



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

**Planning Board Approved Minutes
November 8th, 2021**

Meeting Called to Order – Chairman Paris Perry

6:00 P.M.

Pledge of Allegiance

Quorum Call:

Board Members Present: Paris Perry, Dan Proctor, Dave Cobb, Sharon Klein, Scott Boyd, Harry Hansen

Board Members Absent: John Kotsides, Max Stratton

Town Staff Present: Shawn Marks, Tracy Kellogg

Announcements:

Due to the recently signed amendment to the Open Meeting Law, all materials and documents requested by the Board must be submitted to the Planning Board Secretary at least 72 hours in advance of a meeting. New Applications will remain due 2 weeks prior to the next scheduled meeting. Materials will need to be viewable by the public at least 24 hours in advance of a scheduled meeting.

Scott Boyd will be a voting member in place of Max Stratton

Applications and Business:

1.) 2021-09 SBD: Brown Minor Subdivision – Continued Public Hearing & Application

181 Bone Hollow Road, Accord, NY, 12404; SBL: 69.1-3-1

Scott Boyd – Project Point:

- 19.5-acre parcel located at 181 Bone Hollow Road to be subdivided into 4 lots. The application meets the zoning code. Lots will have all required frontage and will not be flag lots.
- Classified as a SEQRA Type 2, no further action required
- Revised site plan and soil and erosion plans submitted by Peak Engineering

Floor opened for Board Discussion on the Application

Call to the Public for Comment

Rich Lanzerone – 146 Bone Hollow Road:

- Notwithstanding comments I have read in the Blue Stone Press, I appreciate you and thank you for serving.
- Lives directly across from the proposed subdivision. Wish to discuss the driveway locations. Would like to see disturbance from vehicle headlights minimized.



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- If the driveways are pointed directly at my house, I would respectfully ask that they be relocated. I live across from proposed lot # 3.
- Is there a distance that the septic systems need to be from a property line?
- I would respectfully request that the culvert and driveway location be moved from being directly cross from my house.

Frank Jankubowski – Owns the Parcel that runs Parallel behind the parcel to be Subdivided

- The land is high, and the water runs downhill. Is there a place on here where wetlands are depicted? I read the reports and it says there are no wetlands. On Lot 3, there is continually running water. The water runs down and across the street. What is going to be put into the plans to protect the water flow during construction? Is there a plan to manage the runoff when it rains?
- The existing culvert is directly across from my house, so it would be lot # 4. There's nothing special about the pipe. It's a plastic culvert in a ditch.

Nadine Carney – Peak Engineering (Engineering for the Applicant)

- As far as the driveway locations, lot 1 already has an established driveway. Lot 4 driveway is position where there is an existing culvert. We would like to keep that there so there is less disturbance.
- Regarding Lot 3, I can't guarantee. There is a slope, and the houses are proposed to be up gradient from the road. We can look at the driveway locations during construction in relation to the neighbors' houses.
- We have submitted a full soil and erosion control plan for the property. There are specification and details as to what will occur during construction.
- No designated wetlands on the property, but I'm sure there are more than likely some drainage channels. We are not arresting or redirecting any of that. We'll be installing curtain drains to protect areas from drainage.
- All drainage will be maintained in the existing direction in which it drains.
- Septic plans are pending with the Ulster County Health Department. They will be raised systems and will be build on slopes and blended in. Septic's needs to be 10 feet from a property line.

Anthony DiGuiseppe – Owns the property directly across from the Subdivision up Bone Hollow Road

- The application says that it's all supposed to be done at one time, is that correct?
- Application says that it requires health department for water and wastewater, but they are drilling right now?
- It says that this is a minor subdivision and that it was also a property that was done all at one time. Why is lot 1 being done now without the permits and approvals?
- So, is the approval for 4 lots or 3 lot subdivision? You're saying 4, so why is work being allowed on the first lot if it's a 4-lot subdivision?
- This is a 3-lot subdivision, not a 4-lot subdivision.



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- There was a mention that there are no bats, was there a survey or a study done? There are bats on my property across the street.

