



**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
July 11th, 2022

Meeting Called to Order by Chairman Perry

6:03 P.M.

Pledge of Allegiance

Quorum Call:

Present – Paris Perry, Harry Hansen, Max Stratton, Dan Proctor

Absent – Sharon Klein, John Kotsides, Scott Boyd, Dave Cobb

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications:

- Correspondence received from Planning Board member John Kotsides submitting a resignation from the Board effective 7/11/22

Business:

1.) 2022-02 LLA: Goodwin/Old Lucas Tpke Lot Line Adjust. – New Application

Applicant: Barabara Goodwin & Old Lucas Turnpike LLC

Agent: Barbara goodwin

250 Hidden Valley Road, Kingston, NY, 12401

300 Hidden Valley Road, Kingston, NY, 12401

SBL: 54.4-3-55 & 54.4-3-51; A4,

Conveyance of 3.3 +/- from Lot 55 to Lot 51

Paris Perry provided a summary overview of the Application request

The Board discussed and reviewed the Lot Line Adjustment Plat being considered for Approval

Applicant and Agent Barbara Goodwin provided answers to the Boards questions pertaining to frontage, existing structures, and acreage being conveyed

The Board noted that this conveyance will now make an existing non-conforming lot, conforming

Motion to classify the application as a Type II Action under SEQRA made by Max Stratton, second by Harry Hansen, call of the roll with unanimous aye. (4-0)



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The Board reviewed and discussed the drafted Determination and Resolution.

Motion to Approve the Lot Line Adjustment made by Dan Proctor, second by Harry Hansen, call of the roll with unanimous aye. (4-0)

2.) 2022-03 SP – 2303 Lucas Ave LLC – Hair Salon Site Plan – New Public Hearing

Applicant: 2303 Lucas Tpke LLC; c/o Klay Stack

2303 Lucas Tpke, High Falls, NY, 12440

SBL: 70.9-2-22; B2, 0.62 Ac.

Change of Use from Eating/Drinking to Personal Care Services

Applicant/Owner Klay Stack is in attendance to represent the Application

Motion to Open the Public Hearing made by Harry Hansen, second by Dan Proctor, call of the roll with unanimous Aye. (4-0)

Max Stratton provided a review of the Application and the Board discussed the Application and Site Plan with the Applicant:

- Parking: Remains tight, but the proposal is Code compliant with the required number of spaces for the retail space, the dwelling units on the second floor, as well as the required ADA spaces
- Applicant provided additional information on the 1st floor renovation, the new floor plan after the renovation, and the total square footage of the 1st floor retail space
- Salon customer floor space is 650 square feet; total retail floor space is 2,000 square feet; the Board will ensure adequate parking for all possible parking spaces
- The Board verified the 15 spaces proposed will cover the entirety of the 1st floor Salon and Retail space with the loft area above
- Parking along the ROW of Lucas Turnpike has been mitigated with the placement of signage and parking curbs; signage noting "one way" traffic with an entrance at Lucas Turnpike and the exit at Route 213

Call to the Public for Commentary:

John Hoover – Jake's Autobody – 2302-2304 Lucas Turnpike

- Has concerns about unauthorized parking in the lot at Jake's Autobody. Notes problems with parking and patrons of previous establishments on the parcel which is being reviewed by the Board



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- Wants the concerns to be on record and asks for assurances that there is enough parking and that whatever is approved, he will not need to come back to the Town with concerns
- Notes that the previous establishment never submitted for Site Plan approval, and that previous patrons were a nuisance and caused damage to his property; wants to know why the business is operating before coming to the Planning Board
- Notes that the owner of the property knows what the issue are and needs to make sure we don't have any problems

The Board took note of the commentary and concerns related to Parking. Additional mitigations were discussed and agreed upon with the Applicant.

Motion to Close the Public Hearing made by Dan Proctor, second by Max Stratton, call of the roll with unanimous Aye. (4-0)

The Board reviewed, discussed, edited, and amended the Determination and Resolution.

