



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

February 14th, 2022, Approved Meeting Minutes

Meeting Called to Order by Chairman Perry

6:05 P.M.

Pledge of Allegiance

Quorum:

Members Present – Paris Perry, John Kotsides, Dan Proctor, Dave Cobb, Sharon Klein

Board Members Absent – Max Stratton, Harry Hansen, Scott Boyd (Alternate)

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements & Communications:

Applications:

1.) Pra Minor Subdivision – 2021-07 SBD – 4 Lot Minor Subdivision – Public Hearing Cont'd

Dave Cobb – Application Point:

- Received all documentation required including SHPO response
- Public Hearing is still open
- Application is ready for the EAF Part 3 and Determination Consideration

Call to the Public for Questions or Comments – No Response

Motion to close the Public Hearing on the Pra SBD Application made by Dan Proctor, second by Dave Cobb, call of the roll unanimous. (5-0)

The Board reviewed and discussed EAF Part 2 and EAF Part 3 Short Form

Motion to accept EAF Part 2/3 made by John Kotsides, second by Dan Proctor, call of the roll with unanimous Aye. (5-0)

Motion to accept the Determination and grant Conditioned Approval made by Dave Cobb, second by John Kotsides, call of the roll with unanimous Aye. (5-0)

2.) Blatt Minor Subdivision – 2021-11 SBD – 2 Lot Minor Subdivision – New Public Hearing

John Kotsides – Application Point

- The Board has everything we need to move forward

Motion to open the Public Hearing for the Blatt Application made by Dave Cobb, second by Sharon Klein, call of the roll unanimous Aye. (5-0)

Call to the Public for Comments or questions – No Response



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Motion to close the Public Hearing for the Blatt Application made by Dan Proctor, second by Dave Cobb, call of the roll with unanimous Aye. (5-0)

The Board reviewed and discussed the EAF Part 2 and Part 3 Short Form

Motion to Accept EAF Part 2 and Part 3 Short Form SEQRA made by Sharon Klein, second by Dan Proctor, call of the roll with unanimous Aye. (5-0)

The Board reviewed and discussed the Draft Determination

The Board discussed the grade of the proposed driveway access and established a Condition for Fire Department and Code Enforcement Review and Approval.

Motion to Accept the Determination and grant Conditioned Approval to the Blatt Subdivision made by Dan Proctor, second by Sharon Klein, call of the roll with unanimous Aye. (5-0)

3.) 4321 Route 209 – Audrey’s Farmhouse – Hotel and Accessory Structure - New Public Hearing

Paris Perry – Application Point:

- Proposal for Hotel and Multiple Uses in the B2 District/South
- Proposal is for 5 Buildings total: 2 buildings to house the Hotel, 3 Buildings for Dance Hall, Banquet Hall, Storage, and Limited Food Service
- Parking Area and Fire Apparatus Access Lanes to be included
- Enclosed structure is where proposed “programming” is being proposed.
- The Board will be reviewing the Application and Site Plan for the District Design Guidelines and Code Compliance

Motion to open the Public Hearing made by Sharon Klein, second by John Kotsides, call of the roll with unanimous Aye (5-0)

Motion for the Planning Board to act as Lead Agency made by Dan Proctor, second by Dave Cobb, call of the roll with unanimous Aye. (5-0)

Motion to classify the Application as SEQRA Type I Action made by John Kotsides, second by Sharon Klein, call of the roll with unanimous Aye. (5-0)

Doug Posey – Applicant: Provided Overview of the Application

- We operate 2 other sites under the brand “Audrey’s Farmhouse”
- Corporate retreats, banquets, public fundraisers, meetings, weddings, small music events
- We do these in a “lodging setting” so that program organizers stay on site all weekend, primarily a weekend operation



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- 4,000 square feet of accessory building in the programming space. 20 guests across 10 guest rooms
 - Traffic control plan with flaggers as needed; no real increase in volume on 209
 - Site is proposed to be visually congruent with the character of Marbletown
 - Design of buildings with attention to detail of Marbletown character to provide minimal visual impact
 - Emergency Vehicle Access discussed with Building Inspectors
-
- Using about 5 acres of 14 acre. Disturbance will be over 1 acre, so we'll be doing a Stormwater Prevention Plan. We are cognizant of the Kripplebush Creek and plan for protection of creek and bed
 - We welcome your comments on the project. It's the beginning of a process and we are looking forward to working with the town and the community. We live in the area, Rosendale/New Paltz.

