



**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  
January 10<sup>th</sup>, 2022**

**Call to Order**

**6:06 P.M.**

**Pledge of Allegiance**

**Announcements/Discussions**

1. Scott Boyd will be a Voting member for tonight's meeting.
2. Sign Law – Board will formulate a focus group in order to draft suggestions for a revision of the Sign Code. This revision will focus on signage sizes, permitted uses in specific zoning districts, and lighting.

**Quorum:**

Members Present

Paris Perry  
Max Stratton  
John Kotsides  
Dave Cobb  
Sharon Klein  
Scott Boyd (Voting Alternate)

Members Absent

Dan Proctor  
Harry Hansen

Town Staff Present

Shawn Marks  
Tracey Kellogg, Esq.

**New Business:**

**1.) Blatt Minor Subdivision – 2021-11 SBD – New Application**

136 Bush Road, Stone Ridge NY, 12484  
SBL: 10.27 Ac; A3 Zone  
Minor subdivision of 1 parcel into 2 separate parcels

Project Lead: John Kotsides

Representing the Application: John Heidecker & David Wallis

Project Overview, Project Details, and Board Discussion:

- Single parcel with existing dingle family residence to be subdivided into two parcels.
- Residence was stricken by fire several years ago and remains vacant
- Parcel to be created will also be for residential use
- EAF flags for wetlands, archeology, and endangered species
- 10.27 acre, to be divided into two parcels: 6.7 and 3.5 acre approximately
- Proposal conforms to Zoning Code



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The Board discussed the application, the Sketch Plat, SEQRA, and made request for additional information and additions to the Sketch Plat

David Wallis (Property Owner)

- Wishes to thank the Town for all their help and support since the fire at his residence
- We have Joe Diamond already lined up to complete a Phase 1A/1B Archeology Study

John Heidecker (Applicant/Surveyor)

- We'll add a proposed reserve septic area and define the slope/grade of the driveway
- We'll add and delineate the wetland area on the Sketch Plat

Tracy Kellogg (Of Counsel)

- Inquired about the 50-foot buffer on the Sketch Plat and offered advice to the Surveyor and Applicant regarding how to name, label, and incorporate the buffer without the potential of having to file an easement.

***Motion to classify Blatt Application as an Unlisted SEQRA Action by Max S., Second by Dave C., Call of the Roll Unanimous (6-0)***

***Motion to circulate for Lead Agency; provide notification to the DEC, Army Corp, SHPO, Vly Atwood Fire District, Town Highway, Fish and Wildlife, and DEP, made by Maxx S., second by Sharon K., call of the roll with Unanimous Aye. (6-0)***

***Motion to set a Public Hearing for February 2022 meeting made by John K., Second by Maxx S., Call of the Roll with Unanimous Aye. (6-0)***

**2.) Ramaty Subdivision – Request for Modification to Conditioned Approval – Public Hearing**

Application and Modification Request overview – Paris Perry & Tracy Kellogg

- At the time of the Subdivision approval in 2008, a cumbersome condition for CPS7 and Homeowners Association was placed on the Conditioned Approval. Subdivision is on Old Runway Road, a private rural road.
- Applicant/Property Owner is requesting modification to replace the CPS7/HOA requirement with a Road Maintenance Agreement
- The Planning Board implemented the utilization of Road Maintenance Agreements as a fiscally sound alternative to the cumbersome CPS7/HOA for minor or small subdivisions.
- The Applicant owns all the parcels that would be entered into the Road Maintenance Agreement
- The Road is not to be dedicated to the Town.

