

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

**Planning Board Meeting Minutes  
September 13<sup>th</sup>, 2021**

Meeting Called to Order by Chair Paris Perry

6:05 P.M.

Pledge of Allegiance

**Quorum Call:**

Present – Paris Perry, Max Stratton, John Kotsides, Sharon Klein, Dan Proctor, Dave Cobb, Harry Hansen

Absent – Alternate Scott Boyd

Town Staff – Shawn Marks, Tracy Kellogg

**Announcements:**

- Application for Norman SUP 2021-04 has been withdrawn

New Business:

**1. Stockin-Weaver Lot Line Adjustment – Dan Proctor Application Point**

Call for Application Representative unanswered from audience

Dan Proctor:

- Review of Application, Plat, and background information completed
- Lands to be conveyed to facilitate stormwater management and water runoff along property line
- I do not see anything that would prevent this application from being approved and the Application is complete as is the Sketch Plat

***Motion to classify the Application as SEQRA Type II by John K, second by Max S., call of the roll unanimous aye. (7-0)***

No additional question or concerns from the Board

Determination for Lot Line Adjustment was read, reviewed, and voted upon by the Board.

- Secretary to change incorrect SBL at the conclusion of the Determination
- Date of Sketch Plat confirmed as accurate

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

***Motion to approve the Stockin-Weaver Lot Line Adjustment by Max S., second by Sharon K., call of the roll unanimous Aye. (7-0)***

**2. Pra Minor Subdivision – Paris Perry/Dave Cobb Application Point**

Paris Perry:

- Approximately 18-acre property to be subdivided into 4 lots
- Property is adjacent to the Kripplebush Historic District on County Route 2
- Wetlands on the parcel, delineated on SBD sketch plat
- Recommend a SEQRA Unlisted Action
- There are no houses, utilities, or driveways on the plans as of now. Just parcels to be divided.

***Motion to classify the Application as an Unlisted Action under SEQRA by Dan P., second by Max S., call of the roll with unanimous Aye. (7-0)***

Paris Perry:

- We'll need to complete Short Form Part II and III for SEQRA
- Talked with client about a potential expanded setback to 125 feet from centerline, instead of 65 feet, to keep houses back from the road and keep the viewshed advantageous to the Historic District. Try to keep the houses in line with the Victoria's Gardens.
- As it's the entrance to the Historic District and fields on both sides, we would like to preserve that character if possible.

Caleb Carr – Medenbach & Eggers – For the Applicant

- It would be tight for Lot # 2 to have that setback, but the other lots can be accommodated if needed

***Motion to set a Public Hearing for the October Planning Board Meeting, October 18<sup>th</sup>, 2021, by Max S., second by Dave C., call of the roll unanimous with Aye. (7-0)***

The Board discussed SEQRA Circulation for Lead, Involved Agencies, and Referrals

Shawn Marks – Board Secretary & Code Enforcement Official:

- Recommend referrals to the Ulster County Planning Board as the parcel is Ag adjacent and along a County Highway, also Circulation and referral to the DEC and Army Corp. There is considerable wetland, and the parcel is in Flood Zone A. Additional information

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

on elevations would be helpful to determine ideal locations for structures, driveways, utilities.

***Motion to Circulate SEQRA for Lead Agency to the following Involved Agencies and complete the following referrals: Ulster County Planning Board, Town Highway, County Highway, DEC, Army Corp of Engineers, Ulster County Health Department, Kripplebush Fire Department, Marbletown Historic Preservation Commission, SHPO, and Town Board; by Max S., second by John K., call of the roll with unanimous Aye. (7-0)***

**3. RPS 2019 Minor Subdivision – Harry Hansen Application Point**

Harry Hansen:

- Subdivision of a 10.85 acre into two lots; one lot of 3-acre, 7.85 acre the remaining lot.
- I recommend a Type II Action under SEQRA
- Simple subdivision, no plans for placement of structures, utilities, or access at this time
- Application is complete for what is being proposed

***Motion to classify the Application as a Type II Action under SEQRA by John K., second by Max S., call of the roll with unanimous Aye. (7-0)***

***Motion to schedule a Public Hearing for October 18<sup>th</sup>, 2021, by Harry H., second by John K., call of the roll with unanimous Aye. (7-0)***

**4. Clendening Minor Subdivision – Harry Hansen Application Point**

Harry Hansen:

- No new information on the Application.
- Public Hearing remains open.