Call to the Public for Comments and Questions

Kathy Orchen:

- Has There been a feasibility study done? Elmrock was for sale, Innis is opening, there's Rondout Valley, the Granite Hotel? Seems like many places are closing. Why are we recreating something that we already have that aren't being sustained? Is there a true demand for this sort of facility?

Ken Paulson: Hillside Drive

- My major concern is the water table, the aquifer. We get ½ gallon per minute at 330 feet. I'm also concerned about runoff with the stream
- Concerned about the noise from the vents.
- I still don't understand the layout, of the buildings
- I'm a commissioner for the Kripplebush Fire Department. We're having a terrible time with manpower. I don't know if they will get fire insurance. I'd be happy to discuss this another time, the situation we're in

Chairman Perry described the details of the proposed structures and provided information about the SEQRA process which will address concerns relating to runoff, the creek, the water table, and noise.

Mark Usvolk: Old U.S. Highway 209 / Lydias Deli

- Where is the entrance in relation to Old U.S. Highway 209?
- Will there be onsite kitchen facilities?



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Chairman Perry: My understanding is that food will be brought in and there will be no cooking on site.
(The proposed entrance was pointed out on the projected Sketch Plan)

Bill Terpening: Cherry Hill Road – (Read excerpts from a letter submitted into record)

Topics covered:

- Town Board has taken no action to address Zoning Code for Special Events
- Definitions of Hotel, Residences, Accessory Uses; Occupancy Classification
- Zoning Code does not provide for Event Space under Hotel as use or accessory use; not a permitted use; Schedule of Use; grandfathered event spaces
- Mixed Use

Chairman Perry:

- I chaired the “Brownlie” appeal. That decision was in reference to outside or “open air” events spaced to include tents and other outdoor uses
- This proposal is for indoor space; a Dance Hall or Limited Food Service are permitted uses in the B2; this is not the same thing as the open-air events
- We’re entertaining this idea as the proposed uses collectively are all permitted uses in the B2 district with either Special Use or Site Plan

Dean Short: (Hillside Drive)

- What kind of sewage disposal plans are proposed? Adding a couple hundred people at an event will necessitate the need for water and sanitation
- Concerned how much water will be used at the site; we’re all on well water in the neighborhood

Chairman Perry: The septic and water will be addressing in the SEQRA process. There will be a need for approval of septic plans by the Ulster County Health Department

Diane Paulson: (Hillside Drive)

- The stream running down along the property goes past our house.
- It’s always been, if you have 2 bathrooms, you can only have 3 bedrooms? How can you all of sudden have 100 people coming in every weekend? I’m trying to understand. The project sounds beautiful, but for me, I just don’t know how its all going to work with septic systems and wells
- I’m also concerned about the noise level. No outside activities, I was glad to hear there’s no tents



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Chairman Perry: An example with the wells, with High Meadow, we had a meter put on High Meadows water system and recorded monthly. If there were problems with neighbors having low water, we would see what the use was at High Meadow. That would be a mitigating factor. If it became a problem, we would ask the hotel to bring in water sources. This worked with High Meadow and has been working.

Doug Posey: Applicant (42:50)

- The water supply and sewer will need to be approved by the Ulster County Health Department and their engineers. At one of our other sites, we have a 2,200-gallon water storage in two 1,100 gallon tanks. If the water table runs low, or we out serve our well, we have a water delivery made by Troncillito Water company. They bring in a truck load of water and refill our tanks with 2,200 gallons. If we need more water, we arrange for another delivery of the water. The water can be brought in to manage a situation that may arise.
- We do need to do a well test to determine the yield and will make arrangements based on what the well test results and findings. We do have some options we can implement to support the use.
- We have a septic and reserve area laid out on the Site Plan and this will need approval by engineers. The area itself is about 6 acre and is quite a large area for a drain field.

Kathy Orchen: What about the demand on the electricity? We're in an area that loses electricity easily. Will they have a generator? How will they handle outages? Can our, can out system take this much demand?

Dave Cobb – Board Member: (expertise in electrical grid)

- There's plenty of capacity in the electrical grid. This proposed project will have zero effect on your service. They will have and you will have plenty of service.
- The outages that you refer to are almost always related to a storm.
- This is not an industrial load; not a concrete plant or something extreme, so there will be no impact on the delivery of service.

The Board reviewed, discussed, and completed SEQRA EAF Part II

Detailed discussion relating potential impact on Viewshed; screening, setbacks from roadway, and adjacent properties in the Rest Plaus Historic District

The Board deemed all potential/actual impacts to be either "Small, or No Impact". No "Moderate or Large" impacts noted by the Board.

