



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

Planning Board Meeting
April 24th, 2023
Approved Minutes

Meeting Called to Order by Chairman Stratton

6:01 P.M.

Pledge of Allegiance

Quorum Call:

Present - Max Stratton, Harry Hansen, Dave Cobb, Sharon Klein, Brendan Masterson

Present (Alternate)- Jim Economos

Absent – Scott Boyd, Dan Proctor, Ilan Bachrach (Alternate)

Town Staff Present – Shawn Marks

Announcements/Communications:

Board Chair appointed Jim Economos as a Voting Member for Business before the Board

Business:

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

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

Applicant Point Harry Hansen provided a brief overview of progress on the Application:

- The Board has received additional materials for review including a revised Site Plan as well as Architectural Elevations and Renderings; SEQRA Circulation has been completed with responses from the NYS DEC and SHPO. Ulster County Planning Board has provided commentary on the project as well.

The Board engaged in discussion with Nadine Carney of Peak Engineering, Agent on behalf of the Application:



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- New Site Plan reflects a reduction in proposed parking and an increase in open/green space; a reduction of 10 parking spaces and the creation of reserve parking; decrease in impervious cover; potential to include a solar parking structure and the inclusion of solar in the site plan
- Location of proposed structure and its footprint is nearing finalization; SWPPP is being created; Architectural Elevations and Drawings reflect an aesthetic design which is conforming to the District Design standards; Architect provided a memo with additional details pertaining to design standards, preliminary construction plans, and responses to Ulster County planning Board commentary
- Request for additional details regarding the interior layout of the second floor; A noted reduction by approximately 1000 square feet to the second-floor layout; proposed at 8,600 square feet, plan is more in line with 7,600 square feet; second floor space is planned to be offered as a community space – conference room, meeting space; total square footage may be adjusted and parking can be finalized once that number is reaffirmed
- Septic location is proposed to be in the same location as the previously approved septic layout on the site for the Stone Ridge Shoppe; plan contained a second system for a restaurant and that system is being removed from the plans as its no longer relevant
- Benches, bike rack, and pedestrian path to the Plaza being considered; additional plans for landscaping is being worked on; increase in green space overall; Full vehicle pass through into the Plaza is being discussed between Applicant and the Plaza; details are pending
- Sidewalk construction is contemplated but no plan to construct currently; set aside a location to facilitate its construction at a later date when/if other sidewalks are extended within the Hamlet, suggested as condition of approval by the Applicant
- Site Disturbance reported and planned to be 2.9 acre and it to include work within the State Right of Way; Wetland permit that was issued for the previous project will be renewed for this project; SWPPP should be submitted by the end of the week, early next week; Applicant would like to move into Public Hearing if Board is ready and comfortable with that tonight

The Board was polled by the Chair as to if enough information has been received to set a Public Hearing; Consensus is that additional details are requested to be submitted before a Public Hearing is set



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The Board reviewed, discussed, and completed the EAF Part 2 Short Form

Motion to accept EAF Part 2 as completed made by S. Klein, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

The Board requested the additional details as discussed to be added to the Site Plan as well as a SWPPP to be submitted for referral to the Town Engineer before a Public Hearing is scheduled

2.) 2023-01 SUP: High Meadow Special Use Modification – New Application

Applicant: High Meadow School; c/o Ann Ganter

Owner: High Meadow School, Inc.

Address: 3643 Main Street, Stone Ridge, NY, 12484

SBL: 61.20-5-18.111; 9.4 +/- Ac; B-1 Zone

Site Plan modification to include the Alteration/Renovation of a 2nd floor Administrative Office space with bathroom, kitchen, and conference room, as well as the addition of a Library

The Board and Agent Ann Ganter, representing High Meadow School, engaged in discussion of the Application and proposed project details:

- The Main Building houses the Administrative and Teacher Office and resource space; 45 teachers use the space for “break out” which also has a kitchen, bathroom, and a small office; currently unconditioned and has limited headroom at 7 feet; Project is to raise the height of the roof and to build out the adjacent storage space to create more “break out” space for the staff; kitchen, bathroom, office space
- Addition of a library and resource room to the 1st floor in a space which was previously approved for a deck to be constructed; move the current storage of books from the basement and hallway storage spaces into a single Library; addition is on the side of the building facing Main Street
- Total square footage of modification and enlargement is 1,155 square feet; neither the 2nd floor modification nor the Library addition extend beyond the established setbacks; 2nd floor space to be insulated and conditioned

Motion to Accept and Open the Application for Special Use Permit Modification made by H. Hansen, second by S. Klein; call of the roll with unanimous Aye. (6-0)

Motion to Circulate for Lead Agency made by D. Cobb, second by H. Hansen; call of the roll with unanimous Aye. (6-0)



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Point of Order for Procedure – Discuss and Vote upon SEQRA Classification before decision and Vote for circulation

The Board reviewed the proposed Site and Build Plans and continued discussion with the Agent:

- Multiple phased past improvements to the site have been completed and several previous Special Use Permits have been issued by the Board
- Footprint of the existing building will be increased but not beyond current established setbacks; No increase in Occupancy; no additional classrooms and no changes to the Auditorium space; Site is maxed out at 175 students and 45 teachers
- Parcel is within the B-1 and Historic District; Design and Architecture to meet the District Design Guideline standards; Applicant to complete the Design Standards and Guidelines Packet for the B-1 District for Board review; Board to review impact of proposed project upon parking and site plan requirements
- Scope of the project is exempted from UCPB referral through agreement
- Exterior lighting is considered for the exterior of the Library Addition; downward facing and dark sky compliant installation is planned

The Board reviewed the proposed Site and Construction Plans and discussed the impact and scope of the project against SEQRA and referral requirements.

Motion to classify the Application as a Type II Action under SEQRA made by S. Klein, second by D. Cobb; call of the roll with Unanimous Aye. (6-0)

Motion to set the Public Hearing for May 22nd, 2023, made by H. Hansen, second by S. Klein, call of the roll with unanimous Aye (6-0)

Applicant to meet with Board Representative to discuss and complete the District Design Packet for review by the Board

3.) 2023-01 SBD: Oakley Road Minor Subdivision – New Application

Applicant: Medenbach & Eggers PC

Owner: Jared Hecht & Carrie Weprin

SBL: 61.3-1-25 & 61.3-1-21.113; 39.0 (total) +/-acre, A-3

Subdivision with Lot Line Adjustment of 2 existing parcels to create 4 separate parcels



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Bill Eggers in attendance for the Application; Agent from Medenbach & Eggers

Dave Cobb as Application Point

The Board reviewed the Sketch Plat on the overhead projector and engaged in discussion with Application Agent, Bill Eggers, of Medenbach & Eggers, on the proposal:

- A Lot Line Adjustment and Subdivision to create 4 separate parcels; 2 parcels to be separated on the opposite side of a public right of way (Oakley Road); ownership between all parcels is common; The owners of the parcel closest to Smith Lane propose to fold in part of the Subdivision by Lot Line Adjustment to create a buffer between the parcel closest to County Route 2
- Several parcels contain existing structures and are developed; Parcel split across Oakley Road; proposes a "natural division" using Oakley Road as the divider; Parcels created are of varying size with one proposed to be below density requirements for the A-3 Zone at 2.4 acre; Total acreage of the proposal is 39 acres
- The proposed undersized parcel is already developed with existing structures and is split by Oakley Road; Options for the undersized parcel include that of a Zoning Board Variance or the Average Density Subdivision pathway in the Zoning Code
- Noted that there is a small area of wetlands in existence on the parcels contemplated by the proposal; one of which is thought to be a man made pond
- Scope of the project is exempted from UCPB referral through agreement
- Referral of Average Density details to the Town Engineer for verification of compliance; No Public Hearing to be set until additional details are received, and review conducted by Town Engineer

