



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

Planning Board Meeting
August 28th, 2023
Approved Meeting Minutes

Meeting Called to Order by Chairman Stratton

6:03 P.M.

Pledge of Allegiance

Quorum Call:

Present - Max Stratton, Harry Hansen, Dave Cobb, Ilan Bachrach, Jim Economos, Sharon Klein

Absent - Brendan Masterson, John Farrar (alternate)

Town Staff Present – Shawn Marks, Tracy Kellogg

Announcements/Communications:

Business:

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

(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 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.

Application Point Harry Hansen led the Board and Nadine Carney, agent for the Application, through discussion on the Application and its progress:

- The SWPPP and Site Plan was reviewed by the Town Engineer and commentary was received. Additional details to be provided and the minor commentary addressed with the finalization of the Site Plan and SWPPP.
- Extension of the fence for screening to the western property boundary is being considered in the final site plan.
- SWPPP was found to be compliant with Town Code for Stormwater Management and compliant with the DEC regulations.
- Submissions to the Health Department, Army Corp of Engineers, and DOT are pending.
- Floor Plans and Elevations remain outstanding; District Design Guideline Packet still needs to be completed; signage outstanding.
- Finalization of pass-through to Stone Ridge Plaza remains outstanding.



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- Commentary of the Ulster County Planning Board has been addressed.
- The Board has all the information required to close the public hearing and move to a determination at the September meeting.
- Bond for infrastructure and SWPPP to be submitted to Board for review by Town Engineer.

Call for additional Public Comment: None

Motion to close the Public Hearing made by S. Klein, second by J. Economos; call for a vote with unanimous Aye. (6-0)

The Board reviewed the previously accepted EAF Part 2, and read, reviewed, and discussed a Draft EAF Part 3 and Negative Declaration.

Motion to Accept the EAF Part 3 Short made by M. Stratton, second by S. Klein; call for a vote with unanimous Aye. (6-0)

Motion to accept and Issue a Negative Declaration made by M. Stratton, second by H. Hansen; call of the roll: D. Cobb, Aye; S. Klein, Aye; J. Economos, Aye; I. Bachrach, Aye; H. Hansen, Aye; M. Stratton, Aye. (6-0)

Jim Cotter from Ulster Savings Bank thanked the Board for their work on the Application Review.

With the closure of the Public Hearing, the Board has 62 days to make a determination on the Application.

Motion to make the Alternate members voting members for the evening made by M. Stratton, second by H. Hansen; call for a vote with unanimous Aye. (6-0)

Point of Order by Secretary Marks: Ilan Bachrach and Jim Economos were both voted as seated voting members by the Town Board upon the departure of two previously seated members creating empty seats on the Board; no need for vote to assign alternates.

2.) 2023-03 SIGN: Freestanding Sign Permit – New Application

(I.B.)

Applicant: Neva Suszczynski/ Bliss Beauty Bar

3642 Main Street, Stone Ridge, NY, 12484

SBL Parcel: 61.20-3-25.10069.4-1-20.221; B1 Zone

Addition of 2' x 4.5' panel to an existing freestanding business sign



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Motion to accept and open the Application made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (6-0)

Application Point Ilan Bachrach provided an overview of the Application and the Board discussed the Application request:

- Existing Freestanding Signage in the Business District; three separate signs; application is for the addition of a fourth sign.
- Initially thought that the sign may be oversized, but a review of the Code and Code Officer review verified sign was compliant.
- No concerns for traffic safety or impacts to neighboring properties.
- The sign proposed to be added is code compliant.
- The Board has set a precedent requesting that the 911 Address be added to signage which is reviewed and approved; as a condition of approval, the 911 Address is to be added to the sign to assist Emergency Services and patrons alike in efficient identification of the premises.

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

The Board read, reviewed, and edited a Draft Determination and Resolution for the Sign Application

Motion to approve the Sign Application Determination and Resolution made by I. Bachrach, second by J. Economos; call of the roll: S. Klein, Aye; H. Hansen, Aye; D. Cobb, Aye; I. Bachrach, Aye; J. Economos, Aye; M. Stratton, Aye.

3.) 2023-03 SUP: Smiley Bros. Two Family Dwelling – New Application

(D.C.)

Applicant/Owner: Mohonk Mountain House; Smiley Bros. Ince

Agent: Dutton Architecture, c.o Chris Smailer

SBL: 78.1-1-22.111, A4 Zoning, 561.9 Ac.

Construction of a Multi-Family Dwelling

Tom Smiley of Smiley Brothers Inc. in attendance for the Application

Dave Cobb, Application Point, and the Board engaged in discussion with Tom Smiley on the Application and the details of the Special Use Permit being requested:

- The existing single-family residence with 4 bedrooms on site was assessed and has been razed on the site to make way for new construction; concerns with conditions of the structure.