***Call for Public Commentary***

Herb Ross – 210 Bush Road:

- I spoke at the last meeting on this application. I still have concerns about the water runoff onto my property and under the roadway at my culvert
- Central Hudson has contacted me and asked to sign off on an easement to give Clendening the opportunity to bring in the electric across my property. I won't be entertaining that until the matter with the water is resolved

Shawn Marks - Secretary:

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

- My last conversation with Medenbach & Eggers, Heather indicated they were looking into the matter and discussing mitigation of the matter

***Motion to carry the Public Hearing until the October 2021 Meeting by Harry H., second by Dave C., call of the roll with unanimous Aye. (7-0)***

**5. Sandbox Slope Minor Subdivision – John Kotsidis – Application Point – Public Hearing Continued**

John K.:

- Subdivision of 4-acre parcel; dividing off 1 acre
- Shawn Marks and I visited the property and met with the Applicant. We walked the property and got a good visual on the aspects and concerns relating the 5 locks walk.
- Concern about the approach of Emergency Vehicles turning onto the proposed driveway from the Canal Road side of Depew. There is potential for the slope and grade to pose difficulty for Fire Apparatus turning into the driveway and potentially getting caught up on the tailboard. Discussion about potentially needed to build up the driveway to make for a viable approach from the Berme Road side of Depew.
- A revised Sketch Plat was provided, and we are reviewing it
- Revised Plan has proposed culvert pipes. There is concern about water building up at the base of Depew road where it meets the 5 Locks Walk.

***Call for Public Comment***

Gretchen Read – Resident of Canal Road:

- It sounds like you're discussing placing a culvert under the trail head of the 5 Locks Walk. Would that be incumbent on the Applicant? I don't think the Canal Society would be interesting in getting involved in that with all they have going on at the Canal House. Is it assumed that the Town of Marbletown will do the work?

John K:

- Currently the plan states "to be installed by the Town of Marbletown or the Developer"
- The hope is that whatever occurs with that, the culvert and area down below, will improve the situation

Dyami Soloviev – Applicant:

- Currently there is trouble with water collecting. There is a puddle by the entrance to the 5 Locks Walk. There is already indeed a drainage issue. We've been discussing that we

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

would be interested in approaching the Town and the Canal Society to join to solve the problem.

Shawn Marks – Code Enforcement Official:

- The area where the work is being proposed is squarely in the Town Right of Way and there is the Water Supply Line which runs through there. Both the Town and the Water District will want to be involved in that.

*The Board reviewed Photos provided by the Site Visit by John K & Shawn M, as well as by the Applicant*

John K:

- I was at the site shortly after a rain, and what is depicted in the photo is what I observed when I was there. There's a drainage issue there.
- We also looked at which trees would remain, and which trees would remain. The applicant marked out the trees as requested, and photos were obtained.
- There was discussion about extending the buffer from 30 feet to 50 feet. There is some natural screening provided by the topography and the elevation. The house sits higher than the trail and is set back beyond the natural vegetation.

Paris P:

- We'll need more detail on the species to be used for screening as a mitigating factor for the 5 Locks Walk.
- We will want a list of the plantings, the size of the plantings, and where they are to be placed.

Shawn M:

- There were 5 trees marked to come down. We have photos of the ribbons on the trees.

John K:

- We have not heard back from SHPO yet, and because of its Historical Sensitivity, it should be discussed the possibility of an Archeological Study

Dave Cobb:

- We should wait and see what the reply is from SHPO before we initiate any studies so as to not make a burden on the applicant.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Dan Proctor:

- We can't do anything until we hear back from SHPO

John K.:

- We recommended that the applicant reach out to Joe Diamond and begin conversation with him on a Phase 1 study if its required
- **We heard back from the DEC and there is a condition in relation to the Bald Eagles and the Bats.**
- The major concern with the runoff is really with the driveway and the curb cut.

Paris P.:

- Applicant will need to have a discussion with the Town Highway Department so we can get a report and can further discuss mitigating factors.
- We'll also need some feedback from the Fire Chief regarding the driveway.

Dave C.:

- Just want to clarify, the pooling water at the 5 Locks Walk is a pre-existing matter. It's not a clear-cut responsibility of the developer.

Dyami S. – Applicant:

- Is there an amount of time that is allotted to SHPO before its timed out?

Paris P.:

- There is a time out on the referral, however, Shawn is working to try and determine why SHPO has 3 open cases that we have not had a response to.

Harry H.:

- I think at least having a talk with Joe Diamond and having an early Phase 1 conducted shouldn't be that onerous and would be a good thing to start.

Gretchen Read:

- It might be beneficial to check with the Canal Society. They had a study done on the area and they might be able to share some information.
- My next concern is the elevated driveway. I'm not sure where exactly the driveway is going to be placed. I have a concern about increased runoff with the driveway.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Paris Perry:

- We've attempted to mitigate the water runoff issue and Fire Department emergency vehicles trump everything else.

