



**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  
July 24<sup>th</sup>, 2023  
Approved Meeting Minutes

Meeting Called to Order by Chairman Stratton

6:00 P.M.

Pledge of Allegiance

Quorum Call:

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

Alternate Present: Ilan Bachrach, Jim Economos

Absent – Scott Boyd, Sharon Klein, Dan Proctor

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications:

Dan Proctor has chosen to tender his resignation from the Planning Board. The Board wishes Dan the very best of luck and thanks him for his years of service to the Board and to the citizens of Marbletown.

Business:

**1.) 2022-06 SP: Ulster Savings Bank Site Plan – Open Public Hearing**

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

The Board and Nadine Carney, agent for the Application, discussed the progress on the Application:

- Commentary was received from correspondence and at the Public Hearing regarding lighting ad screening; revised plans will address this with call outs added to the Site Plan
- Awaiting commentary and feedback from the Town Engineer. Some revisions have been made but will not be submitted until the Town Engineer commentary is received.
- Submissions made to the Ulster County Board of Health for review and comment.



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- Architectural Elevations remain outstanding; District Design Guideline Packet still needs to be completed.
- Pass through to Stone Ridge Plaza is still being worked on with the owner of the shopping plaza. Nothing has been secured in writing yet. At this junction the pass through is planned as a future improvement. The pass through will be reserved specifically for the pass through but there's no agreement as of yet.
- Addressed all commentary that the Ulster County Planning Board had made during its review.
- Signage still needs to be worked on.
- Agent spoke to a concern over flooding on the parcel which impacted Lamberti Lane. Resident David Cutler of Lamberti Lane provided a video clip which depicted the concern. Recent rains were extreme in the amount of volume which was received. The parcel does have wetlands upon it. The past review of the parcel for the Stone Ridge Shoppes received a permit to fill in the wetlands. The plan is to review and renew the permit to manage the wetland. Proposed culvert and SWPPP plans upon the parcel will mitigate the standing water and flooding concern.
- Agent noted that there is an existing culvert at the site which is slated to be replaced. The culvert has been crushed and damaged and has been slated for repair/replacement since the 2015 review for Stone Ridge Shoppes. The culvert has yet to be replaced and it's going to be replaced. This culvert which is damaged is located at the point where drainage problems are being reported.

**Call to the Public for Comment:**

- 1.) Ted McKnight – Gagnon Drive: Is the owner of the parcel adjacent. Expressed concern for the water which will travel through the culvert proposed to be installed under Lamberti Lane; noted that the water will be traveling through the culvert pipe and discharging onto his parcel which contains a commercial building and Gagnon Drive. Has not received any contact about the SWPPP or plans for the discharge of the stormwater onto his property.
- 2.) Dave Cutler – Lamberti Lane: Wishes to clarify that the video he sent was in the recent series of large storms, but that the standing water has been a chronic matter and flooding has occurred even with normal rainfall. Its standing water in the spring and fall, and when it rains, it floods across Lamberti Lane. Has had to fill in the road with stone after a few storms as the road gets damaged. Is concerned the problem will get worse over time.

**The Chair called for any additional Public Comment: None**



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***Motion for the Public Hearing to remain Open at the Call of the Chair made by H. Hansen, second by D. Cobb; call of the roll with unanimous Aye. (4-0)***

*Secretary Shawn Marks affirmed with the Chair that no Alternates had been appointed to a voting seat as of yet and that the Quorum is 4 Voting.*

***Motion to Affirm Lead Agency made by H. Hansen, second by B. Masterson; Call of the roll with unanimous Aye. (4-0)***

*The Board is awaiting review commentary from the Town Engineer; Architectural Elevations to be submitted for full review of the District Design Guidelines.*

*The Chair altered the order of the Agenda as the Agent for the Wynkoop Lot Line Adjustment has not arrived as of yet as had an additional Application to represent later in the evening.*

**3.) 2023-02 SUP: Stone Ridge Orchard Special Use – New Public Hearing** (M.S. & B.M.)

Applicant: Cider Ridge Orchard LLC; c/o Elizabeth Ryan  
3012-3016 State Route 213 East, Stone Ridge, NY, 12484  
SBL: 69.2-5-13, R1, 115.10 Ac. +/-  
Special Use Permit Approval for Farm and Music Festival