(For a copy of the approved EAF Part II contact the Planning & Zoning Office)

Motion to accept and approve SEQRA EAF Part II as discussed and completed made by John Kotsides, second by Dave Cobb, call of the roll with unanimous Aye. (5-0)



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Motion to continue the Public Hearing until March 14th, 2022, made by Dan Proctor, second by John Kotsides, call of the roll with unanimous Aye. (5-0)

4.) Hasbrouck House Special Use Permit

Chairman Perry: The Public Hearing for this application has been held open at the call of the chair. We've received some additional information and documentation and I'd like to Call Open the Application and the Public Hearing.

The Board reviewed, discussed, and completed SEQRA EAF Part II

Detailed discussion on the Bog Turtle; flagged on EAF but response from DEC did not address it. Bog Turtle removed from the SUP portion of the project, no impact.

The Board deemed all potential/actual impacts to be either "Small, or No Impact". No "Moderate or Large" impacts noted by the Board.

(For a copy of the approved EAF Part II contact the Planning & Zoning Office)

Motion to accept and approve SEQRA EAF Part II of this Type 1 Action made by Dan Proctor, second by Dave Cobb, call of the roll with unanimous Aye. (5-0)

Chairman Perry - The following SUP items have been addressed by the Applicant in providing requested details and documentation which the Board reviewed:

- Maintenance Shed will have historic guidelines in its design. Setback 100 feet. Potential for screening will be reviewed by Board members
- Screening for the parking lot will be reviewed by the Board to determine if additional screening is needed
- Stone Ridge Fire Chief has reviewed and approved the Emergency Vehicle Access Gate plan
- The turn radius and dimensions for Lot 7 have been reviewed

Shawn Marks: Codes Official

- Awaiting confirmation on the turning radius from the parking lot onto the access road (to and from) for Fire Apparatus. Calculations and design being worked on by North River. Revisions to be provided based on findings

Stephanie Bassler: North River – Applicant

- The SWPPP review is pending with answers to the most recent Peak review letter, and we should have a final product at the next meeting
- Letters for "Noise Problems", definition of Event, and letter for total number of guests was addressed and provided to the Board. If there's any comments or response for that let me know
- Answers to definition of Event was taken from the previously approved Site Plans for the site, if there's additional information required, please advise



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Call to the Public for Comments and Questions

Peter Macdonald – Leggett Road (Confirmation required)

- For clarification, is that a letter that was previously sent to neighbors, or is to be sent to neighbors?

Stephanie Bassler: It was requested in format as to what will be communicated to neighbors. It's a letter to come.

David Cutler: Lamberti Lane

- So that would include any of us on Lamberti Lane?

Shawn Marks: The letter will go out to all parcels within 500 feet of the Hasbrouck House Parcel. That will include Lamberti Lane.

Elizabeth Ryan: Stone Ridge Orchard

- Bog Turtles have been previously identified either in the area or on the site. I want to suggest that they are hard to find and elusive. One presumes the DEC is very good at this. I'm surprised to hear about the Bog Turtles
- I've asked for clarification on the viewshed impacts and the clearing of trees. I've offered to walk the site and I very much would still like to do that

Chairman Perry: The Bog Turtle is not part of the SUP. When we address the Subdivision, we'll address the Bog Turtle again.

Stephanie Bassler: We submitted a, Endangered Species and Habitat Study a while back. That should have the Bog Turtle addressed therein

The Board reviewed, discussed, and completed SEQRA EAF PART 3

The entirety of the SUP is within the Main Street Historic District. The Application for Building Permit on the Maintenance Shed will need to be referred to the Historic Preservation Commission as a matter of Town Code. (Added to Part 3 EAF as Mitigating Factor)

The Board deemed all potential/actual impacts to be either "Small, or No Impact". No "Moderate or Large" impacts noted by the Board. A Negative Declaration was made.

(For a copy of the approved EAF Part III and Negative Declaration contact the Planning & Zoning Office)

Motion to accept and approve SEQRA EAF Part III and to issue a Negative Declaration made by Sharon Klein, second by John Kotsides, call of the roll with unanimous Aye. (5-0)

The Hasbrouck House Special Use Permit Application will be carried to March 14th, 2022, for continuance of the Application Process



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5.) Hasbrouck House Subdivision

The Board read, reviewed, and completed SEQRA EAF Part II for the Hasbrouck House Subdivision

The Bog Turtle will be contemplated in the Subdivision Review. Additional research will be completed and reference to the Habitat Endangered Species Study which was submitted by the Applicant will be reviewed.