Nadine Carney:

- The Subdivision application that's requesting the 4 lots be formed is a single-phase application. It requests that all lots be approved at one time. It doesn't address the construction phasing. Currently the property is eligible to have 1 home to be constructed. A building permit for lot 1 was applied for and previously granted.

Paris Perry – Chair

- There is one application already submitted to the Building Department for a home. That permit has been approved and issued. The applicant then came to the Planning Board after that permit was issued and applied to subdivide the parcel. This is within their right legally.
- This property didn't have any wetlands, no bats are designated by the DEC. This property didn't trigger a need for the management of tree clearing or removal.

Tracy Kellogg – Barrister

- The land area incorporated in lot 4 where there is a new house being built, but when you have a full lot, the owner is entitled by right to build a single home while the application for subdivision is submitted. The home being built does preclude the ability to subdivide the entire parcel.
- The semantics: there is an existing lot creating three new lots, and the end total will be a total of 4 lots.

Frank Jankubowski - Neighbor

- Follow up for the 1 parcel. I have not seen that building permit. Is there the same regulations regarding street cleaning, tree removal, times that they can do the tree removal, as there are in the subdivision? Are there the same restrictions?
- In your report, there was a mention of the American, something? There is a time restriction on when you can cut down trees.

The Applicant and Applicants Engineering Firm agreed to re-evaluate the pre-existing culvert across from the Lanzerone residence and investigate its movement. **<This was included as a condition of the subdivision approval and was listed as condition #9>**

Nadine Carney:

- The EAF SEQR document that was submitted did not have any triggers for the bats.

Dave Cobb:

- Are the bats in question the protected bats, the Indiana Bats?

Paris Perry:



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- There were no triggers on the bats that we normally engage with.

No additional comments from the Public or the Board

Motion to close the Public Hearing by Dave Cobb, second by Dan Proctor, call of the roll with unanimous Aye. (7-0)

The Board read, reviewed, and amended the Draft Determination for the Brown Minor Subdivision

The Board engaged in discussion regarding Hours of Construction for the Subdivision. Construction may commence at 8 a.m., and the Board voted to enact a condition that Construction be stopped at 6 p.m. Vote was 3-2, the Chair did not vote.

Motion to approve the Brown Minor Subdivision with the noted conditions made by Dan P., second by Dave C., call of the roll with unanimous Aye. (6-0)

2.) 2021-10 SBD – Aaron Minor Subdivision – New Application

48 Woodland Road, Stone Ridge, NY, 12484; SBL: 54.3-1-10.200

Dan Proctor – Applicant Point

- Minor subdivision, one parcel being split into two. It is located at 48 Woodland Road.
- A3 Zoning, 3-acre minimum lot area. Breaking 6 acres off 52 and change acres.
- Surveyor, Terry Ringler, is authorized to present and act on behalf of the Applicant
- Proposed house, driveway, and septic locations are all conforming to required setbacks
- Looking to include the utilities on the subdivision plat
- Recommend Type II SEQRA

Terry Ringler – Applicant's Proxy and Surveyor

- Applicant has indicated that he is willing to put a restriction that the 6-acre parcel so that it will be restricted to no further subdivision.
- Currently there are no plans to do anything with the remaining 46 acre

Motion to classify the application as a Type II SEQRA action by Harry H., second by Dave C., call of the roll with unanimous Aye. (6-0)

Motion to set a Public Hearing for December 13th, 2021, made by Dan P., second by Dave C., call of the roll with unanimous Aye. (6-0)

3.) 2021-10 LLA: Swisher & Dubois Lot Line Adjustment – New Application

2 Swisher Hollow Road, Stone Ridge, NY, 12484; SBL: 69.2-5-45.114

Paris Perry – Presented Application Details

- Lot Line Adjustment which conforms with Town Code. It will be a swap out of acreage for acreage.



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- The Cul-de-Sac approved in the original Subdivision will be moved up the Private Road toward Cedar Ridge. It is an equal exchange of acreage.

