



TOWN OF MARBLETOWN PLANNING BOARD MINUTES

Date: February 15, 2017
 Rondout Municipal Center, 1915-1925 Lucas Avenue
 Meeting Room M-1
 Cottekill, New York 12419

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|--|---------|
| Richard Lanzarone (Chairman) | Present |
| Steve Wood (Vice-Chairman) | Present |
| Kris Lovelett | Present |
| Todd Natale | Present |
| Laura Shabe | Present |
| Kathleen Hawk by Alternate Dan Proctor | Present |
| Larry Ricci | Present |
| Elisa Tinti (Alternate) | Absent |

A quorum being present, Chairman Richard Lanzarone called the meeting to order with the Pledge of Allegiance at 7:00 p.m.

Chairman Lanzarone introduce new Member Laura Shabe.

Pending Application:

| Applicant- Board Member Delegate | | Application | Location | Zoning District | SBL | Status |
|-----------------------------------|-------------|--------------------|--------------------|-----------------|---------------|--|
| Paul & Eileen Brickner | Larry Ricci | 3- Lot Subdivision | 24 Stillwater Road | A-3 | 54.2-1-36.112 | Classified as Unlisted action and Qualified as a minor subdivision application on 2/17/16; needed GML and Natural Heritage Referrals; revised subdivision with contours submitted on |

| | | | | | | |
|--|--|--|--|--|--|---------|
| | | | | | | 1/27/17 |
|--|--|--|--|--|--|---------|

Lead Member Larry Ricci provided an overview and progress of the application to date, indicating that a revised map from the engineer had been received the previous day (February 14th) and called upon applicant Paul Brickner to provide further explanation of the new layout. The current proposed plan depicted three (3) separate driveways to access each lot which would alleviate the requirement to file the CPS7. The cost effectiveness of one plan versus the other was discussed with Mr. Brickner reflecting on the recommendations of his attorney, Mark Serino. The process of obtaining a CPS7 versus creating 3 separate driveways and the pros and cons with costs associated were also discussed, with the Board noting that the requirement of obtaining a CPS7 was a State, not local law. Chairman Lanzarone also explained the need for escrow and what it was used for in the application process. Applicant inquired as to what else would be required on the application at which time, the review prepared by Bonnie Franson was discussed. The Engineer for the applicant had been able to address some of the issues raised by the Planner and had provided a digital copy the day prior to the meeting but there was not a clear narrative as to exactly which items had been addressed. Applicant's daughter, Lauren Brickner, who was to acquire one of the lots being created, addressed the Board with her concerns. It was determined that the application wasn't ready for GML review until the driveway layout had been resolved. The Planning Board Secretary confirmed that the application had been referred to Natural Heritage but not to Fish and Wildlife and that she would refer to that agency. Applicant Paul Brickner indicated that he had consulted with the DEC and would provide a letter with regard to the presence of the wetlands (or lack thereof). Many of the comments of Planner Franson needed to be addressed by the engineer. It was confirmed that all of the SEQRA comments had been addressed in the revised EAF received February 17, 2016.

New Application:

| Applicant- Board Member Delegate | | Application | Location | Zoning District | SBL | Status |
|----------------------------------|------------|--|------------------------|-----------------|-----------------------------|-----------------|
| Brownlie w/ Bogart LLA | Steve Wood | Lot Line Adjustment – Different owners | 93 & 107 Mill Dam Road | R-1 | 62.3-1-47.212 & 61.4-4-31.1 | New Application |

Thomas Brownlie, III and William Eggers, L.S. were present on the application. Surveyor Eggers gave an overview of the application to the Board. In the absence of Planner Franson, Lead Vice Chairman Wood provided the written comments of Planner Franson.

Vice-Chairman Wood called for a motion to determine that application met the requirements to be reviewed as a Lot Line Adjustment. Upon motion of Member Kris Lovelett, seconded by Member Laura Shabe and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

| Vote: | All Aye |
|------------------------------|----------------|
| Richard Lanzarone (Chairman) | Aye |
| Steve Wood | Aye |
| Kris Lovelett | Aye |
| Laura Shabe | Aye |
| Kathy Hawk by Dan Proctor | Aye |
| Larry Ricci | Aye |
| Todd Natale | Aye |

Vice-Chairman Wood called for a motion to classify as an Unlisted action under SEQRA. Upon motion of Member Larry Ricci, seconded by Member Kris Lovelett and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

| Vote: | All Aye |
|------------------------------|----------------|
| Richard Lanzarone (Chairman) | Aye |
| Steve Wood | Aye |
| Kris Lovelett | Aye |
| Laura Shabe | Aye |
| Kathy Hawk by Dan Proctor | Aye |
| Larry Ricci | Aye |
| Todd Natale | Aye |

Based upon the representations of the applicant that development was to take place, the Board agreed to waive the requirements of an Archeological Study and that the standard map note would be placed on the map. Surveyor Eggers asked that the significance of this be explained for the benefit of the applicant.