Applicant Elizabeth Ryan, Orchard Staff Sage Newkirk, and Event Producer Dan Leslie in attendance for the Application

***Motion to Open the Public Hearing made by D. Cobb, second by B. Masterson; call of the roll with unanimous Aye. (4-0)***

*The Chair noted that the Board has received a number of letters in support and a number of letters of concern which have all been entered into the record and the Board has read and reviewed them all. The Applicant has also provided a revised Site Plan which reflects the requests made by the Board at the June meeting following a review of the original Site Plan.*

***Motion to appoint Jim Economos and Ilan Bachrach as Voting Members on the Board this evening made by M. Stratton, second by H. Hansen; call of the role with unanimous Aye. (4-0)***

*Quorum is now noted to be 6 Voting.*



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The Board, Applicant, and Event Producer, discussed the Application and the details of the proposal:

- Elizabeth Ryan, owner of Stone Ridge Orchard noted that the Orchard has been in existence for a long time and often brought thousands of people on the weekends in the fall for the last 40 years; you-pick harvest events; community events, weddings, bar mitzvahs. Often brings 3,000 people on a Saturday in the Fall.
- Has had the opportunity to discuss the event with many of the neighbors of the Orchard and has received overwhelming support and wishes to listen to and address any concerns that others may have about the event. Feels there are some misconceptions about the event.
- A revised amended Site Plan has been submitted; most notably is that Lamberti Lane will not be used as an Emergency Access/Exit for this SUP.
- Tickets are capped at 1,500 for Saturday and for Sunday. Rumor that there's going to be 30,000 people is not true. To date, for both days, only 170 tickets have been sold. We have presented a plan for a max capacity of 1,500 people.
- The owner feels that they have submitted a very comprehensive Site Plan and narrative which fully addressed safety, parking, traffic, and the operations of the event.
- Producer Dan Leslie reiterated that the event is intimate and small in scope. A security firm has been contracted to ensure safety and a cadre of volunteers who are going to manage parking and traffic. Health and safety are of utmost concern.
- Orchard has submitted about 12 letters of support.
- Voluntary shut down of music at 9:30 to mitigate concerns for sound.
- The producer reiterated that most of the performances are acoustic instrument driven and has given great consideration to the positioning of the amplification and speakers to help mitigate the noise concerns. Many of the performances are a duo or trio, guitar, and banjo. Open to limiting the volume levels.
- The Chair notes that with other SUP's there have been mitigations put in place with regard to the maximum decibel level permitted and the placement of haybales to help limit the travel of the music and sound.

**Call to the Public for Comment:**

1) A.D. Coleman – Lamberti Lane:

- Stone Ridge Orchard does not own Lamberti Lane. The property owners along the eastern side of Lamberti Lane are the owners.
- Permit Application is fatally flawed and should be turned down and resubmitted.



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- No evidence to support the claim that Stone Ridge Orchard owns the land or can decide voluntarily that it will not use the lane, and the Board has no authority to authenticate the right.
- Each of the 10 permits that have been submitted the Orchard has claimed to own the lane. Stone Ridge Orchard owns a strip of land between Lamberti Lane and the parcel which has the HowGood, not the lane itself. The Lane is a driveway to the houses and has always been a driveway to the houses.
- Requests that the Board turn down the permit based on the falsehood concerning ownership of Lamberti Lane.
- Has no problem with the Events unless the noise becomes a concern.
- The Lane must always remain open for Emergency Services to reach the residences.
- The Board has no authority to authorize anything to do on Lamberti Lane.
- Believes that the Town Staff and Board are “grooming” the Orchard for the process.

*The Chair notes that the commentary given by Mr. Coleman was also contained in a letter which was submitted to the Board and entered into the record.*

2) Mike & Madelyn Polcari – Ricky Road:

- Appreciates the operation at the Orchard. Likes events, likes small business, likes having the people at the Orchard.
- Concern is for the noise. There have been events where the noise has been too much and has been forced to close windows.
- The bass is the real problem. There’s no escaping it as it resonates. The noise needs to be limited and the bass turned down.
- Concerned about having to hear loud music from 1 pm till 9:30 pm.