Tracy Kellogg – Of Counsel

- This is the parcel that the Town is working with the owner to adjust the Lot Line in order to transfer ownership of the Town property to that of the private property owner, so the Town does not have to be open to liability and responsibility for a maintenance agreement with the property owner.
- The Town has already agreed, and now it's a matter of revising the deed. This LLA map can be adjusted to reflect this transfer of property and ownership.

Terry Ringler and the Town Barrister discussed the required revisions to the presented LLA map to reflect the transfer of property.

Shawn Marks – Code Enforcement Official

- To save the property owner another trip to the Code Enforcement Officer and the Planning Board, the map submitted for the LLA can be revised to reflect this transfer now if the Board would like.
- The Lot Line Adjustment does not affect conformity of the access road in regard to Fire Code and is permitted.

Tracey Kellogg – Of Counsel

- That would work perfectly. The Town, once it has the wording, can put out the document to complete the transfer.
- The Town Board has already agreed to this transfer.

Terry Ringler – Surveyor

- I'll add "Lands to be transferred to the Town of Marbletown" and make the revision to the Plat to reflect the changes.

Question from Public permitted by the Chair

Maggie Colan – Resident of Cedar Ridge (Adjoining Town Road)

- What is the status of the access? Is this a driveway or a road? It was my understanding that it was a driveway but now it's a road? Will there be more lots that this will go to?
- There are 2 separate 911 addresses, who is going to maintain it?
- We didn't get notice in time for the Public Hearing when the Subdivision was being approved.

Paris P. – There's no change in the status of the Road from the approved Subdivision of a year ago. The matter is the Lot Line Adjustment and nothing else is being addressed on this application. There are no other actions being taken or discussed.



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Tracy Kellogg – Whatever the modification to the acreage of the rear lot results from the LLA, should be reflected on the Final Plat.

The board read, reviewed, discussed, and amended the Draft Determination. A condition to reflect the transfer of lands from the Town of Marbletown to the property owner to be reflected on the Plat approved with this Lot Line Adjustment.

Motion to approve the Swisher & Dubois Lot Line Adjustment made by Sharon K., second by Dave C., call of the roll with unanimous Aye. (6-0)

4.) 2021-07 SBD: Pra Minor Subdivision – Continued Public Hearing

Pine Bush Road & County Route 2, Stone Ridge, NY, 12484; SBL: 69.2-1-22.110

Dave Cobb – Applicant Point – Provided a recap of the application details and application progress thus far.

- Waiting on Archeological Survey and Ulster County Planning Board referral response

Veronica Pra – Applicant

- We have someone lined up to complete the study

Bill Eggers – Applicant's Surveyor

- Is the Public Hearing still open from last meeting?
- As far as we know, the only thing that's still outstanding is the Phase 1A/B Archeological Study

Shawn Marks – Board Secretary

- The Ulster County Planning Board referral is still outstanding. They requested they be provided with additional information to show the proposed locations for driveways, residences, and septic to be able to complete their referral. We received that information halfway through the process and was then provided to them. We should see a response back in the next week or two.

The Board discussed the Archaeological Study process with the Applicant and what to expect because of commissioning the study.

Motion to continue the Public Hearing to December 13th, 2021, made by Dan P., second by Dave C., call of the roll with unanimous Aye. (6-0)

5.) 2021-04 SP/SUP: 4321 Route 209 LLC – New Application

4321 Route 209, Stone Ridge, NY, 12484; SBL: 69.2-2-40

Paris P. – Application Point

- Hotel proposed in the B2 district. Property across from Lydias Café in Kripplebush.



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- Proposal is for a 10-room lodging facility and an accessory building
- The use is an allowed use and will be required to meet the design criteria for the B2 district as well as all other Site Plan requirements.
- Suggest this be classified as a Type 1 SEQRA action.

Doug Posey – Applicant

- A small project in its beginning stages. We've been given permission by the property owner to come in and apply.
- 10 bedrooms and approximately 6,000 square feet. Single story structure.
- Accessory building and space for indoor gathering for pop up events; craft fairs, indoor gathering, markets, ancillary to the Hotel. Hotel to be used without the accessory building but not vice-versa.
- We operate a separate inn called Audrey's Farmhouse
- We're looking to have the project considered for SEQRA and request the Board circulate for lead agency through that process. In the meantime, between now and next meeting, we'll begin the process of compiling all documents and information requested by the board.