Shawn M:

- The matter is approach. If the driveway can be graded and sloped up so that the trucks can approach from the Berme road side and transition to the driveway with ease, that would be ideal. Currently the driveway is proposed to be on the slope down from the house and depending on how it's constructed, the turn may not be possible from Depew onto the driveway by the firetrucks as they are long and may get hung up on the tailboards.
- If the one corner of the driveway can be elevated for the apparatus transition, and to place the culvert for the runoff, will be ultimately beneficial to the stormwater situation as the water runs down that side of the road.
- This will be a matter of marking the driveway so the Highway, Fire Department, and Water Dept can all weigh in and a plan can be established to benefit all.

Mr. Apples:

- I'm wondering who will actually own this piece of property being created?

Dyami S.:

- I'm happy to walk you around Gretchen, show you the plans

John K:

- In all the discussion I've had with Dyami, she really wants to be a good neighbor and make sure the right thing is done for everyone.

***Motion to continue the Public Hearing to October 18<sup>th</sup>, 2021, by Harry H., second by Dave C., call of the role with unanimous Aye. (7-0)***

**6. HowGood Inc – Special Use Permit/Site Plan Approval – Public Hearing**

Sharon Klein – Applicant Point:

- Shawn and I did a site visit and did a walkthrough. Aspects of the application were discussed, specifically windows, signage, parking, and interior alterations.
- The proposal is satisfactory and all requesting information has been provided
- No additional lighting outside of the existing structure

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Paris P.:

- This is a lateral move in use from a Medical Office to a Business Office

***Call for Public Commentary: None***

***Motion to close the Public Hearing made by Max S., second by Dave C., call of the roll with a unanimous Aye. (7-0)***

The Board read, reviewed, and discussed the determination and conditions

Request by Counsel to add the standard verbiage regarding a Type II SEQRA Classification

***Motion to Approve the HowGood Inc application for Site Plan Approval at 10 Gagnon Drive made by John K., second by Sharon K., call of the roll with unanimous Aye. (7-0)***

**7. Hasbrouck House Special Use Permit – Continued Public Hearing – Max S. Application Point**

Paris P.: Stephanie Bassler, architect for Hasbrouck House, has presented an updated site plan for the SUP and wishes to present information to the Board. The Board will hear this information and then be given the opportunity to ask questions of Stephanie

Stephanie Bassler – Architect – North River:

- We have appreciated the thoughtful comments from the last meeting. Regarding the accessory apartments, we note the issues with the applicant as the developer and the establishment of the accessory apartments. We understand and agree with the points raised regarding the Accessory Apartment law and how its implemented. We do, however, have the expectation that the individual buyers of these properties will have the same ability as any other homeowner in
- the town to establish an accessory apartment in the future if they choose. As such, we are not seeking to establish the accessory apartments any longer in the proposal.
- We have done work on the access road to try and improve the relationship with the neighbors to the south.

Max S.: We'd like to keep the road as part of the discussion with the subdivision. Let's focus on the SUP at this time and then we can discuss the road during the subdivision conversation.

Paris P: The SUP contains the parking lot, shed, septic, and screening.



**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Stephanie Bassler:

- It's my understanding the original SUP was established in 2015 and then an expansion of the SUP was proposed after the property was sold to the current owners.
- During this review, there was 2 SUP's that were separated and reviewed. One was specific to the operation of the hotel, and the other was specific to the events. So, it's my understanding that we have two approved site plans on the books for this property: one for the hotel and site plan, the other for the special events.
- We are not bringing to this board any revisions to the events that are being held on the property. I have asked the Chair to recognize that the SUP we are revising is specific to the hotel operation, and discussions about the events is not part of that SUP and not pertinent to this discussion.
- In addition, the hotel owners have not been made aware of any specific complaints since the approval of the SUP regarding the events.
- My request is that the Board review the application at hand, which is the subdivision of the property and the hotel operations, specifically the maintenance shed and the parking lot. The discussion of concerns with the events is not a part of this current application. We would like to facilitate the discussion regarding the events or complaints separately and are happy to do so.

Paris P:

- My personal interpretation, and this is open to discussion, but anytime you have a modification of an SUP, all special uses and their components are open for discussion and review. If all conditions and requirements of all SUP's are in compliance, there's a different viewpoint than if they aren't moving forward with the approval of the revised SUP.

Max S.: Shawn, have there been any complaints filed in regard to the Hasbrouck House and the SUP?