Motion to establish an Escrow account of 600\$ for Town Engineer review of an Average Density Subdivision made by M. Stratton, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to Accept and Open the Application for a Subdivision with Lot Line Adjustment made by H. Hansen, second by S. Klein; call of the roll with unanimous Aye. (6-0)



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The Board continued its review of the proposed Sketch Plat on the overhead projector and discussed scope and impact with regard to SEQRA

Motion to classify the Application as a Type II Action under SEQRA made by D. Cobb, second by H. Hansen; call of the roll with Unanimous Aye. (6-0)

The Board agrees that the impact and scope rises to that of a Type II SEQRA Classification, review and a request for comment from the NYS DEC and US Army Corp of Engineers is appropriate due to the presence of wetlands

Motion to refer the Application to the New York State DEC, US Army Corp of Engineers, Kripplebush Fire Department, Ulster County Highway Department, and Town of Marbletown Highway Department for review and request for comment, made by S. Klein, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to refer the Application, Revised Sketch Plat, and Average Density Notes, when provided, to the Town Engineer for review made by M. Stratton, second by H. Hansen; call of the roll with unanimous Aye. (6-0)

Additional details requested by the Board; no Public Hearing to be set at this time

4.) 2023-02 SIGN: Cherries Freestanding Sign – New Application

Lawrence O'Toole; 25 Hillcrest Drive, Kerhonkson, NY, 12446
4162-4166 Route 209, Stone Ridge, NY, 12484
SBL: 69.2-3-36; R1 Zone; 0.89 Ac +/-
Approval for Freestanding Sign; Variance received from ZBA

The Applicant, Lawrence O'Toole, provided a history of the sign and the events which led to the Application being before the Board:

- Ice Cream Cone not contemplated in the approval of the new signage on existing freestanding sign pole; when moving to close the permit the non-compliance was noted by Town; New business sign was compliant, but the continuance of the Ice Cream Cone was not compliant with the Zoning Code; application was made to the ZBA for variance
- Ice Cream Cone exceeded the maximum allowable sign area and number of signs; Variance granted by the ZBA

Max Stratton read a brief overview of the findings and conclusion of the ZBA on the Variance Approval:



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- No findings of impact or detriment to the sign being granted a variance; Ice Cream Cone has been in existence since the 1970's; Continuance of non-conforming signs addressed by the Zoning Code
- No traffic or safety concerns; no appreciable impact to neighboring parcels; No undesirable change to the neighborhood

The Board reviewed the Site Plan and discussed the Application details:

- The Board agreed that there are no safety or line of sight impacts by the Sign; sign has been in existence on the site for a number of decades; Sign has been part of the neighborhood character; Sign helps with recognition of the business and helps with safety
- Sign Lighting to turn on at dusk and is to be turned off at 9:30 p.m.

Motion to Accept and Open the Application for Freestanding Sign Approval made by S. Klein, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to classify the Application as a Type II Action under SEQRA made by H. Hansen, second by S. Klein; call of the roll with Unanimous Aye. (6-0)

The Board reviewed the drafted Determination and Resolution; conditions of approval added to the Determination/Resolution

Motion to Accept the Determination and Resolution with Conditions granting Sign Approval to Cherries Ice Cream made by M. Stratton, second by S. Klein, call of the roll: D. Cobb, Aye; H. Hansen, Aye; S. Klein, Aye; B. Masterson, Aye; J. Economos, Aye; M. Stratton, Aye; Unanimous Aye. (6-0)

5.) 2022-04 SUP/SP: Cherries Special Use Modification – Closed Public Hearing

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

Chairman Stratton provided an update on the Application:



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- There's been communication between the Applicant and the Board over the last month and it's felt that there should be a meeting with the Applicant, a Board representative, the Engineers from both the Applicant and Board, and a representative from the Health Department to discuss the remaining details and supporting documentation; address discrepancies in the occupancy numbers being proposed on the Site Plan and those provided by the Board of Health

The Board engaged in discussion with Agent Diego Celaya and Applicant Lawrence O'Toole:

- A new or expanded septic system is no longer being contemplated. The numbers provided by the Applicant engineer were sent to the UC Health Department for review and commentary; numbers and preliminary flow and occupancy approval provided to the Board; the flow calculations were provided to the BOH were checked against their flow charts and parameters
- Occupancy Counts on the Site Plan were derived from the Building Code based on the Use and the size of the seating areas as well as the Zoning Code; Applicant notes the numbers on the Site Plan are below the maximum Occupancy calculations that were contemplated; numbers derived from Assembly use without fixed seating; Occupancy numbers can fluctuate and can be manipulated based on the type of seating provided in the space; these are not the numbers that the BOH is using and we believe that is where the confusion comes from
- Applicant proposes the consideration of a maximum number for the Occupancy of the Assembly space that the Board and Applicant can agree upon
- The Board maintains that the maximum count from the Board of Health constrains the maximum Occupancy allowed; the count can't exceed the BOH approval numbers; for the protection of the establishment and the public, overloaded the septic can become a very serious problem
- There's a discrepancy on what the Board of Health has provided for number of Occupants and what is being proposed on the Site Plan; Board of Health numbers are not based on square footage but on the capacity of the Septic System
- The Town Engineer has completed their review and concerns remain surrounding the Occupancy Count proposed, the septic system capacity, the preliminary comments and septic flow capacity received from the Ulster County Health Department; Occupancy Count proposed on the site plan, to include both the existing outdoor seating under the



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porch and the possible future outdoor seating, exceeds the capacity numbers confirmed by the Health Department

- Applicant notes that there exists the possibility for there to be more customers on site than the septic is approved to service but notes that not everyone on the site will be using the public bathroom
- The Board appreciates what is being proposed, but there needs to be a conversation with all parties involved to assure that all are on the same page and that the Board is not considering an Approval for a system or plan that will fall apart; the Board relies on the counts of the Board of Health and also appreciates the business model proposed
- Applicant notes that the number of customers is limited by the space, which is limited by the parcel, and the limits to the parking; "there's only so much that can happen there"; the numbers proposed are less than the maximum allowed by Building Code
- The Board maintains that the Occupancy Counts on the site plan which are derived from Building Code is in excess of what the Board of Health has indicated approval for and that this discrepancy needs to be reconciled; the Board is looking for a hard number of customers or occupants that the Applicant is considering in their Business Plan and how that sits within the Board of Health approval; if that number can't be supported by the Septic, the number being presented to the Board has to be modified; number provided by Applicant for Occupancy needs to match the number provided by Board of Health
- The Applicant notes that there are numbers that exist on paper based on the Code, and then the actual numbers pertaining to the flows. With straight numbers on paper there's a discrepancy, but in the real world with real world testing, we know that we're not exceeding the system capacity; as of now it sounds like the number we can have is 21 based on the flow charts
- As to the Parking, the Board notes that the parking proposal is a far better alternative to people parking along the shoulder of Route 209
- The Town Engineer noted that the angled parking on the current Site Plan poses difficulty in that vehicles using those spaces are required to travel to the end of the parking lot to turn around and exit; poses difficulty for full sized vehicles
- Revision of the fence location along the property line is being addressed



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The Board and Applicant considered a solution to the angled parking spaces in creating "Compact Car Parking Only" signage and designation. The Board was polled, and all members were in agreement that the solution is viable

The Applicant and Board will set up a time for all parties to meet and further discuss the details of proposed Occupancy Count and the Board of Health Occupancy calculations

Other Business:

1. Approval of the March 2023 Meeting Minutes

Motion to Accept the minutes of the March 2023 Planning Board Meeting made by H. Hansen, second by D. Cobb; call of the roll with unanimous Aye. (6-0)

Motion to adjourn the meeting made by J. Economos, second by S. Klein; call of the roll with Unanimous Aye. (6-0)

Meeting Adjourned

7:49 P.M.

Draft Submitted 05/07/2023

Minutes Approved 5/22/2023

Shawn Marks