A condition provided by SHPO at the conclusion of its impact review is noted and included condition is in regard to screening from the Subdivision.

Elizabeth Ryan: Stone Ridge Orchard

I have a question about this. I find that there will be no impact to the viewshed, I find that surprising. I also find the letter from OPR, or whatever the acronym, received by the Town, that there will be no impact. I find that surprising. If I want to open a conversation with SHPO? If one disagrees with this, is it a letter to SHPO? I think that they may not have been aware of the scope of the project and the impact on the adjoining property. Is that in the public record?

Shawn Marks: It's a letter from SHPO after their full review of the Subdivision and its potential for impact. As a SEQRA response, they have determined that there will be no impact to the Historic District as proposed. If you would like to discuss that with SHPO, you can certainly contact them. The letter is in the public record, and you can request a copy of it by contacting Town Offices.

Sharon Klein: To be clear, you're objecting to the viewshed comment?

Elizabeth Ryan: They're under a lot of pressure and I don't think they have an understanding of the potential impacts if a Trail is placed through the Orchard. Those viewsheds. I suspect they're probably not aware of them. I'd be happy to make them aware. If the trail goes through?

Paris Perry: SHPO is not concerned with neighbors looking at other neighbors. It's the historic district as the factor. With the trail, that could have been done tomorrow, and nothing is being done with it whatsoever, I know that factually. There's nothing going on with a trail currently.

Motion to approve SEQRA EAF Part II made by Dan Proctor, second by Dave Cobb, call of the roll with unanimous Aye. (5-0)

David Cutler: Lamberti Lane

- The impact on noise, air, and light; is that in respect to neighbors?

Paris Perry: That applied to SUP's. The board doesn't have any jurisdiction with that when it comes to Subdivision. We can't control the building of housing on any subdivision.

The Board reviewed, discussed, and completed SEQRA EAF PART 3



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The entirety of the SBD is within the Main Street Historic District. The Application for Building Permits on the Homes will need to be referred to the Historic Preservation Commission as a matter of Town Code. (Added to Part 3 EAF as Mitigating Factor)

Thee Bog Turtle is contemplated in this EAF

Pollinators: Discussion

Sharon Klein: Other municipalities are requiring pollinator gardens to be included in projects. Something we should consider enacting change. Can we ask them to replace habitat with other plantings? I realize that its not in the Code or written anywhere. It was brought up that there would be 38 species of pollinators impacted. A mitigating factor could be plantings and it would be good for the developers and the community.

Dan Proctor: It's a good point. Historically the Board has not addressed this during the SEQRA process, but discussion should be had moving forward on how the Board would like to handle that.

Paris Perry: In taking down trees to build a house, would we be looking to ask them to plant flowers or other trees? As devil's advocate, what other subdivisions have we required it? The pollinators were brought up 6 months ago and a study was proposed to be completed. We have not seen any data and no study was provided. Without data, I feel the Board doesn't have teeth to enact anything on this application.

John Kotsides: We should look into what other municipalities are doing to get a sense for what's possible for this in the future and what's being done elsewhere.

Tracy Kellogg: With some of the buffering and screening, you can ask to plant native flowering flora to fit that need.

Paris Perry: We have some time to work on this. Let's come up with a plan and work forward. We have discussed pollinators with Solar Farms, but not with Subdivisions.

Stephanie Bassler – Applicant: We support the health and benefits of maintaining pollinator habitats, but I don't think any study exists for the habitat features on this particular property. We have not seen any identification of vegetation that supports pollinators. We don't have a manner to confirm or quantify any impacts for this property. We support this but would not want to apply a metric that isn't specific or that will be beneficial.

The Board deemed all potential/actual impacts to be either "Small, or No Impact". No "Moderate or Large" impacts noted by the Board. A Negative Declaration was made.

(For a copy of the approved EAF Part III and Negative Declaration contact the Planning & Zoning Office)

Motion to accept and approve SEQRA EAF Part III and to issue a Negative Declaration made by Dan Proctor, second by John Kotsides, call of the roll with unanimous Aye. (5-0)



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Elizabeth Ryan - Stone Ridge Orchard: I brought 2 pollinator studies to the first hearing and provided them. They were done at the adjoining property done by Cornell Cooperative and the Farm Hub. There is resources on this topic at the DEC. Remarkably, there's data specific to this site.