Motion to classify the application as a Type I Action under SEQRA made by Dan P., second by Sharon K., call of the roll with unanimous Aye. (6-0)

Motion to assume and circulate for Lead Agency under SEQRA made by Dave C., second by Scott B., call of the roll with unanimous Aye. (6-0)

Motion to set a Public Hearing for December 12th, 2021, made by Harry H., second by Sharon K., call of the roll with unanimous Aye. (6-0)

Motion to circulate for Lead Agency to the following Interested Agencies: NYS DEC, UC Health Department, US Army Corp of Engineers, Ulster County Planning Board, Fish and Wildlife, Kripplebush Fire Department, Town of Marbletown, NYS DOT, SHPO, DEC Endangered Species Unit made by Harry H., second by Sharon K., call of the roll with unanimous Aye. (5-0) (Board Member D. Proctor was out of the room during this vote)

6.) 2021-03 SUP Modification: Hasbrouck House Special Use Permit – Continued Public Hearing & Application

3805 Main Street, Stone Ridge, NY, 12484; SBL: 69.2-5-1.100

Paris Perry – Provided an update on the application progress

- Letter received outlining the proposed plan for managing event sound levels. A limiter, monitoring device, and procedure to turn down/turn off, and contact with hotel representatives provided. Sound monitors to be set to 15-minute intervals after turning down and turn off at 11 p.m.
- Archeological Phase 1A/B received and will be provided to SHPO
- Still waiting on SWPPP review to be completed



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- Pending discussion regarding the creation of a sidewalk along Route 209
- Proposal and language to address violations of the SUP and the subsequent review of the SUP
- Need confirmation from the Fire Chief on the Emergency Vehicle Access Gate; will need product specifications and procedure to maintaining security of the gate
- Review of the lighting, its cut sheet, and placement on the Site will also need to be accomplished. Will need to review the location and ensure the candlelight doesn't exceed parameters and distance of glare. Safety lights which are low impact will need to be added to ensure safety after the Event is over and the main parking lot lighting is shut down at the end of the night

Stephanie Bassler – Applicant Architect

- We have added notation and language to the Site Plan in regard to the Emergency Access Gate. Design details will be provided to the Board.
- Lighting location and specifications have been added to the Revised Site Plan

Shawn Marks – Code Enforcement Official

- The proposed language on the Site Plan is sufficient for the placement and maintenance of the Emergency Access Gate. The Planning Board should stipulate the approval of the Fire Chief and the Code Enforcement Officer in the conditioned Site Plan Approval. The design and procedural specifications can be managed on the back end by the CEO and the Fire Chief.

Sharon Klein – Board Member

- Is there a cutoff time for the events, or can they continue after the music is done? This is in relation to the time that the lights must be turned off. Some people may be hanging out after the music is turned off.
- The decibel level is going down to 60 after 10 p.m., correct? Do we know how far 60 decibels travel?

Paris P:

- We're looking for the main lights to be turned off at 12 out of consideration of the neighbors, with low candlepower lighting to be maintained for the safety of the guests leaving or those that are still on site past midnight.
- 60 Decibel should be manageable all around. It's the sound of ambient noise. When the original sound study was done at the Hasbrouck House, we had music at 110 db, the meters read 60 at the houses across 209. When a car or truck went past, the meter would jump to 75-90 Db.

Akiva Reich: Applicant

- The afterparty is predominantly people that are staying at the hotel.

Call to the Public for comment on the Special Use Permit

A.D. Coleman – 21 Lamberti Lane, Stone Ridge:



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- How do you correct a violation of sound that has already been heard? I understand that the meter will be used to detect the sound, and there will be limits and a way to detect the limits when they are broken, how do you correct the violation? How do you correct a violation that's already happened? It's like correcting a car accident.