3) Peter & Trisha Macdonald – Leggett Road:

- Lives adjacent to Stone Ridge Orchard; would like a copy of the plans for the event.
- Foot note, not relevant to tonight’s commentary, but believes the lot line as drawn on the site plan may be in error.
- The noise is the issue. The Orchard has been a very active promotor of events. This includes one event which was Techno Music, which the owner apologized for.
- Sometimes we lose our community in small increments and it’s hard to know when the balance has tipped.
- Last winter, there was the lights with music. The music was fine for a little while, but the music was nonstop, and it haunted us.



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- Concerned that slowly the Orchard is becoming more of a venue for Events, rather than an Orchard that does events on the side; more of an Event Space that does apples on the side.
- Not sure that the estimate of 3-5 thousand people on a weekend is accurate.
- Ask that this not slip away over time and one day wake up to find the Orchard has become like Bethel Woods.

***Motion to carry the Public Hearing to the August 2023 Planning Board Meeting made by H. Hansen, second by B. Masterson; call of the roll with unanimous Aye. (6-0)***

**2.) 2023-05 LLA: Wynkoop Lot Line Adjustment – New Application**

**(M.S.)**

Applicant: David Wynkoop & Rebecca Reeder  
154 Old Kings Highway & 32 Fern Hollow Rd (Pvt)  
SBL Parcel A: 69.4-1-20.221  
SBL Parcel B: 69.4-1-20.210  
Lot Line Adjustment to exchange 0.096 Ac +/- from Parcel B to Parcel A

Terry Ringler in attendance for the Application

Terry Ringler and the Board discussed the Application details and the Board reviewed and discussed the Sketch Plat:

- Both parcels under common ownership. Exchange in land is to keep the same amount of acreage on each lot. Looking to clean up the boundary lines along the right of way.
- Conveyance of 0.096 acre from 154 Old Kings Highway to 32 Fern Hollow Road
- No new non-conformities.
- Lot Line Adjustment Plat has all details required by Code. Both parcels have Single Family Residences upon them.
- No connection between the two ponds which are on the parcels; independent of each other.

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

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

The Board read, reviewed, edited, and discussed a draft determination for the Wynkoop Lot Line Adjustment



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***Motion to Accept the Determination and Resolution for the Wynkoop Lot Line Adjustment made by M. Stratton, second by D. Cobb; call of the roll: I. Bachrach, Aye; J. Economos, Aye; B. Masterson, Aye; H. Hansen, Aye; D. Cobb, Aye; M. Stratton, Aye. (6-0)***

**4.) 2023-02 SBD: Crestview Ridge 3 Lot Minor SBD – New Application**

**(X.X.)**

Applicant/Owner: David L Smith

Agent: Terry Ringler

SBL: 69.4-1-46.410; 55.88 +/-acre, R-1; Rest Plaus Historic District  
3 Lot Minor Subdivision; Phase 2 of Crestview Ridge Subdivision

Terry Ringler in attendance for the Application

The Board and Agent Terry Ringler discussed the Application details and the Sketch Plat for Subdivision:

- The original Crestview SBD occurred in 2008. District Design guidelines were enacted, and a parcel came back before the Board for design approval.
- Application proposes the creation of 2 new lots resulting in 3 separate lots.
- The owner purchased the property from the original subdivider, and constructed his own residence, constructed an access road, and laid the utilities.
- The total number of parcels, to include existing parcels, will be 6; 3 residences on 3 separate parcels with a fourth house at the beginning of the construction permit process.
- Original subdivision includes an RMC and deeded restrictions which are included in the Application packet. Only the 3 parcels created by the original subdivision have “no further subdivision” clauses attached to their deeds.
- Fire Code 503 is triggered which requires improvements of the existing private rural road; 20-foot width and a turnaround at the terminus of the shared portion of the private roadway where it meets the private driveway to Lot #3. Terminus could be turned into a cul-de-sac with ease.
- Subdivision Plat will need to reflect the improvement of the roadway; engineered cross sections to be added to the Plat; Private Rural Road Construction Standards with minimum 20 foot wearing course width.
- Need total area of disturbance added to the Plat; original SWPPP will need to be considered and extended to the new subdivision if possible. With roadway, greater than 1 acre disturbance. Attempt to obtain a copy of the original SWPPP.
- Utilities already in existence; addition of easements for utilities and ingress/egress to the deeds to be created for the Subdivision. Currently, the owner of Lot #4 owns the roadway and utilities and has maintained such beyond the original subdivision.
- Septic approvals have been submitted for the two new lots to be created.



