

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

**MINUTES** OF October 7<sup>th</sup>, 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  
Steve Wood  
Dave Cobb  
John Kostides  
Harry Hansen  
Max Stratton

**ABSENT:**

Lawrence Ricci

**Also present:**

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

**ACTION ON MINUTES**

**Mr. Kostides motioned to accept the September Planning Board Meeting Minutes as amended. Mr. Wood seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

**APPLICATIONS**

**PB2019-02SBD**

High Falls Central, LLC (Quinn)  
2 Lot subdivision  
107 Main Street, High Falls, NY 12440  
Zoning District: B-1, SBL: 70.46-2-3, Acreage: 0.52

Aidan Quinn, owner and Andrew Willingham from Willingham Engineering were present on behalf of the application.

Chairman Proctor asked the Board if they had any questions or comments regarding the application.

No one spoke.

Chairman Proctor asked if anyone from the public would like to speak on behalf of the application.

No one spoke.

**Mr. Wood motioned to close the public hearing. Mr. Stratton seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

**Mr. Stratton motioned to declare a Negative Declaration under SEQR. Mr. Cobb seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

There were no more comments from the Board. The Board read through the Decision.

***Findings of the Planning Board with review of the amended application***

1. *The Planning Board received a zoning referral for a subdivision approval.*

2. *A public hearing was opened on August 12<sup>th</sup>, 2019 and closed on October 7<sup>th</sup>, 2019.*

3. *The Applicant, High Falls Central, LLC – Aidan and Elizabeth Quinn, had submitted to the Marbletown Planning Board a subdivision application for the proposed 2 lots; and*

4. *The Planning Board subsequently reviewed the Short Environmental Assessment Form Part 1, dated, 6/27/19. The Board requested that a Full Environmental Assessment Form be submitted which was dated 8/12/19. The Board reviewed and completed Part 2 of the Environmental Assessment Form on 10/7/19.*

5. *The Planning Board is further in receipt of a Subdivision Plan dated 6/5/19 and revised on 7/29/19.*

6. *The septic system and water supply for the proposed project are already in place. The Ulster County Board of Health had no concerns with the septic for lot 2 being on lot 1 as long as an easement was filed.*

7. *The Planning Board referred the application to the Ulster County Planning Board. The Ulster County Planning Board responded with advisory comments to easements.*
8. *The Planning Board circulated for Lead Agency on 8/22/19*

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

***Adopted October 7<sup>th</sup>, 2019,***

***RESOLVED,***

***The Town of Marbletown Planning Board grants Minor Subdivision Approval to High Falls Central, LLC – Aidan and Elizabeth Quinn for the lands situated at 107 Main Street, High Falls, NY, known as SBL: 70.46-2-3, and located in the ‘B-1’ zoning district for a two (2) lot subdivision.***

***The revised Subdivision Plan dated June 5<sup>th</sup>, 2019 revised last on June 30<sup>th</sup>, 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. *Road Maintenance Agreement submitted to the Planning Board and reviewed and approved by the Town Attorney.*
3. *Easement for Septic and Water Access submitted to the Planning Board and reviewed and approved by the Town Attorney.*
4. *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 CONDITIONAL 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 read, discussed and amended by the Planning Board.***

***Adopted October 7<sup>th</sup>, 2019, by the following vote:***

***Ayes: 6 Nays:0 Absent: 1***

***Motion made by Mr. Wood***

***Seconded by Mr. Stratton***

**PB2019-03SPA – Ollie’s Pizza**

Site Plan Approval

Innis Lawrence (owner: Field and Barn LLC)

Use site to create a new restaurant with a fenced in yard, and green house.

4-8 Bruceville Road, High Falls, NY 12440

Zoning District: B-1, SBL: 70.46-1-29, Acreage: 0.50

Innis Lawrence and his wife Sofi were present on behalf of the application.

Mr. Lawrence gave a presentation to the Board of the project.

Chairman Proctor asked about the hours of operation.

Mr. Lawrence stated that the hours would be Monday-Sunday until 9:30-10:00PM. They weren’t exactly sure.

Mr. Lawrence went on to explain that the lighting was going to be new, dark sky compliant lighting. He stated that they were proposing two, 14-foot poles and possibly a third if it was needed but they didn’t believe it was.

Mr. Wood mentioned that back in 2008 when Mr. Sharkey received his approval for the barn, they were supposed to be trees planted along 213 but the condition was not met. He asked Mr. Lawrence about the type of fencing he was proposing.

