



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

Planning Board Meeting Minutes
November 7th, 2022

Meeting Called to Order by Chairman Perry

5:59 P.M.

Pledge of Allegiance

Quorum Call:

Present – Paris Perry, Harry Hansen, Max Stratton, Dan Proctor, Dave Cobb, Ilan Bachrach

Absent – Scott Boyd, Sharon Klein

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications: Ilan Bachrach will be a voting member in place of S. Klein

Business:

1.) Mavis Tire Sign Approval – New Application

Applicant: Mavis Tire

8 Hillside Drive, Stone Ridge, NY, 12484

69.2-2-36; B-2 Zone; 1.75 acre

Request for review and approval of business signage; Code Chapter 200-42

Daniel LeDonne in attendance for the Application

Dan Proctor provided an overview of the Application:

- Wall Sign on existing structure; new Freestanding sign on existing sign pole
- Proposed signage is compliant with the Town Code
- Historic Colors proposed in conjunction with the signage
- Downward facing dark sky compliant lighting on wall sign; existing sign pole lighting to be used
- Existing lighting is upward facing

Motion to Accept and Open the Application made by M. Stratton, second D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to classify the Application as a Type 2 SEQRA Action made by H. Hansen, second by M. Stratton; call of the roll with unanimous Aye. (6-0)

The Board discussed the Application details with the Applicant:

- 911 Street Address to be added to the Freestanding Sign



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- Existing lighting on sign pole to be used; unfeasible to change to downward lighting
- CEO to ensure no glare or hazard
- 3K LED to be used
- Signs may be lit by external illumination from 6 a.m. till 10 p.m. daily.

The Board read, discussed, and edited the drafted Determination and Resolution

Motion to Approve the Determination and Resolution made by M. Stratton, second by H. Hansen; call of the roll with unanimous Aye. (6-0)

2.) 2022-06 LLA – RPS 2019 INC Lot Line Adjustment – New Application

Applicant: RPS 2019 Inc, 226 Van Wagenen Lane, Kingston, NY, 12401

204 Ashokan Road, Kingston, NY, 12401

Parcel A: 62.1-1-4.100; A-4 Zone, 3.00 +/- acre

Parcel B: 55.3-1-23; A-4 Zone, 16.09 +/- acre

Conveyance of 1.38 acre from Parcel B to Parcel A

Harry Hansen provided an overview of the Application:

- Applicant returns with a new Lot Line adjustment Application which involves parcels from a recently approved Application in September; Applicant has withdrawn the previously approved Plat and requests the board nullify the Approval
- Proposal is to convey acreage from 2 parcels under common ownership
- Plat and proposal are Code Compliant

Motion to Accept and Open the new Application for Lot Line Adjustment made by M. Stratton, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to classify the Application as a Type II SEQRA Action made by D. Proctor, second by M. Stratton; call of the roll with unanimous Aye. (6-0)

At the request of the Applicant, motion to nullify and void the previous Board Approval for Lot Line Adjustment #2022-03 made by M. Stratton, second by D. Proctor; call of the roll with unanimous Aye. (6-0)

The Board reviewed the Sketch Plat and the drafted determination and resolution

Motion to Approve the Determination and Resolution for the RPS 2019 Lot Line Adjustment made by D. Cobb, second by D. Proctor; call of the roll with unanimous Aye. (6-0)



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

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

Caleb Carr of Medenbach & Eggers in attendance on behalf of the Applicant

Dave Cobb provided a brief overview and update on the Application and the Board engaged in discussion with the Application Agent:

- Road Maintenance Agreement drawn up and will be submitted for review
- Applicant will be responding to Town Engineer review comments
- Discussion on the potential need for Bonding of the Shared Driveway & infrastructure
- RMA to be referred to the Town Attorney for review and consideration as to need for Bonding
- Fire Chief approved the Fire Apparatus Pull Offs and Turn Arounds

Motion to open the Public Hearing made by H. Hansen, second by M. Stratton; call of the roll with unanimous Aye. (6-0)

Call to the Public for Comment or Submissions: No Comments or Submissions

The Board will await response from the Applicants Engineer to the Town Engineer commentary on the Site Plan review; EAF Short Part 3 after Engineer Review complete. The Board will continue the Public Hearing at the December meeting

Motion to continue the Public Hearing at the Call at the December 12th, 2022, meeting made by D. Proctor, second by H. Hansen; call of the Roll with unanimous Aye. (6-0)

4.) 2022-04 SUP/SP: Cherries Special Use Modification – Public Hearing Cont'd

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

Josh Pulver and Lawrence O'Toole in attendance for the Application

Max Stratton led a discussion with the Board and the Applicant; continued review of the Site Plan and documentation:



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- Received water meter reading, revised Site Plan, lease agreement, and initial indication of DOT approval; Hammer head style turn around added to the new parking area; beneficial to parking
- Overlay of the existing conditions and structures received on revised site plan; 50% expansion is 915 square feet and expansion cannot exceed; overhang area is noted on the site plan which may be of concern to the maximum square footage allowed
- Parking is based on customer and seating area; if the overhang area is used for floor space or dining, it will affect parking; clear potential for people to gather under the overhang; Board requesting assurances that the Picnic Tables will not be reintroduced to the ROW
- "Event Space" was called out on the Site Plan. The Board requests clarification of the Use and intent; written narrative to fully detail the operation; ie: hours, Use, ect..
- CEO Marks reports that the freestanding sign, "Ice Cream Cone", which was non-conforming and internally lit was supposed to be removed but has returned; Applicant may wish to seek a Variance
- DOH approval is in process; drawings for the system have been submitted
- Existing accessory building is to be demolished for proposed new structure
- Confirmed that the new parking area will not be paved; Applicant requested clarity on the parking count; 24 total spaces. The calculations and code were reviewed and discussed; with the overhang the code requires 2 additional parking spaces
- Applicant unable to create a 26 wide travel lane in the parking lot and still maintain 10-foot setback, turnaround, and the sidewalk; 20-foot-wide travel lane is proposed; Board would like feedback from the Fire Chief and the Town Engineer

Call to the Public for Comment or submissions:

James Still - 4136 Route 209:

- Looking for clarification on the overhang area depicted on the Site Plan; 10' x 20'? Are there plans that we don't know about? A BBQ Pit?
- Concerned about the parking area; congested; if the code says 26 feet isle, then why deviate?
- Height restriction on the sign?
- Are all existing structures on the Site plan? Any update on the water usage monitoring?
- Requests clarification on the Department of Health and Septic System

Caleb Carr - 205 Whitelands Road:

- Is there a reason that the proposed sidewalk couldn't be removed to gain width?
- Could existing residence be altered to accommodate a better parking plan?



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Paul Wikane – 4190 Route 209:

- Concerned about parking along shoulder and difficulty pulling onto Route 209; there's no enforcement for the parking issue along the shoulder now as it is with signs in place
- Concern for trash discarded along roadside
- If the house wasn't there the plan would seem more reasonable

Tim Shea - 4163 Route 209:

- Why have the large overhang in the back? For what use?
- The parcel is too congested

The Applicant is to provide the additional details and information requested by the Board to secure placement on the December 2022 Planning Board Meeting agenda.

Motion to continue the Public Hearing at the December 12th, 2022, meeting made by H. Hansen, second by M. Stratton; call of the Roll with unanimous Aye. (6-0)

Motion to set escrow in the Amount of \$1,000 made by M. Stratton, second by D. Proctor; call of the roll with unanimous Aye. (6-0)

5.) 2021-04 SP & SUP - 4321 Route 209 LLC – Conditional Approval – New Public Hearing

Applicant: 4321 Route 209 LLC; 360 Springtown Road, New Paltz, NY, 12561

4321 Route 209, Stone Ridge, NY, 12484

SBL: 69.2-2-40.100; B2, 14.1 +/- acre

Conditional Approval on Site Plan & Special Use Permit for a 10 Room Hotel, a Dance Hall, and associated infrastructure; return for Final Approval

Doug Posey, Applicant, in attendance

Motion to Open the Public Hearing made by M. Stratton, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Paris Perry provided an overview of the Application and its progress:

- Applicant returns to the Board for Final Approval
- Peak Engineering has reviewed the SWPPP, and Site Plan and the Applicants Engineer provided feedback and response to Peak

The Board and Applicant discussed the Application progress and outstanding items which need to be addressed for Final Approval:



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- Applicant reports that the Engineers have been involved in review and it appears all design requirements and calculations are settled out and mostly all questions answered; appears Town Engineer is satisfied overall with our submissions
- Performance Bond for the SWPPP construction and infrastructure is required; Applicant has provided the Town Engineer with an estimate and engaged in conversation on the matter with the Town Engineer and Town Attorney
- The Applicant proposes to the Planning Board the amount of \$271,187.50 to be Bonded as a surety for the SWPPP construction and infrastructure
- Applicant reports that his Engineer does not give estimates on work and the estimate is from the Applicants contractor construction bid
- The Board requests the estimate be given to Town Engineer for a review; \$270,000.00, +/- \$50,000.00 based on Town Engineer review

Motion that the Planning Board request the Town Board to approve a Performance Bond in the amount of \$270,000.00, plus or minus \$50,000.00, as determined by the Town Engineer, made by M. Stratton, second by D. Cobb, call of the roll with unanimous Aye. (6-0)

The Applicant requests the Board consider closure of the Public Hearing in December

The Applicant requests that the Board consider allowing for grubbing and tree removal at the site; No ground disturbance shall occur until General Permit/SPDES coverage is submitted, reviewed by the MS4, and approved.

Call to the Public for Comment or Submissions:

Tanya Jurcic – 32 Old US Hwy 209:

- What is the maximum occupancy? Has the volume of traffic in and out of the site been studied? Is there a cut off time for noise?

Caleb Carr – 205 Whitelands Road:

- Is there Health Department Approval?

Applicant to submit Bond Proposal to the Town Board which will be referred to Town Engineer for review and comment.

Motion to continue the Public Hearing on December 12th, 2022, made by D. Proctor, second by H. Hansen; call of the roll with unanimous Aye. (6-0)



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Other Business:

1. Meeting Minutes October 2022

Motion to approve the minutes of the October 2022 Planning Board Meeting made by M. Stratton, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to adjourn the meeting made by M. Stratton, second by H. Hansen, call of the roll with unanimous Aye. (6-0)

Meeting Adjourned

7:17 P.M.

Draft Submitted 11/21/2022

Minutes Approved 12/12/2022

Shawn Marks