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- The board cautioned that a single owner of the utilities and easement is unadvised at this juncture; all lots within the subdivision should have deeds that reflect access and utilities.

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

The Board discussed the EAF Part 1 and the previous SEQRA Type 1 Action and Negative Declaration associated with the original Subdivision upon the parcel. Parcel is within the Rest Plaus Historic District which has established District Design Guidelines. Additional EAF flags for wetlands, threatened and endangered species, and archeology. Due to the previous Type 1 Classification, subsequent review, and resultant Negative Declaration, the Board moved to classify the minor subdivision an Unlisted Action to garner feedback from interested and involved agencies.

***Motion to classify the Application as an Unlisted SEQRA Action made by M. Stratton, second by B. Masterson; call of the roll with unanimous Aye. (6-0)***

***Motion to Circulate for Lead Agency made by B. Masterson, second by I. Bachrach; call of the roll with unanimous Aye. (6-0)***

***Motion to Circulate to the following Interested and Involved Agencies; NYS DEC, SHPO, US Army Corp of Engineers, Fish & Wildlife, Town of Marbletown Highway Department, Kripplebush Fire Department, and High Falls Fire Department, made by M. Stratton, second by D. Cobb; call of the roll with unanimous Aye. (6-0)***

**5.) 2023-01 SBD: Oakley Road Minor Subdivision – Open Application (D.C.)**

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.

Michael Morehouse in attendance for the Application as Agent from Medenbach & Eggers

Mr. Morehouse and the Board engaged in discussion on the Application details and review progress:

- MECELS provided a revised Subdivision Sketch Plat which included a full mockup of infrastructure on the proposed Lot # 1. The mockup was requested by the Board to alleviate concerns regarding the buildability of Lot # 1.





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- Plat depicted residence, septic, septic reserve, access driveway, and Well for Lot #1.
- The Board was polled by the Chair and all members felt that the mockup was sufficient to prove out the buildability of Lot #1.
- The existing 25-foot ROW is noted to be an access drive which runs along the northwest side of Lot #1.
- The Application and Average Density calculations were referred to the Town Engineer and the Board received commentary. The proposed Subdivision is compliant with Zoning Code Section 200-48 and the Average Density Subdivision requirements.
- The Town Engineer provided commentary on map notes to be added to the Final Plat.
- Letter of Septic Feasibility provided to the Board citing the potential for a septic system to be placed on Lot #1. The Town Engineer commentary noted the addition of Septic Feasibility details be included on the Final Plat.

***Motion to set the Public Hearing for the August 28<sup>th</sup>, 2023, Planning Board Meeting made by D. Cobb, second by J. Economos; Call of the roll with unanimous Aye. (6-0)***

Other Business:

1. Approval of the June 2023 Meeting Minutes

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

2. Lamberti Lane

- Mr. Economos inquired as to how the Board should address the concerns raised by A.D. Coleman. If Mr. Coleman is right, what's being submitted to the Board in the Application should be accurate.
- Town Attorney Tracey Kellogg noted that Mr. Coleman needs to hire an attorney and have a survey completed. If there's a discrepancy between two surveys, that's up to the surveyors to resolve the discrepancy. The Board is not in a position to make an interpretation of a licensed professionals survey. It's the responsibility of the property owners and not the Town. The matter is civil in nature and is a property rights debate between two property owners.
- The Site Plan was provided by a licensed professional, Medenbach & Eggers.
- The Board and Town Attorney noted that the Applicant removed the proposed Use of Lamberti Lane, so the matter is null and void for the purposes of this Special Use Permit review; no other permits or approvals have been issued by this Board for the Orchard.
- The previous Permits Mr. Coleman referred to in his commentary were not Applications or Permits before the Planning Board. The Applications were Single Day Event Site Plan



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Reviews for health, welfare, and safety, which were submitted to the Building Department and Code Officers for review under Ag & Markets. None of the previous reviews and Applications contained triggers for a referral to the Planning Board until this most recent event.

**3. Stone Ridge Orchard**

- Discussion on mitigating noise concerns to include monitoring with a decibel meter.
- Consider placing a limit on decibel level in relation to hour of the day/night.
- The Board may wish to entertain a discussion about the potential for a noise ordinance in the Town; currently, no ordinance exists.

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

Meeting Adjourned

7:12 P.M.

*Draft Submitted 08/6/2023*

*Minutes Approved 08/29/2023*

Shawn Marks