Motion to Approve the Site Plan Application with Conditions made by Harry Hansen, second by Max Stratton, call of the roll with unanimous Aye. (4-0)

Applicant to send a revised Floor Plan which reflects the total square footage of the entirety of the 1st Floor Salon & Retail area

3.) 2022-04 SBD: MC Atwood Minor Subdivision – New Application

Applicant: MC Atwood LLC; c/o Jarod Randolph

4606 Atwood Road, Stone Ridge, NY, 12484

SBL: 54.1-2-8, A3, 11.7 acre

Subdivision of existing 11.7-acre parcel into 3 separate parcels to be accessed over a shared driveway

Paris Perry provided an overview of the Application and the Proposal

Motion to classify the Application as a Type II Action under SEQRA made by Max Stratton, second by Harry Hansen, call of the roll with unanimous Aye. (4-0)

The Board reviewed and discussed the Application and proposed Sketch Plat with Bill Eggers, Applicant's Agent; the following topics were covered:

- Emergency Vehicle Access and Turnaround; width of access drive
- Total area of disturbance; SWPPP, Septic
- Size and layout of the proposed parcels; 1 flag and 2 rear conforming lots



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- Lots to be served by a shared driveway; requires ROW, easements, and Maintenance Agreement
- Bonding or assurances for infrastructure; Conditions of approval for access

Paris Perry: The Board will not formally Accept and Open the application at this time, additional information is required

Point of Order by Shawn Marks: If the Application is not being Accepted or Acted Upon by the Board at this time, the SEQRA Classification should be rescinded.

Motion to rescind the Application SEQRA classification made by Max Stratton, second by Harry Hansen, call of the roll with unanimous Aye. (4-0)

Applicant to provide a revision to the Sketch Plat and provide additional details requested by the deadline for the August Board meeting to be placed onto the agenda.

4.) 2022-03 SBD – Smith Minor Subdivision – New Public Hearing

Applicant: David Smith

Agent: Terry Ringler – Ringler Land Surveying

2456 Lucas Tpk, High Falls, NY, 12440

SBL: 69.4-1-59; R-1, 50.7 Ac

Subdividing an existing parcel of 50.7 acre to create 3 separate parcels

Terry Ringler, Licensed Surveyor, is in attendance as the Authorized Agent of the Owner

Motion to Open the Public Hearing made by Dan Proctor, second by Paris Perry, call of the roll with unanimous Aye. (4-0)

Harry Hansen, application point, and Terry Ringler provided a summary overview of the Application and the proposed Sketch Plat:

- Existing parcel of approximately 50 acre is proposed to be subdivided into three separate parcels. There's an existing residence on the parcel. Lots 2 and 3 are to be served by a shared driveway. The driveway is part of an existing 50-foot-wide ROW which starts at Lucas Ave and travels along the western edge of the abutting parcel. A new 25-foot-wide ROW is to be established and deeded across proposed lot #2 to serve the proposed Lot #3.
- Classified as an Unlisted Action at the last meeting and Circulated for Lead Agency
- Existing ROW requires Maintenance Agreement from all parcels served
- An Agricultural Data Statement is required



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- A Site Visit was conducted with the Applicant and plans for Emergency Vehicle Access requirements, pull offs, and turn arounds were discussed. Location of one pull off will be at the Rail Trail Crossing and access over the ROW to the Rail Trail will be granted to Town for maintenance of the trail and to Emergency Services for emergency access to the trail. Applicant to provide the materials and construct the pull off
- Location of Pull Off at Rail Trail will not be for public parking, nor will it be for standard access

Shawn Marks (CEO) and Terry Ringler discussed the proposed placement and type of Emergency Vehicle pull-offs, modified "Y", and turnarounds.

Tracy Kellogg and Terry Ringler discussed the existing ROW, easements, deeding, and proposed shape of Lot #3 on the Sketch Plat.

Motion to Declare Lead Agency made by Dan Proctor, second by Max Stratton, call of the roll with unanimous Aye. (4-0)

Call for Public Comments and Questions:

Joe Hassett – 2452 Lucas Turnpike – JRC Realty Holding LLC (abutting parcel)

- What will the location and size of the Fire Apparatus location be?
- We have a pond and overflow from the Aqueduct on that end of our parcel near the Rail Trail that fills up
- How will we all proceed to come up with a Maintenance Agreement for the ROW

Terry Ringler: All the parcel owners will need to sit with the Applicant and have that discussion. When these parcels were initially subdivided, there wasn't a maintenance agreement created.

The Board discussed the proposed relationship between the Rail Trail crossing, the Fire Apparatus pull off, and the ROW. The area to be used for the pull off shall only be accessed across the shared ROW for Maintenance of the trail and Emergency Vehicle Use and Access. Wording in the deeding or easement is to stipulate that there will not be a public parking area or trail head developed at the location.