***Motion to open the Public Hearing made by John K., second by Scott B., call of the roll with Unanimous Aye. (6-0)***



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Stuart Karle – Owner of “Lot #1” in the Ramaty Subdivision Approval

- Our property extends up to and touches the cul-de-sac on Old Runway Road. We’re here to find out if this changes any of our rights, responsibilities, or potential access to Old Runway Road.
- We have access to our parcel via Leonardo Drive, which connects to Peak Road. Currently, we have no intention of accessing our lot from Old Runway Road, but in the future if we chose to subdivide our property, we’re looking to find out how this would affect possible access from Old Runway Road if that was the most logical access point.
- As our property abuts it, do you have to be a part of the agreement? As the subdivision exists now, do we have access to it now?
- It appears that its not clear that we need to be a part of the Road Maintenance Agreement, and we’re not sure if there is deeded access, but it would be best for us to check into whether we do or do not. I believe it may not make any sense, but we do have this piece that connects with Old Runway Road. We’ll go back and check if we have any rights to it. I would have figured that it would have been automatic given the nature of the Subdivision and the 5 lots as a whole.
- I would like to have access to this. I’ll investigate if we do have access now, and if not, I’d like to be a part of it.

Tracy Kellogg – Of Counsel

- From the deed, currently, I do not believe that you have outright formal rights to the access. Old Runway Road is not contemplated in your deed. The deed does mention, however, “access to the adjoining road”. The way this lot was created, I don’t think it was theoretically part of the HOA.
- Overall, the deed is questionable, but no outright access, easement, or right of way is established in the deed.
- If Lot 1 were to be subdivided, it may impact the existing Ramaty Subdivision. The problem with the subdivision, they structured it as if there were to be an HOA. The HOA was never established. Problem and question are that it is not showing in the deed to Lot 1.
- The owner of the properties that comprise the Ramaty subdivision are looking to sell those lots. They, as it stands now, can not sell them because the HOA/CPS7 have not been established.
- Han has created a Road Maintenance Agreement between the owner and would be owners of the lots that are part of the Ramaty Subdivision; lots 2-5. They have come to terms for the agreement.
- My conversation with Mr. Han is that they got caught in a situation where he purchased property that has multiple lots, but did not have the structure, no HOA. There’s no real justification for forming a HOA for a road accessing this number of lots. The idea is to come to the Board and replace the HOA/CPS7 with a Road Maintenance agreement to share the cost and maintenance between the 4 lots that Old Runway Road directly provides access to.
- If Lot 1 wants to come back and subdivide their parcel, nothing changes with what’s going on with Old Runway Road. There’s currently access from Peak Road to their parcel. However, if they wish to use Old Runway, they’ll need to be a party to the Road Maintenance Agreement.

Paris Perry



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- It appears that if they were to subdivide, they would need to be a part of this agreement given the parcels size and the potential for 11 additional lots.
- We may not have all of the information we need. It appears Lot 1 would have a right to have access to the parcel from Old Runway Road. Lot 1 may need to be a part of the Road Maintenance Agreement.
- If you include Lot 1 into the subdivision, that would have made it a Major Subdivision.
- There does need to be a Road Maintenance Agreement, that's where this does ultimately needs to head. I believe we should table this until we have more information to make a decision and ensure the future of Lot #1 isn't going to be detrimentally impacted. We need to confirm whether Lot 1 does already have access or not.
- I'm in agreement that the CPS7 is a burden and that the Road Maintenance Agreement makes more sense for this project. We'll need to clear up the access complications before we can move on it.
- They should be a party to the Road Maintenance Agreement, and in the future if they decide to access form Old Runway Road, they will then have to pay their share into the care and upkeep.
- There should be a conversation between lawyers and a legal document established. The Board will need to see the Road Maintenance Agreement so it can make its decision.

Ms. Karle

- Is this being driven by Mr. Han as a step towards the sale of Lot #2, and are there terms that he is proposing?

Stacy Sindt

- I came to see the CPS7 get tossed. This is part of Mike's debacle in making them do things that they didn't really need to do. It sounds to me that the owner, Han, that's what he wants, to be able to have the Road Maintenance Agreement and not have to do the CPS7.

