



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

Planning Board Meeting
December 12th, 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, Dave Cobb, Sharon Klein

Absent – Scott Boyd, Ilan Bachrach

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications: None

Business:

1.) 2022-06 SP: Ulster Savings Bank Site Plan - New Application

(H.H.)

Applicant: Ulster Savings Bank, 180 Schwenk Drive, Kingston, NY, 12401

3885 Route 209, Stone Ridge, NY, 12484

SBL: 69.2-5-4, B1, 2.72 Ac +/-

New construction of a 8,600 square foot Banking facility with Drive-up Bays, Offices, and a Conference Room; to include access from Route 209 and associated infrastructure

Nadine Carney of Peak Engineering & Jim Cotter of Ulster Savings Bank in attendance for the Application

Harry Hansen provided an overview of the Application:

- Parcel on Main Street has a previously approved Site Plan from around 2017-2018; nothing came of that approved project; new proposal is less impact to the site
- New proposal is to construct a 2-story building for a Bank, offices, and drive through
- Planned to be a total of 8,600 square feet between 2 floors
- 71 parking spaces on site and access to the parcel from Route 209 with a proposed connector to the shopping center next door
- To be a commercial project in the business district and is within the Town Code requirements for such a project

Motion to Accept and Open the Application for the Ulster Savings Bank Site Plan made by M. Stratton, second D. Proctor; call of the roll with unanimous Aye. (6-0)



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Nadine Carney of Peak Engineering provided an overview of the proposed project, reviewed the previously approved Site Plan for comparison, and engaged in discussion with the Board:

- The Site Plan is in its preliminary stages of planning
- Proposal is a less intense Use than the previously approved multi-Use Site Plan; reduction from 5 proposed buildings to a single building with 4 drive-through bays; Conference room space which will be available for community use
- Setback to rear property line increased from previous approved plans
- Proposed connection to adjacent parcel and Shopping Plaza
- Number of parking spaces; potential to reduce area of impervious surface; prevention of excessive parking that will remain unused; potential for shared parking for the adjacent Shopping Plaza
- NYS DOT Access previously approved; plan is to maintain the same access
- Building Design is being developed; proposed location on preliminary site plan is a place holder until plans are completed; SWPPP – being compiled
- Preliminary discussion of Solar on site and Electric Vehicle Charging Stations
- Plans for a “future sidewalk” is proposed to be included as the plans progress

Jim Cotter – Ulster Savings Bank CFO: We’ve outgrown the branch and there’s no room for expansion at our current location; we intend to make this project as “green” as possible, and to extend access to the parking, electric vehicle charging, and conference space to the community after banking hours.

Motion to set Escrow for the project at \$3,000.00 made by M. Stratton, second by S. Klein; call of the roll with unanimous Aye. (6-0)

The Board will hold on referring the Site Plan to the Town Engineer until additional Site and Building/Architectural details are received

The Board discussed SEQRA Classification and noted that a previous Type 1 SEQRA Review was completed for the previously approved Site Plan; the new Application proposes less intensity of Use upon the site.

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

Motion to Circulate for Lead Agency to the following Involved and Interested agencies; NYS DOT, Army Corp of Engineers, NYS DEC, Ulster County Health Department, State Historic



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Preservation Office, Stone Ridge Fire Department made by M. Stratton, second by H. Hansen; call of the roll with unanimous Aye. (6-0)

Motion to refer the Application and Site Plan to the Ulster County Planning Board made by M. Stratton, second by D. Proctor; call of the roll with unanimous Aye. (6-0)

Applicants Engineer and Architect to provide additional documentation and submittals pertaining to the Preliminary Sketch Site Plan for further review and consideration by the Board and Town Engineer; to include District Design Standards and Elevation plans of the proposed structure. No Public Hearing to be set at this time.