The Board read, reviewed, discussed, and completed the EAF Part 2 SEQRA Review

Motion to accept EAF Part 2 made by Dan Proctor, second by Max Stratton, call of the roll with unanimous Aye. (4-0)

Motion to continue the Public Hearing to August 2022 at the Call of the Chair made by Max Stratton, second by Harry Hansen, call of the roll with unanimous aye. (4-0)



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5.) 2022-04 SUP/SP: Cherries Special Use Modification – New Application

Applicant: Lawrence O'Toole
4162-4166 US Route 209, Stone Ridge, NY, 12484
SBL: 69.2-3-36; 0.89-acre, R-1
Expansion and Modification of Site Plan for a Special Use Permit – Food Service

Diego Celaya and Josh Pulver in attendance for the Application; Applicant Lawrence O'Toole in attendance

Josh Pulver provided an overview of the Application and proposal to the Board:

- Unique site with mixed use of business and residential; existing non-conforming setbacks
- Proposal is to create a dining facility in an existing structure on the property; "building 3" on the proposed Site Plan
- No work proposed in relation to the residential Use
- Expansion of parking area to side and rear yard
- Creation of new seating area in the yard and in the existing structure
- Working on septic feasibility; existing septic will need revision

The Board discussed the proposal and the Sketch Site Plan with the Applicants:

- Front Yard Setback and ROW clearances for the proposed seating area in required front yard and State ROW. Location of proposed seating in the required front yard would require a variance
- Potential safety issue with the seating close to the road without screening or protection
- Parking Area screening and lighting requirements
- Curb Cut approval from DOT; residential to commercial access
- Parking requirements and needs related to square footage of customer space; protection of tenant parking area from customer parking
- Septic requirements
- Signage to direct parking; clear ROW and shoulder of Route 209

Applicant to provide a revision to the Sketch Plat and provide additional details requested by the deadline for the August Board meeting to be placed onto the agenda.

6.) 2022-05 SBD: Shirley Minor Subdivision – New Application

Applicant: Ariel Boles & Andrew Shirley
Agent: MECELS
504 North Marbletown Road, Kingston, NY, 12401
SBL: 62.1-3-1.212; B2, 9.5 acre
Subdivide an existing parcel of 9.48 +/- acre into 2 separate lots



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Bill Eggers for the Applications; Applicant Andrew Shirley in attendance

Bill Eggers provided an overview of the Application and the proposal:

- Existing 3 lots that were subdivided previously
- ROW from North Marbletown Road which carries over all three lots
- Subdivide out 3 acres out of the existing 9.5 acre of the 2nd parcel on the ROW
- The existing Lot that fronts on North Marbletown Road doesn't use the ROW in existence. The Driveway split just past the curb cut.

CEO Shawn Marks discussed Fire Code requirements in relation to the existing curb cut and ROW with the Board and the Applicant; CEO to conduct a site visit to collect data related to Emergency Vehicle Access and Fire Code Requirements.

The Board discussed the proposal and the Sketch Plat:

- Size and location of existing ROW; deeding of ROW across existing parcels
- Frontage of existing lots; topography of flags for existing lots
- Emergency Vehicle Access and Fire Code Requirements for access; size of access drive, pull offs, turn arounds
- Existing curb cut and access across ROW
- Density requirements for the zone; rear lot on a flag lot
- Ag Data statement; noted wetlands and flood zone; EAF flags for wildlife, historic adjacent

Applicant to provide a revision to the Sketch Plat and provide additional details requested by the deadline for the August Board meeting to be placed onto the agenda.

Other Business:

1. Meeting Minutes June 2022

Motion to approve the minutes of the June 2022 Planning Board Meeting made by Max S., second by Dan Proctor, call of the roll with unanimous Aye. (4-0)

2. UCPB Referral Exclusion

Draft Resolution still being drafted by Of Counsel; no action taken. Carry to the August 2022 Meeting

3. Oakwood Estates Bond Release



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Confirmation of completion and stability from Peak Engineering and Town MS4 officer needed before Bond release can be considered; discussion surrounding road conditions in the future related to the release of the Bond

Motion to adjourn the meeting made by Max Stratton, second by Paris Perry, call of the roll with unanimous Aye. (4-0)

Meeting Adjourned

8:24 P.M.

Draft Submitted 07/25/2022

Minutes Approved 08/08/2022 by Unanimous Aye

Shawn Marks

Approved