Paris Perry: The data that you gave me was a generic study of Pollination. You didn't provide anything that was specific to Stone Ridge. With due respect, you said you were going to provide a study and data 6 months ago and have not provided any information since. The process does have to keep moving along.

Elizabeth Ryan – Stone Ridge Orchard: I have the data; I'll email it to you tomorrow.

The Board reviewed and discussed the revised Subdivision Sketch Plat outlining the Proposed Lots, the Roadway, updated Emergency Vehicle Turnaround and Pull Offs, easements, screening, Road Maintenance Agreement, and the revised layout. The Road was previously its own parcel, and the Road is not attached to the individual lots 1 through 4.

Paris Perry: There was a lot of discussion regarding the layout and placement of the Roadway on this Subdivision. The proposed plan meets Town Code and Fire Code. The final decision is up to the Hasbrouck House, and they have decided that as the plan presents now is their choice for the location and placement of the Roadway. There is still consideration being given to appropriate screening along the roadway.

Call to the Public for Comments and Questions

David Cutler – Lamberti Lane: For the Conservation Subdivision, there's a certain percentage that needs to be protected and kept as open space, what was that number?

Paris Perry: With the Conservation math, they would potentially be allowed 15 lots and they are proposing 6 lots. The specific calculations are provided on the Sketch Plat.

Tracy Kellogg: It's a robust formula that was verified by the Town Engineer and the Planning Board. The math and the breakdown are provided on the Plans.

Parris Perry: The Board and Code Enforcement also did the math, and it was referred for verification by the Town Engineer. There's the potential for 15 homes, but we're looking at 6.

David Cutler – Lamberti Lane: Another question, it's a blank slate project, nothing has been done yet, we've repeatedly talked about other options for the road, can you provide context for why the neighbors complaints were not taken into consideration in the final design?

Paris Perry: The Board did discuss the road at length and suggested alternate placement, but it's the developer's decision. It meets Code, and it's the Hasbrouck House's decision. There's nothing illegal about the placement of the Roadway. This is their final decision. The Board can only work within the Code and legal allowances.



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David Cutler – Lamberti Lane: What is the buffer and screening between where the road will be constructed and the neighboring property lines?

Stephanie Bassler – Applicant: Nothing has formally been voted upon yet, but in theory the Board has accepted the proposal to retain the existing vegetation between the property lines and the cleared shoulder of the road which varies in width from 10 to 40 feet of buffered reserved lightly wooded area. I don't believe the Board has given a request for screening along there because there's no jurisdiction.

Paris Perry: Correct. The Board doesn't have jurisdiction on a Subdivision roadway screening.

David Cutler – Lamberti Lane: The Board doesn't have the ability to mandate screening for the neighbors privacy?

Paris Perry: We don't believe so. We will look into the details of it to see if we're allowed to do. But we may suggest that some items be planted in there. We have to find out if we have legal jurisdiction on that, we'll need to look into it and get an answer as to if we can require it.

David Cutler – Lamberti Lane: Is there any way to have this conversation with the client to say maybe do the right thing and do these plantings so you don't disturb your neighbors?

Dan Proctor: I think we're having that conversation right now.

Paris Perry: With a SUP, yes, we can require it. With a Subdivision, I don't know for sure.

Motion to continue the Public Hearing to March 14th, 2022, made by Dave Cobb, second by John Kotsides, call of the roll with unanimous Aye. (5-0)

Other Business:

1. Approval of Minutes: January 2022

Motion to approve the submitted minutes for the January 2022 meeting made by Dan Proctor, second by Dave Cobb, call of the roll with unanimous Aye. (5-0)

2. Sign Code Revisions – Ongoing Board Discussion

The Board continued discussions on revisions to the Town Sign Code; the following items were covered:

- Sign sizes in Residential District; R3 and A3
- Allowances for size and style of Agricultural Signage
- 911 Address on business signs
- Previous PZC recommendations
- SR & B1 sizing; 20 Square Foot Face
- Uniformity is the goal of revision
- Directional Signage
- Graphics and Artistic Signage



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- Home Occupation Signs in and outside of B District
- Freestanding Sign Setback from Roadway – 25 Feet
- Sign Height – relation to face square footage
- 911 numeric exception to calculation of sign face size

***Motion to adjourn made by John Kotsides, second by Sharon Klein, call of the roll with unanimous Aye.
(5-0)***

Meeting Adjourned

8:23 p.m.

Final Approved 3/14/22

Shawn Marks

APPROVED