the proposed 462sqft addition to the current building, new parking plan, a new drive through teller for larger vehicles and new landscaping, and
4. The Planning Board subsequently reviewed the Short Environmental Assessment Form Part 1, dated, 7/29/19. The Board motioned to list the action as a Type II under the State Environmental Quality Act.
5. The Planning Board is further in receipt of a Revised Site Plan dated 7/29/19 and

Proposed Perspective Renderings of the additions on 7/29/19 that was prepared by James Reynold, Architect.

6. The existing septic system is more than efficient for the current number of staff at the bank and the bank will increase the staff by 1 (one) employee, which will not cause any impact on the septic. Re: Letter from Medenbach and Eggers.
7. The Planning Board referred the application to the Ulster County Planning Board. The Ulster County Planning Board responded with required modifications regarding the lighting.
8. During the public hearing citizens of the Town raised concerns regarding the handicap parking. The Board discussed with the applicant the need to provide additional designated handicap parking spaces with crosswalk access/stripping.

Draft findings were prepared by the Board and were read and discussed by the Planning Board at a public meeting.

Adopted September 9th, 2019

RESOLVED,

The Town of Marbletown Planning Board grants an Amendment to Site Plan Approval to DiDonna Bros, LLC and Ulster Saving's Bank for the lands situated at 3857 State Route 209, Stone Ridge, NY, known as SBL: 69.2-5-3.200, and located in the 'B-1' zoning district for a 462sqft addition, new parking plan, and a new drive through teller for larger vehicles.

The Site Plan dated July 29th, 2019 is approved with the following conditions.

CONDITIONS of APPROVAL for the APPLICATION:

- 1.) Payment of all outstanding fees to be paid in full prior to signature on Subdivision Plat.
- 2.) Obtain building permit from the Town of Marbletown Building Department.
- 3.) Any and all associated map notes added to the plat.
- 4.) Conditions A-G of the February 12th, 2003 decision are still in effect.
- 5.) 4 full size Site Plans supplied to the Planning Board office for signature.
- 6.) Submit a lighting cut sheet that shows "Dark Sky" Compliant lighting before issuance of a building permit.
- 7.) Provide additional designated handicap parking spaces with crosswalk access/stripping.

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 Site Plan 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 and be considered null and void 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 September 9th, 2019, by the following vote:

Ayes: 6 Nays: 0 Absent: 3

Motion made by Mr. Stratton

Seconded by Ms. Klein

OTHER MATTERS:

Boice Subdivision:

The recently approved Boice Subdivision needed to make a change to the map with the coordinates of the parcels for the County to accept the maps. Therefore the Board would need to sign new set of maps. The Board saw no issue with resigning the amended maps.

Mr. Hansen motioned to have the maps signed with the correction. Ms. Klein seconded the motion.

All in favor. Motioned Carried.

5 ayes, 0 nays, 0 abstain, 3 absent.

Ridgewell Center Solar Project: Lead Agency Request

The Board received a Lead Agency request from the Zoning Board of Appeals for them to take Lead Agency.

Mr. Stratton motioned to give the Zoning Board of Appeals Lead Agency. Mr. Kostides seconded the motion.

TOMPB September 9th, 2019
REGULAR MEETING

All in favor. Motioned Carried.
5 ayes, 0 nays, 0 abstain, 3 absent.

Chairman Ricci motioned to adjourn the meeting at 8:08PM. Mr. Kostides seconded the motion.

All in favor. Motion carried.
5 ayes, 0 nays, 0 abstentions, 3 absent

Respectfully submitted,
Shaye Davis, Secretary

Accepted October 7th, 2019