- So, their permit can be pulled? But you can't correct the violation, so "correct the violation" is a meaningless phrase.

Tracy Kellogg – Of Counsel

- If there are multiple violations, then the Permit can be pulled. If they are in violation of their permit, multiple violations, then their permit can be pulled.

Peter MacDonald – Legget Road – Adjoining Parcel

- I believe the Subdivision and the Special Use Permit are tied together, I feel
- With respect to the noise, I think limiting the decibels at 10 pm. Is a positive, but I don't feel it's a complete resolution. I think 90 decibels up until then is still too loud. Decibels vary based on climate, weather, distance, many things. I would ask that the Board ask the developer to provide suggestions from a sound engineer, who may be able to lay out specific mitigations in reference to the noise. If the recording device is reliable, I would also request that any neighbor be able to request a copy of the noise level report on a regular basis to look at the information. The report log would provide the neighbor with a reference point to understand what decibel level is impacting their property. A report from a sound engineer would put us in a position to make an informed decision on the noise level and its mitigation. It's reasonable to expect that a for profit business would take all steps necessary to mitigate the impact of the noise at their expense. A business making money is fine, but if the event has an impact on the neighbors, all means should be taken to mitigate the impact.
- I would also like to mention that the Subdivision will tie into the impact of the Special Use Permit and the scope and impact of the events.

Paris P.: When the ZBA issued the Special Use Permit, during that process, a Sound Engineer did do a study to investigate the impact and recommend the processes needed to minimize the impact. Within the Business District, the business can function within the district. Within limits. It's a little different in that district. I'm sympathetic to the concern, and due diligence was done at the outset to manage the noise impact.

Maggie Colan: Resident on Cedar Ridge Road

- I do not see what happens if the Hasbrouck House does receive calls from neighbors during an event to complain about the noise? They identify a phone number, but I don't see how they will react in the moment.
- A letter should be sent to the neighbors outlining what the procedure will be to contact the Hasbrouck House and what the process will be if the noise is too loud.



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- Will there be anything to detect what the noise is at property lines as well as the noise under the tent?
- I know that you are focusing on the Events portion of the Special Use Permit, but there are other items that are part of it. The tent stays up all year long and it is an impact on the aesthetics. Before the Special Use Permit is done, that should be addressed. The tent changes the impact of the neighborhood.

Resident A.D. Coleman made commentary regarding the Stone Ridge Orchard. Chairman Perry explained that Stone Ridge Orchard is not being contemplated at this Public Hearing or in the Application before the Board.

Outstanding Items for the SUP recapped by the Chair and Applicant Architect

Stephanie Bassler – Architect for the Applicant

- The sidewalk, if its on the Hasbrouck House parcel, does not have the opportunity to connect to a contiguous sidewalk infrastructure in the Hamlet. The owners, if they were to provide the amenity, would want it to be part of a comprehensive plan that will eventually contact all sideways and provide for people to safely cross the street.

Akiva Reich – Applicant Hasbrouck House

- My concern, and I would love to do it, but the concern is the crosswalk. Crossing over is a concern for the safety of the pedestrians.

Motion to continue the application for Special Use Permit to December 13th, 2021, made by Sharon K., second by Dave C., call of the roll with unanimous Aye. (6-0)

7.) 2020-06 SBD: Hasbrouck House Subdivision – Continued Public Hearing & Application

3805 Main Street, Stone Ridge, NY, 12484; SBL: 69.2-5-1.100

Paris Perry – Provided an update on the progress of the application and outstanding items:

- Will require Conservation Overlap calculations in a narrative document and not just on the Plat
- Utility location on the Plat
- Easements, Roadway ROW, CPS7
- DOT Approval
- Ag Data Statement
- Letter from DEC outlining the Freshwater Wetlands
- Confirmation of Roadway Spec Designs, particularly the shoulder, and approval by Fire Chief
- Pedestrian Access and Vehicle Pull Off for 2 cards to facilitate a School Bus Pickup Point
- Road Maintenance Agreement and HOA
- Final Placement of the Road
- SHPO Architectural Impact to the Historic Site and the District Design Guidelines

Stephanie Bassler – Applicant's Architect



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- Our engineers are in process of reviewing the roadway location and the matter of the Wetlands. They are working on the layout, vertical and horizontal, for the Roadway. We expect to be able to return something in time for the next meeting
- If we return our design with it similar to how it is to date, with a hammerhead, we would propose an extension that would facilitate the Emergency Vehicle Staging.
- As soon as we have a sketch plan of that variation on the Roadway, we'll provide a copy of it.

