



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

**Planning Board Meeting Approved Minutes
December 13th, 2021**

Meeting Opened by Chairman Perry

6:01 P.M.

Pledge of Allegiance

Announcements & Communications

Quorum Call:

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

Town Staff Present: Shawn Marks, Tracy Kellogg

Board Members Absent: Scott Boyd

Applications/Business:

1. Aaron Minor Subdivision

Application Point – Dan Proctor

Applicant Representative – Terry Ringler (Ringler Land Surveying)

Review and Discussion

- 2 Lot Minor Subdivision. 53-acre parent parcel, creating new lot of 6 acre with no further subdivision on the newly created lot
- Classified as a SEQRA Type II at November 2021 Meeting
- Wetland on Parent parcel; will not be affected by the subdivision
- Will require Highway Superintendent approval for curb cut and approval for Emergency Vehicle Access
- Proposed subdivision meets the Town Code and the Density Code
- Sketch Plat is accurate and has all required notes and depictions
- Will require a condition for Septic Approval for the Department of Health

Motion to open the Public Hearing made by John K. second by Max S., call of the roll with unanimous Aye (7-0)

Terry Ringler for the Application

- Minor subdivision. Lot to be created is not affecting any wetlands or creating any adverse actions.



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- There are no further plans at the moment to conduct any other subdivisions
- Property is across the street from 48 Woodland Road
- Applicant wishes to place a "no further subdivision clause" in the deed once the lot is created
- Ulster County Health Department has approved the septic but I do not have the paperwork yet

Dave Cobb

- Curious as to why the boundary lines are drawn as they are drawn, and not particularly straight?
[Terry R: Applicant placed markers and rods on the parcel after walking it. The applicant marked the property boundaries based on the aesthetics of the parcel]

Sharon Klein

- What are the two structures? [Dan P: Septic, Septic Reserve, Proposed House]

Max Stratton

- Underground utilities with this? [Terry R.: Yes, I believe so. The parcel across the street is all underground utilities. I do not see a reason why this won't be the same. There is a pole across the street, and just 1 pole will need to be added on the opposite side of the road]

Call for Public Comment – No Commentary

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

The Board read, reviewed, discussed, and amended the DRAFT Determination and Resolution

Motion to APPROVE the Aaron Minor Subdivision made by Max S., second by Harry H., call of the roll with unanimous Aye. (7-0)

2. Pra Minor Subdivision

No new information submitted for the Application

Motion to continue the Public Hearing at the Call of the Chair made by Dan P., second by Dave C., call of the roll with unanimous Aye. (7-0)

3. Hasbrouck House SUP

No new information submitted for the Application

Motion to continue the Public Hearing at the Call of the Chair made by Max S., second by Sharon K., call of the roll with unanimous Aye. (7-0)

4. Hasbrouck House SBD

No new information submitted for the Application



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Motion to continue the Public Hearing at the Call of the Chair made by Max S., second by John K., call of the roll with unanimous Aye. (7-0)

Maggie Colan recognized by the Chair for an inquiry:

- At last months meeting the Board announced that there is a new rule about Public Hearings that all information needs to be submitted 5 days in advance and its to be posted on the Website? I looked on the Website today and wasn't able to find any information. And, do you have a deadline for the Hasbrouck House to submit in writing how they are meeting the Conservation Subdivision Guidelines?

Paris P. - The Board has implemented a rule that all information and documents to be considered by the Board must be submitted 5 days in advance. There's no deadline for Hasbrouck House to submit the information. It may take as much time as they need to complete the document request.

Shawn M. – Clarification on the new NY State Open Meetings Law is that the law pertains to Draft resolutions, new laws, and Determinations to be voted upon and not specifically to documents or information contained in an application. All information is required to be “made available” 24 hours in advance if the Board is to act with a Vote. As of this time, there has been no process or mechanism put into place by the Town to post this information online as its not explicitly required. The information will be made available, as per the law 24 hours in advance, and all other information is continually available by contacting me at the Planning Office. I have been and will continue to be responsive in ensuring request are answered in timely manner.

Tracy K. – The new law is requiring documents to be discussed to be made available within 24 hours. If they are not available, there is no penalty. If the document is available in advance, then it needs to be “posted online or be made available”, but there's no requirement that it be posted. The 5 days is the Planning Board policy on acceptance of documents to be considered with an application.

Bill Terpening recognized by the Chair with an inquiry:

- What is the size of the 6 lots? Do you know approximately what the size of each on is?

Paris P. – I don't know off the top of my head, but the information was within the requirements of the Code

Shawn M. – Send me an email and I can provide you with that information.

5. Audrey's Farmhouse (GET APPLICATION NAME)

The Board has not received adequate information from its SEQRA circulation or from the Applicant to open the Public Hearing at this time and assume lead agency. We'll need to continue the public hearing.

Motion to continue the Public Hearing until next month by Dave C., second by Dan P., call of the roll with unanimous Aye (7-0)



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Point of Order – The Public Hearing wasn't opened on this application. The Board will need to reschedule the Public Hearing and not continue it. The last vote is nullified by the Chair as a Point of Order.

Motion to postpone the Public Hearing until the Applicant has provided the required documents and information and until the Board can assume Lead Agency made by Max S., second by John K., call of the roll with unanimous Aye. (7-0)

Other Business:

Motion to accept and approve the 2022 Schedule of Planning Board Meetings made by John K., second by Max S., call of the roll with unanimous Aye. (7-0)

Motion to accept the Minutes from the November 2021 Planning Board meeting made by Dan P., second by Max S., call of the roll with unanimous Aye. (7-0)

Bennet Solar SUP/Site Plan: The developer has chosen to allow their Special Use Permit and Site Plan approval expire and they will not be seeking an extension. No further action is required of this Board for this project.

Ramaty Subdivision – Minor Subdivision approved in 2010 – Old Runway Road (Off Peak Road)

Report by Tracy K.:

- This is an old subdivision where the approval called for a CPS7 and an HOA. The Town is moving away from these conditions for Subdivisions in favor of Road Maintenance Agreements.
- There are 4 lots that will access from the common private road. The private road has been inspected by the Town Engineer and the Highway Superintendent and has been deemed to meet the standards.
- My recommendation is to re-open the Subdivision application, schedule a public hearing, and to amend the approval to rescind the requirements for CPS7 and HOA and instead require a Road Maintenance Agreement. There is one lot that has a house built upon it, and all lots are owned by the same owner. There will be a condition placed upon the undeveloped lots that no Building Permits are to be issued until the Planning Board completes its amendment to the Approval for the Subdivision.
- Marbletown followed these requirements previously and it doesn't in keeping with the Town Plan. The CPS7 and HOA is very cumbersome for minor subdivisions.
- The Board will more than likely find other Subdivisions that are like this as it moves forward

Motion to schedule a Public Hearing for the subdivision owned by Han, previously the Ramaty Subdivision, on January 10th, 2022, made by Max S., second by Harry H., call of the roll with unanimous Aye. (7-0)

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

Meeting Adjourned

6:25 p.m.



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Draft Minutes Submitted 12.20.21

Minutes Approved 1.10.22

Shawn Marks

Approved 1.10.22