



**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  
August 8<sup>th</sup>, 2022  
Approved Minutes

Meeting Called to Order by Chairman Perry

6:01 P.M.

Pledge of Allegiance

Quorum Call:

Present – Paris Perry, Harry Hansen, Max Stratton, Dan Proctor, Scott Boyd, Dave Cobb

Absent – Sharon Klein

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications:

- Scott Boyd will be a Voting Member to fill the current vacancy

Business:

**1.) 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

Max Stratton, Application Point, provided a review of the Application and its progress before the Board.

The Board and the Applicants representatives discussed the revised Sketch Plat and Site Plan:

- Noted removal of outside seating area within the required front yard and ROW
- Parking 10-foot setback from side and rear; no parking on street signage and cherries entrance signage
- DOT approval and required work on the residential curb cut to be repurposed to a commercial curb cut; DOT requesting a rework of the existing entrance and install a parking curb



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- Reviewed the proposed signage for parking, customer directional signage; Board requesting cut sheets for signage
- Parking requirements; square footage of customer space; Building 3 Occupancy to be 25 persons; marking calculated as 14 minimum required for new seating area, 15 proposed with ADA space per code; 7 existing spaces in the existing lot. Total is 22 plus the ADA
- Board of Health plans and approval for Septic is to be submitted

***Motion to Accept and Open the Application made by Max S., second by Dan P., call of the roll with unanimous Aye. (6-0)***

***Motion to classify the Application as a Type II SEQRA Action made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

***Motion to set a Public Hearing for September 12<sup>th</sup>, 2022, made by Max S., second by Dan P., call of the roll with unanimous Aye. (6-0)***

**2.) 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

Harry Hansen, application point, and Terry Ringler provided a review of the revisions to the Plat and an update on progress related to the remaining Application requirements.

- A Shared Driveway Maintenance Agreement and Deeded access for ingress/egress, and utilities for all parcels within the Subdivision will be a condition of approval
- A Shared Maintenance Agreement between all parcels and parties which have deeded access across the ROW leading from Lucas Turnpike to the Subdivision will be a condition of approval
- An easement for the Town of Marbletown and Emergency Services across the ROW to the Rail Trail will be a condition of approval, for Maintenance and Emergency Access Only
- Applicant will be required to contact the DEC to ensure no impacts to the Bald Eagle as a condition of the approval

***Call to the Public for Comment: None received***



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The Board reviewed their previously completed and accepted EAF Part 2 Short and reviewed, discussed, and completed the EAF Short Part 3.

***Motion to approve and accept the EAF Part 3 Short made by Max S., second by Harry H., call of the roll with unanimous Aye. (6-0)***

***Motion to declare and issue a Negative Declaration made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

*Call to the Public for comment: None received*

***Motion to Close the Public Hearing made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

The Board, Tracy Kellogg (Town of Counsel) and Terry Ringler discussed required Map Notes, Conditions of approval, and required deed language; Town is to work with property owners to develop easement language and agreements. References to Map to be included in easements. Map to depict "Proposed Access Easement" in a map note.

The Board read, reviewed, discussed, and edited the draft determination and resolution

***Motion to approve the determination and resolution for a Subdivision with Conditions made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

**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

Dave Cobb provided a review of the Application and the Proposal

Caleb Carr, Engineer with Medenbach & Eggers, is present to represent the Applicant and provide an overview of the Sketch Plat revisions since the July 2022 meeting as well as entertain the Board's inquiries:

- Emergency Vehicle pull-off areas located to coincide with driveway bifurcations
- Emergency Vehicle Turn Arounds relocated for enhanced Fire Department operations
- Driveway is already roughed in; will be a shared driveway with maintenance agreement
- Will calculate the total area of disturbance



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The Board discussed the need for a Stormwater Pollution and Prevention Plan for construction and General Permit Coverage based on the estimated area of disturbance. Board member Max Stratton noted that the proposed Sketch Plat appears to meet the threshold for this requirement.