Call to the Public for comments on the Subdivision Application

Peter MacDonald – Leggett Road Neighbor – Adjacent Parcel

- I think that the Subdivision actually relates to the SUP. Original plan was 6 structures plus 6 accessory apartments. This I think was in contravention of the Zoning Code. I wrote to the Board on September 9th and outlined the fear I have that the homes would be used in conjunction with the Hotel. I think we can't not focus on the obvious fact that the proponent of the homes is the operator of the Hotel.
- Concerned that the homes will be used as extensions of the Hotel operation
- At the end of the last meeting, Mr. Reich made commentary that pulled the curtain back on what is happened with the undertaking. I believe this is an opportunity for Mr. Reich to add 6 structures adjacent to and integrated in the Hotel.
- The proposition of these structures will take a hotel with 17 rooms that will be able to utilize bedrooms from these proposed homes, the size of the Hotel is essentially doubled and makes the events on the property bigger which have more impact.
- If room service, food, and linen service is provided, and if you're managing the short-term rentals and make sure people get in and out, you're running a hotel and you're violating the Short-Term Rental Law.
- The Zone where the homes are proposed is not Zoning for the permitted use of a hotel
- Ultimately, if you bring in a Management Company, you're not left with 6 single family homes, you have 6 structures that are being used in conjunction with events and the people who own the homes are able to benefit from additional income.
- In my letter to the Board, I proposed some conditions that I feel the Board should consider. These include neither the developer or the homeowners communicate with one another in relation the business and Short-Term Rentals, no coordination of Hotel events and Short Term Rentals, that the hotel would not provide property management, housekeeping, or any service that Mr. Reich eluded to which I think are a concern, and that the developer nor any affiliate attempt to derive any revenue, income, or fees from the homes.
- I want to see the Hamlet have a thriving business community, but I think that it is crossing a line when there is misdirection in what appears to be 6 homes to be sold effectively becomes an extension of the hotel
- I'm not effected by the location of the Road or some of the other issues, but I am a resident and I think if the hotel operation is expanded any further, it will change the character of the community



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- If they are not intending to use the houses indirectly with their business, then the conditions I recommend will not impact them whatsoever.

Elizabeth Ryan – Stone Ridge Orchard

- I still have concerns regarding the ecological, pollinator, and other environmental impacts in this corridor.
- I'm looking for greater clarity on the cutting that will occur. I don't have the transparency that I need about what's going to happen or the impacts.
- I support the idea of commerce and an Inn, and I understand there was a prior plan to build out the Inn that didn't go forward. I feel there are impact on the farming operation taking place next door.

Maggie Colan – Property owner on Cedar Ridge Road

- The whole hotel operation is part of the conserved lot. I'm concerned that it doesn't meet D11(a) of the Design Guidelines for permitted uses allowed. This section may affect their development.
- The Hotel was on 35 acre and its subdividing, and it needs to follow the conservation overlay design guidelines. This may change the number of lots or the uses. The Board needs to look at what the use is on the preserved open space.