Discussion relative to the land around the pond and the existence of turtles took place. The applicant indicated that he had mowed a portion of land around the pond and it was determined that no new lands should be mowed with the lands currently being mowed clearly delineated.

Content of Planner Franson's review were discussed and subsequently, the Short EAF Part I and II were reviewed by the Board with appropriate changes made with agreement of Surveyor Eggers.

The following conditions were determined by the Board:

- Bat note
- Delineation of mowed area
- Bog turtle note
- Archeological study waiver note
- Wetland note
- Stream note
- Road reservation pertinent to Bogart plot
- Mylar and 3 copies

Vice-Chairman Wood called for a motion to issue a Negative Declaration. Upon motion of Member Kris Lovelett, seconded by Member Larry Ricci and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

| Vote: | All Aye |
|------------------------------|----------------|
| Richard Lanzarone (Chairman) | Aye |
| Steve Wood (Vice-Chairman) | Aye |
| Kris Lovelett | Aye |
| Laura Shabe | Aye |
| Kathy Hawk by Dan Proctor | Aye |
| Larry Ricci | Aye |
| Todd Natale | Aye |

Vice-Chairman Steve Wood called for a motion to approve the application for a Lot Line Adjustment with the conditions as noted. Upon motion of Member Kris Lovelett, seconded by

Member Larry Ricci and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

| Vote: | All Aye |
|------------------------------|----------------|
| Richard Lanzarone (Chairman) | Aye |
| Steve Wood (Vice-Chairman) | Aye |
| Kris Lovelett | Aye |
| Laura Shabe | Aye |
| Kathy Hawk by Dan Proctor | Aye |
| Larry Ricci | Aye |
| Todd Natale | Aye |

Chairman Lanzarone called for a motion to established \$1,000.00 escrow in the Brickner Subdivision application. Upon Motion of Vice-Chairman Wood, seconded by Member Todd Natale and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

| Vote: | All Aye |
|------------------------------|----------------|
| Richard Lanzarone (Chairman) | Aye |
| Steve Wood (Vice-Chairman) | Aye |
| Kris Lovelett | Aye |
| Laura Shabe | Aye |
| Kathy Hawk by Dan Proctor | Aye |
| Larry Ricci | Aye |
| Todd Natale | Aye |

Discussion took place with regard to 2-foot contours on map plats and its original existence under §169-25 of the Code and its apparent absence now. Planning Secretary was directed Secretary to draft letter to be presented to the PZC by Board liaison Steve Wood relative to same.

Member Todd Natale expressed desire to discuss matter as to what was the basis used to establish standards when engineer/applicant appeared before the Board to avoid future confusion and he volunteered to develop policies for review.

Chairman Lanzarone provided an update of conversation held with Dan Shuster and allowed uses contained within the Town Code.

The Board was reminded of the upcoming New York State Planning Convention at the Saratoga Hilton in March, 2017 and that attendance goes toward the requisite training hours necessary to serve on the Board.

Chairman Lanzarone called for a motion to approve December 21, 2016 and January 17, 2017 Minutes. Upon motion of Member Larry Ricci, seconded by Vice-Chairman Steve Wood and the affirmative vote of 7 members, 0 alternate members, the negative vote of 0 members, the abstention of 0 members and 0 members being absent, a motion was carried unanimously by the following vote:

| Vote: | All Aye |
|------------------------------|----------------|
| Richard Lanzarone (Chairman) | Aye |
| Steve Wood | Aye |
| Kris Lovelett | Aye |
| Laura Shabe | Aye |
| Kathy Hawk by Dan Proctor | Aye |
| Larry Ricci | Aye |
| Todd Natale | Aye |

Upon Motion of Vice Chairman Steve Wood, seconded by Member Todd Natale, the meeting of the Marbletown Planning Board was adjourned at 9:01 p.m.

Respectfully Submitted,

Lisa K. Mance, Secretary

Dated this 24th Day of February, 2017

Minutes Approved on: April 19, 2017