Shawn M – Code Enforcement Official: Nothing formal that I know of. There has been an email that I know of, but no formal zoning complaints filed. I've noted there's some complaints on social media, but nothing I know of now. There could very well have been complaints from before my time that I'm not aware of.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Max S.:

- I'm aware of this SUP and its components very well. It's one of the first SUP's that I worked on. I remember we were out taking levels of the noise with a sound engineer. I want to double check, as if there are any actual infringements?

Shawn M – Code Enforcement Official: No official complaints open that I'm aware of regarding the Hasbrouck House. There has been an informal complaint, but no Zoning Complaint Form Filed for action by the Code Enforcement Officer.

Paris P:

- Tracy, your viewpoint legally, we can open up everything pertaining to the SUP?

Tracy Kellogg – Of Counsel:

- The question will be if they are in violation of certain conditions of their existing SUP, then they may not qualify for the new SUP until resolved.

Board was queried by the Chair regarding their opinion and view on review of all components of existing SUP's

Sharon Klein: If a report is not filed formally with Code Enforcement, then it doesn't exist?

Dan Proctor:

- There have been complaints addressed at other Public Meetings which surfaced primarily about the noise.

Paris P: Does the Board feel that the pre-existing SUPs are separate, or are all conditions of all SUP's open for discussion?

Harry Hansen: I feel that the term special use, implies that it opens everything up again when going for more special use on the property.

Max S.: My view is that increased parking is going to lead to increased attendance at the events which does have bearing upon all the SUP's.

Stephanie B.: It's the same amount of parking. Just being relocated.

John K.: I would agree that it opens it up to all components and conditions of all SUP's. If there is noncompliance going on, that needs to be addressed.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Dan P.: The complaints seem to center around the noise. My preference is that we address that specific issue and not open all components and conditions.

Dave C.: I agree with Dan. There is one definite area that needs tweaking and not the entire SUP.

Paris P.: So, in summary of everyone, the SUP can be opened for components. With other SUP's and events in Town, there is a shutdown time of 10 p.m. The Hasbrouck House is the only one in Town that has a turndown at 10 p.m. Every other event venue has a shut down at 10, and you can linger, and talk, and whatever, but the music stops at that time.

Dan P.: I would recommend a shutdown at 10 p.m. based on the complaints.

Paris P.: What we're hearing from the public and board, is go back and ask the owners if they are agreeable to shut down music at 10. If they want to do it voluntarily, that's ok, or the Board will have a decision to make moving forward on the matter. We'll have Tracy investigate it more legally, and then we'll have to make a Board decision.

Max S.: The components of the SUP, we were talking about the screening.

Paris P.: We're primarily concerned with the north end of the parking area, that there is appropriate screening along the back of the Emmanuel's parking lot. We also must look at Lot 1 of the proposed subdivision, which will require screening from the proposed parking area as well. That will be under the subdivision. The SUP screening has to do with screening on the other side along Emmanuel's.

Max S.:

- We'll need to discuss the design guidelines on the shed, and there is additional access which is new from the proposed roadway to the proposed parking area.
- Color selection, materials, cut sheets of the windows, etc. Will need to meet the design guidelines for the district.
- Any proposed lighting needs to be dark sky compliant and include specs on the candle foot power

**The Board discussed, reviewed, and filled out Part II SEQRA for the Hasbrouck House SUP Application** (See Completed Part II of the EAF for details)

**The Board called for Public Comment on SEQRA Part II for the Hasbrouck House SUP**

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Elizabeth Ryan: I disagree with the perception that there are no impacts on Agriculture. We can discuss this later also. Also, with the aesthetic and recreation. I can address them at another time and moment.

Denny Dillon: This is the SUP that has to do with parking, correct? It was my understanding that there will be 52 additional parking spaces. Is this additional parking?

Stephanie B.: It's the same amount of parking, just relocated. The same amount required for the current SUP at the hotel. 57 plus overflow.

David Cutler: On the parking, so my understanding is the previous parking was also designated as overflow parking? So, we've had 83 spaces at the hotel this whole time? Is that accurate?

Paris P.: It's my understanding that it's 57, and where the new proposed location is, that was the overflow.

**Stephanie Bassler reviewed the proposed parking plans with the Board**

David Cutler: The road, as we see here, is that the same road going to the parking area?

Paris P.: It's not the same road. There cannot be access to a subdivision through a business entrance. It's not allowed in the zoning.

Stephanie Bassler: There is a proposal for a gate here in the plans, and we're opening conversation with the Town as to this being an emergency access, should Fire or Emergency vehicles need to or want to get into the site through this connector. We have not heard comment back from the Town yet. We don't need the connection, if it's not needed, it could go away.