Stephanie Bassler – Applicant Architect

- It is true that the owners approached this project with the intent of engaging the neighbors and their concerns.
- In regard to controls or restrictions on the parcels; the proposal is for a residential subdivision. The permitted uses in the R3 include single family residential, and then if the property owner chooses to undertake the permit process, they can apply for approval to operate an accessory apartment.
- The Short-Term Rental law also allows that use on these lots.
- Conditions regarding short term rentals and corporate ownership, it is limited to 1 per corporation. We are aware of the permitted uses and understand what they are. The intention is that whoever owns these parcels when they are developed and sold, all the activities and uses are appropriate in relation to the zoning code.
- Regarding the Hotel's relationship, it is as developer. They will see this through until the lots are sold. The idea that a restaurant can be limited to who they offer their services to doesn't make sense. I don't think that request has any standing with this board. If there is a domestic service that can be extended to any homeowner, they are permitted to do so as well. These can be provided by any legal business.
- I do not see that there are grounds for this application in generating restrictions on this area when the same code applies to any other residential zone in the Town.



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Paris P.

- As an individual owner on any of the lots, that code does apply. What is not allowed, is an extension of the Hotel. The original plan was in line with this, and if the Hotel views this as they are the owners, that is not permitted.
- The public is interested in ensuring that this is not an extension of the Hotel operation.
- Who will be the owners of the property and owners of the Road? Those are items in the purvey of the Board and restrictions can be placed on that.

Peter MacDonald – Legget Road – Adjacent Parcel

- I've heard enough now to make a judgement in that I believe they want to run this in a way which is integrated with the Hotel.
- Yes, legal titles will be held by separate entities which live elsewhere, but they will be using their homes and deriving income that the Hotel business will share in.
- The law says the residence must be your home, not a second residence. I think that people are going to own these homes, its not going to be their primary domicile, but they will take these homes and rent them out in a manner which is coordinated with the hotel. I could be wrong, but this is what I foresee. It's all an integrated package.
- Please hold them at their word that they are trying to build residential properties in a residential code. Put these conditions in.

Stephanie Bassler – Applicant Architect

- There's a lot of assumptions here. There is nothing in this plan other than the developer happens to be the owner of the Hotel and they will be selling the lots. The business plan is not to operate these as hotel rooms.
- Uphold regulations rather than make a piece meal application of rules based on assumption.

Akiva Reich – Applicant/Hasbrouck House

- To assume that the business plan is clear, that we are trying to expand the hotel business plan to the residences, is completely irrelevant.
- Yes, in the past we explored avenues to expand our business, that's natural.
- It's challenging to see that our neighbors see it through the lens of us previously exploring expansion of our business, and now assuming that is the same plan as the subdivision.
- Based on the plans, there's a separate entrance, and it's a residential development and its intention is to comply with the law. If someone calls and wants to order some food, we're going to deliver it to the homeowner.

Stephanie Bassler – Applicant Architect

- The owners had originally reached out to us for a net-zero subdivision in Stone Ridge, it was actually on a different piece of property. The intention was to create a subdivision that would be



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an example of energy efficient building that would be a proud achievement. That plan didn't work out because the land was too expensive. So, the next place they looked was right in their own back yard.

- You can believe me or no, the idea from the inception was to create a subdivision of net zero homes as a community. It's not about the hotel, its about the subdivision that was envisioned years ago.

Maggie Colan – Cedar Ridge Road

- If the Board and applicant are serious about this subdivision, it can put conditions on the lots and include remedies for breaking those conditions.

Motion to continue the Public Hearing for the subdivision at the December 13th Planning Board meeting made by Sharon K., second by Dan P., call of the roll with unanimous Aye. (6-0)

Other Business:

Motion to approve the minutes from the October 2021 Planning Board meeting made by Dan P., second by Dave C., call of the roll with unanimous Aye. (6-0)

Board Open Discussion:

The Board engaged in discussion with Daisy Foote, Town Board Liaison to the Planning Board

The Board engaged in discussion regarding the proposed Noise Control and Impact Mitigation Plan presented by the Hasbrouck House

The Board read and discussed a draft revision of the Town of Marbletown Accessory Apartment Law and provided input to the Town Board via Liaison Foote and Of Counsel.

The Board read and discussed a draft Fence Law

Motion to adjourn the meeting made by Dan P., second by Scott B., call of the roll with unanimous Aye. (6-0)

Meeting Adjourned

9:16 P.M.

Draft Submitted 11/22/2021

Shawn Marks

Approved on December 13th, 2021, by unanimous vote