

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

**MINUTES OF** May 11<sup>th</sup>, 2020 **Regular Meeting** of the Town of Marbletown **PLANNING BOARD**, held via Zoom.

Chairman Proctor called the meeting to order at 6:00PM.

Chairman Proctor recited the pledge to the Flag.

**PRESENT:**

Dan Proctor  
Max Stratton  
Harry Hansen  
John Kostides  
Dave Cobb  
Paris Perry

**ABSENT:**

Larry Ricci

**Also, present:**

Sharon Klein, alternate. Shaye Davis, Secretary. Tracy Kellogg, Attorney for the Town.

**ACTION ON MINUTES**

**Mr. Stratton motioned to accept the February Planning Board Meeting Minutes as amended. Mr. Perry seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

**APPLICATIONS:**

**PB2020-03-SBD – Continued Application**

Minor Subdivision

Robert & Sandra Heinitz

1946 Lucas Ave, Cottekill, NY 12419

Proposing to subdivide 19-acre parcel into two separate lots one with 1 existing dwelling and one vacant parcel.

Zoning District: R-1, SBL: 62.3-4-44.100, Acreage: 19

Bill Eggers from Medenbach and Eggers was present on behalf of the application. Mr. Eggers gave a brief history of the lands to the Board.

Mr. Perry asked about the setback requirements for the Heinitz current home due to having frontage on two roadways.

Ms. Klein raised concern regarding the view from the rail trail with the construction of the proposed dwelling.

The Board agreed that there would be no viewshed issues with the proposed dwelling.

Mr. Stratton asked if a spot had been identified on the lot for a dwelling and if it can be shown on the plat. He also asked about the alternate access for the Heinitz current lot to be shown not using the private driveway, but from Lucas Avenue.

The Board discussed the stream crossing to the new proposed lot and if it would need permits from the Department of Environmental Conservation.

Mr. Eggers stated that the right precautions and permits were taken when the crossing was originally put in.

Mr. Cobb asked if the crossing needed any additional work and what the grade was.

Mr. Eggers stated that the crossing seemed fine when he was last out there but there is a section that they need to see what the grade is.

**PB2020-05SBD – New Application**

Minor Conservation Subdivision/Lot Line Adjustment

Edwin Jasinski, Sue Ellen Jordan, William Dalton & Michael Jasinski

Aqueduct Way, High Falls, NY 12440

Proposing to do a conservation subdivision and lot line adjustment to create 4 lots with a 25% conservation area.

Zoning District: R-1, SBL: 70.3-3-31.112, 70.3-3-31.120, Acreage: 12.375

Edwin Jasinski and Michael Jasinski were present on behalf of the application.

Attorney Kellogg read and explained Section 200-48 of the Marbletown Code to the Board regarding the Conservation Design Overlay District. She explained that in 200-48(6) under Special provisions for minor subdivisions in the R-1 and A-2 Districts. Minor subdivisions in the R-1 and A-2 Districts may be developed at the density applicable prior to the effective date of

this section (one acre in the R-1 and two acres in the A-2 District) if at least 25% of the gross area of the tract is set aside as protected open space.

Chairman Proctor asked if the Engineers, Brinnier and Larios could show the proposed septic and house sites on the subdivision plans.

**Mr. Stratton motioned to classify the application as a Minor Subdivision. Mr. Cobb seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

The Board decided to have a conference call with Edwin and Michael Jasinski and their Engineers to discuss the application more in depth.

**PB2019-05SUP – Continued Application - Update**

Special Use Permit – Large Scale Solar

Bennett Solar – Juliette Bennett & Scott Greathead

170 Kripplebush Road, Stone Ridge, NY 12484

Proposing to install a large-scale solar system on 12.4 acres of property.

Zoning District: A-3, SBL: 69.1-5-20, Acreage: 31.10

Cate Parker from Summit Ridge Energy was present on behalf of the application.

Ms. Parker explained to the Board that they were still working on the visual renderings for the project, but she just wanted to touch base and give the Board an update this month.

Mr. Stratton asked about the slopes on the parcel.

Ms. Parker stated that the slopes were not that severe and that the panels are movable.

The Board reviewed Part 2 of the EAF to get an idea of where their major concerns were. The decided not to accept the Part 2 and have the Town Designated Engineer review it. They last discussed the placement of poles near County Route 2. The asked if the Visual Architects could do a rendering of the poles as well.

There was no further discussion.

**PB2020-06SBD – Continued Application**

Intermediate Subdivision – 6 lots

Hasbrouck House Homes – 3805 Stone Ridge Inn, LLC

3805 Main Street, Stone Ridge, NY 12484

Proposing the creation of 6 new single-family residential parcels. Each to have 1 residence and 1 guest house without a kitchen.

Zoning District: B-1 & R-3, SBL: 69.2-5-1.100, Acreage: 35.13

Stephanie Bassler and Peter Reynolds from North River Architecture were present on behalf of the application.

Chairman Proctor recused himself from the application. Ms. Klein joined the Board.

Mr. Stratton stated that he had concerns regarding the access to the 6 lots being through a commercial property. He stated that he did not believe it was feasible. He also asked if the dwellings on the 6 lots would be part of the hotel and rented or if they would be sold individually.

Mr. Reynolds stated that the lots would be sold individually to whomever wanted them and they would not be part of the hotel.

Mr. Stratton read the section of code from 200-46-3(A) to the Board to support his thought on the access not being feasible:

***(3) Hotel, resort hotel, resort lodge, resort ranch, restaurant, bar or night club, skating rink, theatre, concert hall, commercial recreation uses.***

***(a)***

*Primary access to such use shall not be a minor street or any other street designed to serve primarily as access to abutting residential properties but shall be by means of a street in the collector, arterial, state highway or county road system.*

Ms. Bassler asked if they could clarify on what they were allowed to accomplish on the parcel. Her main thoughts are:

- Can the access be compliant across a commercial property
- Guidance on Guest Cabins on each proposed lot
- Feedback no cabins on hotel portion

Mr. Perry stated that the cabins on the hotel portion of the property were not feasible how the Town Code currently stands. He stated that there were many steps to complete before the Board could issue a Special Use Permit for the cabins.

Secretary Davis requested that an updated Environmental Assessment Form be submitted to the Board for just the subdivision portion of the project.

There was no further discussion.

**OTHER MATTERS:**

**Mr. Stratton motioned to set a Special Meeting date to hold public hearings on Thursday, May 28<sup>th</sup> at 6:00pm. Chairman Proctor seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

Attorney Kellogg brought to the Board a discussion regarding allowing short term outdoor seating for restaurants due to the COVID-19 pandemic. The Board agreed that it was an excellent idea. Chairman Proctor and Mr. Stratton volunteered to work on this with Tracy and the Town Board.

**Ms. Kostides motioned to adjourn the meeting at 8:05PM. Mr. Cobb seconded the motion.**

All in favor. Motioned Carried.

6 ayes, 0 nays, 0 abstain, 1 absent

Respectfully submitted,  
Shaye Davis, Secretary

Accepted June 8<sup>th</sup>, 2020