Sharon K.: Where is the venue space, it's a tent, correct?

Maggie Colan: Will there be new lighting, and will it be required to be to code?

Paris P.: Yes, we discussed that earlier. It will need to be dark sky and the proper candle foot. Night sky compliant lights.

***Motion to accept SEQRA Part II made by Sharon K., second by Dan P., call of the roll with unanimous Aye. (7-0)***

**Call to the Public for any additional commentary on the SUP**

Maggie Colan: At least part of the parking, admittedly by Stephanie that it was just overflow parking for the events, it's my belief that if there are issues with the events that it can be

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

brought before the Board now. I live at least a mile from the event, and the last event they had, I could still hear the music at 11 pm at night. I knew it was there because I went to find the source and it was the same song when I left to when I got there.

Paris P.: The consensus of the Board is that we have 2 proposals, one is a legal proposal that we can open everything up on the SUP. We're going to get legal input on that. The other is for Stephanie to go back to the owners and ask if they will be willing to voluntarily end the music at 10 p.m.

Maggie Colan: Do people know what they need to do if they are unhappy with the music? They may not necessarily know that they need to file a formal complaint with the Building Department. So, there may be complaints out there, and people don't know how to facilitate a formal complaint. I've seen it on social media, and I've told them to notify the Town. The Board may not be fully aware of how deep the problem is.

Max S.: When this matter initially came up years ago, at the time when we worked through it, and granted there may be new people in the town now, the process was laid out for those people who had concerns then. The neighbors were advised on how to go about communicating with the Town then.

Maggie Colan: Some of the comments I have seen I know are from people who have moving into Town probably in the last 5 years. And I know that's not the Boards problem.

Shawn Marks – Code Enforcement Official: When community members do email or call with a complaint, they are offered the opportunity and given the insight on the formal Zoning Complaint process. Most of them do not formally file a complaint. In the case of Hasbrouck House, the email we received they did not file a formal complaint and I advised the individual that the next time I spoke with or saw one of the supervisors at the Hasbrouck House, that I would ask them informally to address the matter. Of course, there's no guarantee, and without the Formal Complaint being filed, we can't take official action. I know that there are a couple open complaints in that neighborhood, but none of them are sound from the Hasbrouck House. There is a mechanism for the Building Department to refer complaints back to the Planning Board, but that takes 3 Formal Complaints to enact that mechanism.

Stephanie Bassler: One of the stipulations of the SUP was that the Hasbrouck House would need to have a point person who would be available during events and a contact number which would be available to neighbors. That individual would be able to take calls if there were any perceived violations.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Denny Dillon: I think that Maggie's question is a good one. I just live a few houses away, and I did not know that you need to call the Code Enforcement Officer. We've called the Hotel, but nothing ever happens. There were also different owners back then when the SUP was established.

Dave Cutler: I have called the Hotel. They all but admitted that they don't have a point person and they would try to get a mobile phone or something for someone to speak to me. My point is that they have not really thought about this. The last I knew they were trying to establish this phone number for people to call.

Paris P.: Their condition right now is that they are supposed to have a point person to monitor the music that can be contacted with complaints or concerns.

Elizabeth Ryan: Can we have a large view, so we can see the whole site? Can I show you a concern I have? I think there is an assumption that there is potentially no impact. There are significant viewsheds. This tree line, it's not clear to me, the impact of the parking or the cars. I think that there is the potential, maybe I'm wrong, it's hard for me to fully understand what the potential impacts are of cutting trees and increased activity.

***Motion to continue the Public Hearing on the SUP till the October 2021 Planning Board meeting made by Max S., second by Dan C.; call of the roll with unanimous Aye. (7-0)***

**8. Hasbrouck House Subdivision Application – Continued Public Hearing**

Paris P.: Stephanie do you have any change in the plans or would you like to state anything before we begin discussions?

Stephanie Bassler – Architect & Applicant Representative – North River: No change in the plan, same graphic. I would appreciate the opportunity to do that.

- Subdivision of the property is not a venture by the Hotel as it's been characterized as such
- Several previous statements regarding the expansion of the Hotel, I want to be clear that the intention of the subdivision is the creation of residential parcels to be developed with single family homes on them. It is to be made available to the market and to be sold. The hotel owners are the developers, and that is the simple plan.
- Developers understand the importance of the Hasbrouck House to the community, and any development on the land would need to be in keeping with the character of the community, and that is their intention

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

- Houses are proposed to be net zero and are exemplary in their green design. Our firm is dedicated to this model and seeing the project through to completion and show that these types of builds can be created and sold at market rates
- The location of the homes is compliant with the acreage and setback requirements of the district
- We have begun a traffic study to address the concerns relating increased traffic and activity
- We already have assurances from the DOT that the proposed curb cut will be safe and acceptable to their standards
- It is my hope that whatever issues the neighbors have had with the events at the hotel doesn't color the perception of the subdivision proposal, as it appears it had. I wish to be available to anyone who would like to discuss that, and has any questions about the subdivision
- While I understand the character of the land is special at the Orchard, but there's a limit to what your interests can do to control development on this property. I'd like to hear what the board has to say regarding where those interests collide.