Mr. Lawrence stated that the fencing was going to be solid to help keep the children and visitors from wandering into Route 213. He said the fence should help with the lighting from the parking lot that would be shining towards Route 213 as well.

Mr. Wood stated that he would like to see some plantings of trees, or shrubs along the fence line so it was not just a block of fence.

Ms. Klein asked if there was going to be any music and if so when they would stop playing.

Mr. Lawrence stated that there would be no live music but possible music playing softly. He stated that the pizzeria was not going to be a sports bar so it would not be rowdy. He also added that they planned to stay open later Friday and Saturday’s until about 11:00PM.

Mr. Proctor asked about the septic for the parcel.

Mr. Lawrence stated that they were expanding the disposal area and reserve and adding a septic tank and pump station. He added that he had already been in contact with the Ulster County Department of Health and that he started with them to see how big of a septic he would be able to put there and based the rest of the layout off that. He noted that they will not be washing dishes and only using paper plates due to the flow rate.

The Board asked what kind of alcohol they would be serving. He stated that it would be natural wines, beer from local breweries and some cocktails. He stated that it is not intended to be a bar to just go drink at but to enjoy a full dining experience with a beverage that would accompany the food you're eating.

Mr. Wood asked about the picnic tables outside and the number of people.

Mr. Lawrence stated that they would have 8 picnic tables outside and seating inside as well.

Mr. Wood asked about the possibility of special events and the option of only using paper plates. He stated that there are rental services that would drop off the plates and pick them up dirty, so no washing of the dishes happened on the property.

Mr. Proctor asked about the number of employees and the parking for them.

Mr. Lawrence stated that they would employ a total of 15 workers with 3-4 workers on at a time. He stated that he is friends with the owner of the building across the street and that they may park the employees over there to free up spaces.

Richard Parete, the Town Supervisor stated that the Town was working on 24 municipal parking spaces around Grady Park along Route 213.

Mr. Lawrence explained the sign to the Board, he stated that it would be wood and carved and would hang on the side of the building.

**Mr. Wood motioned to classify the application as a Type 1. Mr. Stratton seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

**Mr. Wood motioned to seek lead agency and circulate to the involved agencies. Mr. Kostides seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

**Mr. Stratton motioned to send the application to the Ulster County Planning Board. Mr. Cobb seconded the motion.**

All in favor. Motioned Carried.  
6 ayes, 0 nays, 0 abstain, 1 absent

At 8:07PM, Dave Cobb recused himself from the Board.

**PB2019-07LLA**

Lot Line Deletion

Lomontville Firehouse

Dave Cobb – Commissioner, Lomontville Firehouse

Combine two lots into one.

5394 Hurley Mountain Road, Kingston, NY 12401

Zoning District: B-1, SBL: 62.1-1-18 & 62.1-1-19, Acreage total: 1.333

Dave Cobb was present on behalf of the application.

Mr. Cobb explained that they wanted to combine the two lots to fix the septic and have a bigger lot.

**Mr. Wood motioned to type the application as a lot line adjustment. Mr. Kostides seconded the motion.**

All in favor. Motioned Carried.  
6 ayes, 0 nays, 0 abstain, 1 absent

**Mr. Kostides motioned to approve the Lot Line Adjustment with the condition of an updated survey map. Mr. Stratton seconded the motion.**

All in favor. Motioned Carried.  
6 ayes, 0 nays, 0 abstain, 1 absent

At 8:16PM, Dave Cobb returned to the Board.

**OTHER MATTERS:**

The Town Board referred the Proposed Short-Term Rental Law to the Planning Board. The Board agreed that they were not okay with the RUPCO part of the law. They stated that part of the law was too vague and wondered how the enforcement was going to happen. They agreed to have Secretary Davis send out the draft word form of the law to all the members to make their suggested changes.

**Mr. Proctor motioned to have a special November meeting with the date to be determined. Mr. Stratton seconded the motion.**

All in favor. Motioned Carried.  
6 ayes, 0 nays, 0 abstain, 1 absent

**Mr. Stratton motioned to adjourn the meeting at 8:31PM. Mr. Proctor seconded the motion. All in favor. Motioned Carried.**

6 ayes, 0 nays, 0 abstain, 1 absent

Respectfully submitted,  
Shaye Davis, Secretary

Accepted October 7<sup>th</sup>, 2019