2.) 2022-07 LLA: Kaiser & Greenwald Lot Line Adjust. – New Application (S.K)

Applicant A: Rita & Harvey Kaiser, 50 Mohonk Road, High Falls, NY, 12440

Applicant B: Nancy Greenwald, 44 Mohonk Road, High Falls, NY, 12440

Parcel A: 70.46-2-15

Parcel B: 70.46-2-16

Conveyance of 0.03 Ac +/- from Parcel A to Parcel B

Bill Eggers of Medenbach & Eggers in attendance for the Application

The Board reviewed the Proposed Plat on the overhead projector and Sharon Klein provided an overview of the Application:

- Conveyance of 0.03 acre from 50 Mohonk Road to 44 Mohonk Road
- Current property line runs across a basement access bilco door at 44 Mohonk Road
- Adjustment will increase the setback to the property line and make 44 Mohonk a more conforming parcel for the Zone

Motion to Accept and Open the Application for Lot Line Adjustment made by S. Klein, second by H. Hansen; call of the roll with unanimous Aye. (5-0) *Note: Max Stratton was not in attendance during this motion and vote

Motion to classify the Application as a Type II SEQRA Action made by S. Klein, second by D. Cobb; call of the roll with unanimous Aye. (5-0) *Note: Max Stratton was not in attendance during this motion and vote

The Board reviewed the Draft Determination and Resolution



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Motion to Accept the Determination and Resolution for the Kaiser & Greenwald Lot Line Adjustment made by D. Proctor, second by H. Hansen; call of the roll with unanimous Aye. (5-0) *Note: Max Stratton was not in attendance during this motion and vote

3.) 2022-04 SBD: MC Atwood Minor Subdivision – Cont'd 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

Bill Eggers of Medenbach & Eggers in attendance on behalf of the Applicant

Dave Cobb provided an update on the Application and the Board engaged in discussion:

- Road Maintenance Agreement drawn up and under review with Town Attorney
- Plat has been revised to shift the location of the shared driveway and to widen the driveway access to Lot #1
- Revised Plat has the approval of Fire Chief and Code Officers with reference to Emergency Vehicle Access and Zoning Compliance
- Response to Town Engineer Site Plan review comment letter pending; re: Erosion and Sediment Control Plan

Shawn Marks: My last conversation with Caleb Carr noted that the remaining items the Board requires will be all tied up for the January 2023 meeting; Surveyor to have completed the work required for the establishment of final metes and bounds as well as the engineering SWPPP for General Construction.

The Board Called to the Public for Comment or Submissions: None

Motion to Close the Public Hearing made by D. Proctor, second by S. Klein; call of the roll with unanimous Aye. (6-0)

The Board reviewed and discussed the drafted EAF Part 3 Short and Determination of Impact

Motion to Approve the EAF Part 3 made by D. Cobb, second by D. Proctor, call of the roll with unanimous Aye. (6-0)

Motion to Issue a Negative Declaration made by D. Proctor, second by D. Cobb; call of the roll with unanimous Aye. (6-0)



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The Board announced it has 62 days to produce and vote upon a determination and resolution for the Application.

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 on the continued review of the Site Plan and documentation:

- Received commentary from the Town Engineer and Fire Chief on the revised parking lot plans; proposal by the Applicant does not meet the Town Code; suggestions for increasing the width of the access drive provided to the Board by the Town Engineer. Fire Chief noted that 24 feet, if the Board found it acceptable, would be a tolerable deviation from the Code.
- Surety regarding the Picnic Tables previously within the ROW
- Business Hours verified; no after hours activities. Hours proposed to be 12 noon till 9 p.m.; reiteration that the Use being proposed is Limited Food Service and provides clarification as to the use of “event” in the Applicants initial proposal
- The Board reviewed a narrative provided by the Applicant which details the business plan and scope of activities on site
- Area under overhang or new accessory building proposed to have “possible seating” leading to discussion on required parking spaces to meet Code Requirements; accounting for the 2 additional parking spots on the Site Plan
- Applicant reports that they are beginning the Variance process for the Ice Cream Cone

The Board discussed the revised parking plan and the Town Engineer review commentary. The Board was polled by the Vice Chair as to their position on considering the Applicants proposed deviation from the Town Zoning Code regarding parking lot access and parking spaces. The Board was unanimous in its agreement to not allow for deviation from the Code via waiver or otherwise.