Paris P.: The Board will discuss that. First, the Board will review the Part 2 EAF for SEQRA for the Subdivision. This has been classified as a Type 1 Activity.

***The Board read, reviewed, discussed, and filled out the EAF Part II for SEQRA (See Part II EAF for Details)***

**The Board opened the floor for Public Comment on SEQRA Part II**

Elizabeth Ryan:

- It's not clear to me how much cutting and clearing there will be, and it's not clear to me what the setbacks are. It's also not clear how much buffer there will be, screening, from these homes.
- They appear to be reasonably close to property lines. It's not clear to me what will be left of the tree line.

Paris P. – (Explained the setbacks for the zone, the zoning code in relation to bulk, and allowable distances.)

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

David Cutler:

- Where do the measurements, like slope of 15%, who does those measurements? I see through my back yard that the land is slope heavy.

Paris P.: Part of SEQRA is for us to look at that in more detail. We indicated that we'll need to review that. (Explained the location of the homes to the property lines and the setback to the Orchard using the proposed subdivision sketch plat as a reference)

Elizabeth R.:

- So, the trees that are there now, where the homes go, that is going to be clear cut?

Stephanie B.: The property owner does not have plans to clear-cut the property. The plan is to only clear as much as needed to build the structures and install the septic, roads, and driveways.

Dan P.: The Board can make it a condition of approval that the trees I the required setback from the property line be required to stay.

A.D. Coleman: When you say property owner, are you speaking of the Hasbrouck House or the individual homeowner that would buy the lots with the houses on them?

Max S.: Both, actually. Stephanie, correct me if I'm mistaken, but the developer plans to own these to the point of completion and then sell them. The construction will require a SPEDES form and there is limitation within that and within the time of year that the trees can be cleared due to wildlife. The developer will do the clearing that they see fit to construct the home, and then if the person who buys it decides to clear more, they can do that.

David Cutlet: In that case, it should at least be acknowledged that the Board might be able to pass some sort of condition with the approval. For example, what's bordering my property, if they chose to clear all the trees along my back property line, my aesthetic is completely changed. Is there a way to protect the surrounding homeowners?

Paris P.: We can make it a condition of approval. Stephanie spoke, in specific to your area, there will be screening maintained in that area.

Denny Dillon: In terms of human health, doesn't the digging of wells with the lack of water already in Stone Ridge, doesn't that influence human health?



**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Dan P.: There is an aquifer there and studies have been done, as I recall, it does not have very significant bearing on local residences.

Denny Dillon: Aren't your answers to all those questions rather subjective? Isn't there any law involved?

Dan P.: We answer the questions to the best of our ability as we're guided by the wording of the questions.

A.D. Coleman: If we're concerned about the sound, can we move the sound in the subdivision? The sound levels in the subdivision. Its charming that the council or the Hasbrouck House should isolate the SUP from the Subdivision. I would propose the opposite to take place. Hasbrouck House will set the model regarding sound levels in that area. The people who buy these houses will feel entitled to pound out music in their houses.

Paris P.: You're asking our Board to consider limiting your ability to play your music at your home at 90 dB? We can't come to your property and tell you that you can't do that. We can't do that with the subdivision homes either.

A.D. Coleman: I'm asking you to consider the additional noise that will be made by the addition of the subdivision.

Max S.: That's beyond our capabilities. We can't limit the amount of noise that someone wishes to make within their own private domicile.

Henry Hansen: There is no noise ordinance in the Town of Marbletown.

Daisy Foote: I'm on the Town Board, and as the community grows, that's something that we're looking into now, a noise ordinance. Your point is well taken, the separation of the noise restrictions regarding the SUP and private homes. It is two separate issues.

Barbara Smiley: We're on Main Street, Demmi was saying about the water and that we have a shortage of water, and this gentleman said that there is an aquifer and there is no impact, who did the studies?

Dan P.: Studies have been done, but I'm not able to quote the specifics.

Stephanie B.: There was a study that was done about 10 or so years ago that the results are publicly available. They can be searched on the Towns website, and it provided the data that was gathered at that time.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Max S.: The additional wells for the subdivision are addressed in the EAF. The form that we were scrolling and answering the questions for. This was designated as a small impact and marked on the form.