***Motion to table the Ramaty Subdivision Modification request and continue the application at the February 2022 Planning Board Meeting made by Scott B., second by John K., call of the roll with Unanimous Aye. (6-0)***

**Old Business:**

**3. 4329 Route 209??**

Review of the Application and project progress – Paris Perry

- We re-circulated to Ulster County Planning Board with the additional details and revised site plan submitted. Awaiting their response.
- We should be able to move forward with a Public Hearing at next month's meeting with the details that have been provided. If the UC Planning Board has additional required modifications or assumes Lead, we may not be able to open the Public Hearing depending on what additional information is needed.
- Project is compliant with Zoning Code so far in its review.



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Doug Posey – Applicant – Overview of the Project and the Application

The Board discussed the project with the Applicant. The Applicant walked the Board through the proposal, discussed the Site Plan on the overheard, and answered the questions and concerns of the Board.

- Proposing lodging of 10 guest rooms in the back and Accessory Building in the front.
- For visual and aesthetics, the accessory building will appear to be the only building on the site. Majority of the parking is out of view from Route 209.
- We proposed this site to have 5 separate buildings to meet the B2 zoning requirements of 4,000 square feet. The Accessory building is 3 separate buildings, and the lodging will be 2 separate buildings.
- Setbacks and parking have been designed to meet the Zone requirements as well. We intend to have a single entry point across from Lydia's Deli. We've been in touch with the DOT engineer, and they are going to come walk the site and provide feedback as to what requirements may be needed for sight distance on Route 209.
- We designed the site to have circular access for Fire Apparatus with an area for them to access the entire site from the access road and to turn around.
- The Accessory Building is going to be utilized as a meeting space, market space, weddings, hotel ballroom, coworking space. Any food service will be outside service, licensed caterers.
- The site and buildings are designed to look like one of the Barns you would pass while driving down Route 209. We're looking to keep the site impact as minimal as possible. As the site is mapped out currently, there will be no clearing, and all of the existing trees stay. We'll be adding a berm to help screen the parking from the roadway.
- The two lodging buildings will have pitched roofs, 2:12.
- We are in discussion with North River about the possibility of a Net Zero building, but as the plans stand now, are very low impact. Local sourcing of materials and energy conserving construction plans. We insulate to use heat pumps.

Shawn Marks – Code Enforcement

- We'll be looking at the Site Plan to ensure compliance with State Fire Code with Emergency Vehicle Access and Fire Suppression requirements based on proposed occupancy and uses. Dave and I will report back to the Board and to the Applicant.

Paris Perry

- We'll be looking for 90 Db in the proposal. The Board would like to see an adjustment in the proposal to meet the standard used in other property throughout the Town.

***Motion to set a Public Hearing for the February 2022 Planning Board Meeting made by Sharon K., second by John K., call of the roll with Unanimous Aye. (6-0)***

Daisy Foote – Town Board Liaison to Planning Board



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- The general feel of the place are the rooms there for the people who are using the event space only, or open to others as well?

Doug Posey – Applicant

- Anyone can book a room and come to stay. If you look up “Audrey’s Farmhouse” on the internet, that will give you a good representation of our operation and our intent with the property. We’re on Route 32 just outside of the Town of Plattekill.

The Board engaged in discussion about the Zone/District design standards, Town Code, and its application to the proposed site plan and project details.

**Other Business:**

1. Approval of Minutes

***Motion to approve the December 2021 Planning Board meeting minutes by Dave C., second by Maxx S., Call of the Roll with Unanimous Aye. (6-0)***

2. Sign Law

- The Board returned to their discussion regarding the Sign Law focus group project.
- Discussion of potential revision of District Zone Designations and their accompanying acreage requirements and design standards. Revision to create better congruency to the district numbering and the acreage requirements and permitted uses.
- Dave Cobb will take up the R3 and R3A\* districts in the Sign Law focus group.
- Discussion on internally lit or digital programmable signage possibilities

*\*R3A is a proposed revision to District Labeling in Town Zoning Code being discussed*

***Motion to adjourn the meeting Sharon K., second by John K., Call of the Roll with Unanimous Aye (6-0)***

**7:20 P.M.**

Draft Minutes Submitted 1/16/2022

Shawn Marks

Approval by unanimous Vote February 14<sup>th</sup>, 2022