Vice Chair Stratton noted that he feels the Board is going to be hung up on the Board of Health and Septic Approval. The Board and Applicants engaged in an in-depth discussion regarding the proposed Septic Design and Capacity:



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- Town Engineer commented on the concern for the capacity and ability of the proposed septic system to support all the existing Uses on the parcel and the expansion of the food service Use to include the newly proposed Public Bathroom
- Plans are under review by Scott Benson at the Department of Health; The Board requires a copy of the Application made to the UCDOH
- The Applicants engineer will need to be consulted to discuss a response to the Town Engineer's commentary regarding the septic and its capacity
- Parking is tied to the Expansion of Use and the Expansion is tied to the Septic; clarification and further discussion will be required
- Possibility of splitting the Application to entertain the Parking separate from the Expansion of Use was noted
- Limitation of the Septic will impact ability to Expand the Use and reflect the required amount of parking

Max Stratton proposed that the Applicant consider separating the Parking component of the site plan from the Expansion of Use for the restaurant; the Board does not have sufficient surety that the Expansion of Use will be supported by the Septic System, nor does it appear likely that septic approval by the Health Department is likely to occur in the near future. The Board could consider the proposed parking if the Applicant wishes to do so.

Paris Perry noted that the parking component of the Site Plan is very beneficial to the safety of the Site and the neighborhood. Addressing parking separate from the Expansion of Use benefits the Site as well as the Community; ultimately this will be up to the Applicant if they decide to modify the Site Plan so that the Board could consider only the parking at this time and consider the Expansion of Use at a later date.

Joshua Pulver, Applicant's Agent, will consult with the Applicant and the Applicants Engineer for further discussion, review of the Town Engineer's commentary, and to assess their options in moving forward.

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

Call to the Public for Comment or submissions:

James Still - 4136 Route 209:

- Pleased to see the Board hold to the Town Code standards for parking
- Inquired as to if the runoff from the parking lot was addressed previously



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5.) 2021-04 SP & SUP - 4321 Route 209 LLC – Final Approval – Cont'd 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 for the Application

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

- Applicant returns to the Board for Final Approval
- All reviews have been completed and the Board has received feedback from the Town Engineer on the Applicants Bond Proposal

The Board, Applicant, and Town Attorney discussed the Bond proposal and Process moving forward:

- Itemized breakdown provided by the Applicant in a Bond Proposal
- Bond Proposal was referred to the Town Engineer and commentary received
- Applicant noted that the proposal for the Bond is based on a signed AIA and certified estimate from a Contractor to complete the work for the Stormwater components of the project

Motion to Accept and Recommend to the Town Board a Payment & Performance Bond in the amount of \$300,000.00, for SWPPP infrastructure, made by D. Cobb, second by D. Proctor; call of the roll with unanimous Aye. (6-0)

Call to the Public for Commentary and Submissions:

Bill Terpening – Cherry Hill Road:

Mr. Terpening read a prepared statement and submitted a hard copy to be placed into record; Topics include “Event Venues”, history of local legislation thereof, Town of Marbletown Schedule of Use, authority of the Planning Board, Use Definitions, Code Officer Determination, definition of “Dance Hall”, and Design Standards & Guidelines.

No other comments or submissions

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



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Other Business:

1. Approval of Meeting Minutes November 2022

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

2. Approval of Meeting Dates for 2023

Motion to approve the Meeting Dates for 2023 made by D. Cobb, second by H. Hansen; call of the roll with unanimous Aye. (6-0)

*****Meetings in 2023 will take place on the 4th Monday of each month; exception being November and December which are modified for the Holidays *****

3. Release of Escrow for Clendening Subdivision

Motion to release the remaining Escrow balance for the Clendening Subdivision made by D. Proctor, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

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

Meeting Adjourned

7:09 P.M.

Draft Submitted 12/27/2022

Minutes Approved 1/23/2023

Shawn Marks