Stephanie B.: I can offer a suggestion regarding the water. In the Hardenburgh Hills SBD a few years ago, a condition on the SBD was that a couple wells were to be drilled and proven out as part of the process. That can be added to our subdivision approval if you would like.

Peter MacDonald:

- I can appreciate Stephanie's suggestion to compartmentalize all these issues, but I think that would be a mistake.
- The developer does have history where there have been some threshold concerns. With the sound, I can speak from my experience standing in my back yard at 11 pm and trying to get a person on the phone at Hasbrouck House, it was impossible. No one answered, went to voicemail.
- With the Accessory Apartments, the developer took what I would argue to be an aggressive approach and then since there was push back from the community, the developer has backed off
- If in fact there will be 6 nice houses, and in isolation that sounds attractive, but my concern is that I don't think that those houses would be separate from the operation of the hotel.
- It is not uncommon for a developer or hotel to have houses adjacent to the property and market the houses as short-term rentals. The hotel handles all the operation. There are many resorts of many times that operate in that manner
- We should trust but verify. I think we should put conditions on any approval that the developer should have no interest in respect to the property, specifically, for short term rentals. No coordination, no rentals, no maid service, clean up service, no involvement in the homes.
- If the Hotel is allowed to have interest in these properties, it will make the proposed operation of a 19-room hotel much greater and the impact on the events will be greater. The Hotel will coordinate with the owners of the houses when they have events.
- I feel the safe approach is a condition that any approval in respect to these 6 homes, that it be made clear that the Hotel have absolutely nothing to do with these homes and Short-Term rentals with those properties.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

***Peter MacDonald has submitted a letter to the Planning Board, and it has been entered into record.***

Maggie Colan: I have a couple items –

- Under Historic, I'm assuming the Board knows that the Hotel itself is historic and that the homes adjacent to the Hotel will be an impact
- I mentioned that there are previously used design guidelines created for the Rest Plaus district. The Planning Board created them through SEQRA.
- I looked at the zoning for a B1 district, and residences created in a B1 need a SUP

Paris P.: This is a R3 district. All lots are in the R3 district

Maggie Colan:

- As an impact on historic purposes, the design guidelines used in Rest Plaus were very useful. Any house to be constructed had to come back to the Planning Board first before the Building Permit could be issued.
- These guidelines could be used to work with the Developer.
- Will there be any restrictions on the outdoor lighting on the new homes?
- I'm assuming the Board has calculated the entire disturbance on the entire lot? I think that based on what's being disturbed, I think that is more than a small impact. I think that the Board should look at that and I feel it's a large impact when you factor it all in. If it is a large impact, what do you want to see done when its developed?
- I'm confused by the road placement and what was said previously about a road going through a B1?
- Is there an archaeological study being done?

Paris P.: You can't use access to a business to access a subdivision.

Tracy Kellogg: The road is part of the subdivision, and it's been separated from the commercial use of the property.

Stephanie B.: We have shovel tests being done and the study is underway. In all the areas of disturbance they are doing testing.

Paris P.: The Board can look at #9 impact on aesthetic resources, regarding the viewshed and screening, do we wish to change the selection for the impact on aesthetics? Do we think we can address that with a small impact selection?

Sharon K.: To have an informed position on that, I'd like to go out and take a walk and see it.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

Dan P.: I still think that it's a low impact. I think we could go out and walk the property, but I don't agree that it rises to the level of moderate to severe.

Max S.: I agree.

John K.: What would be the difference between the small to moderate/severe rating?

Paris P.: I don't think we would do anything different than what we're already proposing with screening.

Tracy K.: From a legal standpoint, you would need to have a more in-depth review of the impact and the mitigations would possibly need to be developed more robustly and spelled out in Part 3. A much more substantial look at the matter in #9.

Dan P.: The matter will be mitigated through screening.

Harry H.: Either way, the project is going to require screening.

Dan P.: I think it's a small impact and I stand by that.

Max S.: I agree.

John K.: I agree. I think it's a small impact.

Sharon K.: I still think I need some more information before I can say with certainty which way, I feel about it.

Stephanie B.: There will be a more details and a presentation of all proposed screening being proposed. The Board will have the opportunity to review and react to the proposal after you do your visit if you feel what we're proposing isn't sufficient.