Caleb Carr, Engineer, noted the project will require a Soil Erosion and Sediment control plan for construction. A full SWPPP with hydro-cad calculations requires 5 acres of disturbance. Will attempt to submit a draft Soil Erosion and Sediment Control Plan for the SEQRA circulation.

The Board reviewed the EAF Part 1 and discussed referrals to potential involved and interested agencies based on the proposal, the location of the parcel, and EAF triggers.

***Motion to Accept and Open the Application made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

***Motion to classify the Application as an Unlisted Action under SEQRA made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

***Motion to Circulate for Lead Agency and provide referrals to the following involved and interested agencies; NYS DEC, SHPO, UC Highway, UCPB, Stone Ridge FD, Town of Olive, City of New York DEP; made by Dave C., second by Dan P., call of the roll with unanimous Aye. (6-0)***

The Board discussed the need for a review of the Stormwater Pollution Prevention Plan by the Town Engineer.

***Motion to set Escrow at \$2,000 made by Max S., second by Harry H., call of the roll with unanimous Aye. (6-0)***

*No public hearing to be set at this time. Additional details are required from the Applicants representative.*

**4.) 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

Applicant Andrew Shirley in attendance; No new information to provide or discuss.



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*The Board took no action on the Application and will consider the Application in September if the required additional details and revisions are submitted.*

Other Business:

1. Meeting Minutes July 11<sup>th</sup>, 2022

***Motion to approve the minutes of the July 2022 Planning Board Meeting made by Dan P., second by Max S., call of the roll with unanimous Aye. (6-0)***

2. UCPB Referral Exclusion

The Board reviewed the drafted Resolution and Referral Exemption Agreement MOA

***Motion to adopt the Resolution and enter into the Memorandum of Agreement with the Ulster County Planning Board made by Max S., second by Harry H., call of the roll with unanimous Aye. (6-0)***

3. Release of Escrow

***Motion to release the Benison Escrow Account made by Max S., second by Dave C., call of the roll with unanimous Aye. (6-0)***

***Motion to release the Hardenburgh Hills II Escrow Account made by Dan P., second by Harry H., call of the roll with unanimous Aye. (6-0)***

***Motion to release the Johnny on The Spot Escrow Account made by Dave C., second by Scott B., call of the roll with unanimous Aye. (6-0)***

4. Homeland Tower Inc – Stone Ridge Fire District

The Board reviewed and discussed an Application for SUP & Site Plan Review for a Commercial Telecommunications Service facility Modification at the Stone Ridge Fire District property on Main Street in Stone Ridge. The CEO noted that the CTS in existence neither has an active SUP or Site Plan Approval, other than the Site Plan Approval through the Building Permit Application and Construction process.

The Tower was constructed following a ZBA Appeal and Monroe Test. The proposed modifications do not alter the physical area or dimensions noted in the ZBA Appeal and Monroe Test, nor does it alter the outward physical appearance of the Tower or the Equipment Base which is screened.



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It's the Boards unanimous opinion that the proposed modifications fall under the Eligible Facility Request and Section 6409, and that outside of reviewing the Site Plan and modification proposal for conformity to district design guidelines, Code Section 200-49, and potential impacts upon character and aesthetics, no further action by the Board is required.

***Motion to not accept nor open the Application for Special Use Permit submitted by Centerline Communications LLC, and to take no action on the Application was made by Dan P., second by Max S., call of the roll with unanimous Aye. (6-0)***

**5. Utilities and Easements**

The Board discussed the need to refine, revise, and add language to the Town Code which pertains to Right of Ways, Easements, and Utilities; to include Internet, Cable, and Telecommunications.

**6. Septic Approvals**

The Board discussed the requirements for Minor and Major Subdivisions regarding Septic System Approvals, Perc Tests, and Septic Feasibility Reports by Engineers.

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

Meeting Adjourned

7:28 P.M.

*Draft Submitted 08/22/2022*

*Minutes Approved 09/12/2022*

Shawn Marks