***Motion to accept SEQRA Part II as filled out by the Board for the Subdivision by Dan P., second by Dave C., call of the roll with unanimous Aye. (7-0)***

**Additional Comments from the Public Called by the Board**

Dave Cutler: I'd like to revisit a comment I made last month that I feel hasn't been addressed yet. The location of the proposed road. There was mention that this was a peculiar placement. What is the proposed setback to the road? How many trees will be cleared? Will there be screening or cover with evergreens? How will our privacy be impacted? I have a swimming pool, and if installed as designed, that privacy will be diminished. This is just not my opinion, the notion of addressing the road comes from the UCPB, Chairman Perry, and several other architects I've talked to about the road. I think the road placement will have consequential

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: [Planning@marbletown.net](mailto:Planning@marbletown.net)**

impact on quality of life on the neighbors. I would like my viewshed to not be impacted as to not have a day come where there are zero trees in my back yard, and someone is looking at me from the second-floor window of their home. The matter with the road does not appear to have been dealt with.

I would like to also point out the impact of clearing or altering the landscape. The property adjacent to mine, Stone Ridge Shoppes, was cleared no doubt to make for a better re-sale opportunity. But now, what has happened, is the water runoff has been affected onto my property and down Lamberti Lane. There's a post rain swamp on my side of the property line, and a deterioration of Lamberti Lane because of this clearing. So, what will this new road and the housing construction, do to our back yards, and the orchard, and the soil and erosion health? My plea to the Board is to approach this logically and prioritize us as human beings. There are more questions than answers here and I think it's been proven that the developers of the project can't exactly be trusted with their history. I don't want to be negative, but there is history with the developer. I am sincerely worried about how they treat neighbor concerns and the suggestions of the board. I fear this may set a precedent for how developers can abuse Marbletown and the community. I look to the Planning Board to look out for us and protect the value of our homes and land.

Elizabeth Ryan: There is an important sustainable farming operation going on over at the Orchard. I believe there will be impacts on the view shed. Also, I've reached out for an ecological survey to be completed that I will pay for. I've reached out to Cornell and the pollinator program, and I think that this literature could inform your opinion on the matter. Cornell has studied this Orchard and has found that there is an almost unprecedented number of pollinators on the farm. You have in this community, something special. Something that's worth thinking about and protecting. I'm hoping that I have some more time to gather resources on the topic. I think the study can be done in a month.

Stephanie B.: What are your concerns about the development as it pertains to pollinator resources?

Elizabeth R.: I'm concerned about the pollinators. 70% of them are ground dwelling and they are in the trees. I have asked for a study of the impacts, but I don't have the answers yet. I have asked the PhD's to study this and inform us.

A.D. Coleman: I live at 21 Lamberti Lane, Dave's neighbor. I want to second what Elizabeth and what Dave said. This project will have a significant impact on my property value. I'm not trusting Hasbrouck House to look out for my interests. I do trust this Board to look out for my interests. I am looking to you to keep the issues paramount in my mind. I'm here.

**Town of Marbletown  
Planning Board  
PO Box 217, Stone Ridge, NY 12484  
(845) 687-7500 Ext. 171  
Email: Planning@marbletown.net**

The homeowner they are going to sell the homes to, don't exist. They are fictions. I exist. Elizabeth exists.

Maggie C.: Will the Board require Hasbrouck House to put in a sidewalk? There was talk initially about development of the Hotel. There needs to be a plan to get people from the sidewalk on the opposite side of 209 to the Hasbrouck House side.

Paris P.: There are studies going on now, the UCPB requested a walking lane, a school bus stop, and there is the idea of continuing the sidewalk further down route 209. There is also talk about bringing water into stone ridge. There's talk about access to sidewalks for everyone to access. There a lot of conversations taking place.

Maggie C.: If the studies don't end up with a sidewalk in front of the Hasbrouck House, the Board make some sort of condition to ensure that a sidewalk ends up there. There is in the Town Plan the point to make the Town more walkable.

Jeremy (North Marbletown Resident – Business Owner Town of Ulster): I find it unfortunate that the owners are not here and present in this conversation. This bothers me as a resident and as a business owner. I know it's not a legal requirement, but I do think that as a principle of good community and being a good neighbor, that it's important that they show up.

***Motion to continue the Public Hearing at the call of the Chair by Max S., second by Dan P., call of the roll with unanimous Aye. (7-0)***

***Motion to approve the minutes of the August 2021 Planning Board Meeting by Max S., second by Dace C., call of the roll with unanimous Aye. (7-0)***

***Motion to adjourn the meeting made by Dan P., second by Max S., call of the roll with unanimous Aye. (7-0)***

***Meeting Adjourned at 8:44 P.M.***

***Minutes Approved***

***October 18<sup>th</sup>, 2021 – Vote 7-0***

***Shawn Marks***