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- A new Two-Family Residence is proposed for employees of the Mohonk Mountain House.
- The parcel contains infrastructure for and actively houses horses which are part of the Mohonk operation; Employees who would be living on site are caretakers for the horses; two separate employees to share the responsibility.
- The original residence on the parcel was approximately 30 feet from the property line; the new structure is proposed to be moved back to the 40-foot setback line so that its in conformance with the Town Code.
- The new Two-Family Residence will have the same number of bedrooms as the old residence; 2 dwelling units, 1 structure, 4 total bedrooms being 2 in each unit.
- Existing septic and well on site to support the number of bedrooms being proposed; Applicant to provide documentation from Health Department confirming such.
- No change to driveway cut, no change in access.
- The Application supporting documentation and Site Plan are comprehensive; the Board will review the details against the Town Code for Special Use Permits.

Motion to accept and open the Application made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (6-0)

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

Motion to refer the Application to the Ulster County Planning Board made by H. Hansen, second by I. Bachrach; call for a vote with unanimous Aye. (6-0)

Motion to set the Public Hearing for the September 2023 Planning Board meeting made by S. Klein, second by I. Bachrach; call for a vote with unanimous Aye. (6-0)

The Agent for the Hecht & Weprin Application had not arrived to the meeting as of yet; The Chair called the Crestview Ridge Subdivision Application to the floor.

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

(M.S. & B.M.)

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

Nadine Carney in attendance for the Application

The Board and Agent Nadine Carney discussed the Applications progress:



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- The original Crestview Subdivision was between 1 and 5 acre of disturbance and at that time a full SWPPP was not required.
- Review of the current Application is also below the threshold, around 1 acre of disturbance, so Peak will be developing a Stormwater and Erosion Control for Construction Plan; should not need coverage under the General Permit if it's under an acreage of disturbance.
- Peak is working on plans for the widening and the extension of the existing roadway.
- SEQRA has been circulated and only the DEC involved agency response remains outstanding; wetlands and flags for endangered/threatened species on the parcel.
- SHPO has responded with a letter of no impact, no concerns.
- Fish & Wildlife Species Report with mitigations for engendered/threated received by the Board; to be reflected in the EAF Part 2 and Part 3 as well as the Determination.
- Septic Approvals for lots to be created have been submitted.
- Roadway required to be 20 foot in width with an Emergency Vehicle turnaround at its terminus; at the driveway for the parent parcel noted as being Lot #3 on the Plat.
- The subdivision Plat requires revision to include the cross sections and construction plans for the roadway and the Stormwater for Construction plans.
- Need total area of disturbance calculated and added to the Plat.
- 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.
- Roadway cross sections and Stormwater Plans to be referred to the Town Engineer for review; the Board will set escrow to pay for these reviews.

Board member Harry Hansen recused himself as this property is a neighbor of his property; Quorum of 5 voting noted by the Secretary.

Motion to Affirm Lead Agency made by M. Stratton, second by I. Bachrach; call for vote with unanimous Aye. (5-0)

Motion to set a Public Hearing for the September 2023 Planning Board meeting made by M. Stratton, second by J. Economos; call for vote with unanimous Aye. (5-0)

Motion to set Escrow at \$1,000.00 to facilitate Town Engineer review made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (5-0)

The Chair called the Stone Ridge Orchard SUP Application to the floor; Board Member Harry Hansen returned to the Quorum; Quorum of 6 noted by the Secretary.



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5.) 2023-02 SUP: Stone Ridge Orchard Special Use – Open 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 and Event Producer Dan Leslie in attendance for the Application

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

- The event has been scaled back to include a cap in attendance; 200 attendees Friday night, and 800 attendees on both Saturday and Sunday. Sanitary plans have been scaled back to reflect these numbers; reduction to a single performance stage.
- An Emergency Action Plan was submitted and reviewed.
- A Sound Mitigation plan proposal submitted to the Board for review and consideration.
- The Applicant noted that the Orchard had a Fire Inspection by the Town earlier today and was found to have only minor issues which needed to be addressed.
- The Site Plan Plat and narrative have been revised to reflect the changes discussed.
- Applicant has submitted a comprehensive Site Plan and narrative which fully addressed safety, parking, traffic, and the operations of the event.
- Elizabeth Ryan reinforced that sound concerns from the neighbors are taken seriously and five noise monitors will be used.
- Producer Dan Leslie reiterated that the event is intimate and small in scope; sound mitigations to include directional aiming of the PA speakers, real time monitoring of sound levels at the sound booth with a decibel meter by a professional sound engineer; 2 additional meters at the property lines to ensure sound concerns are mitigated.
- The Board discussed the desired sound level parameters with the Applicant and Producer; 60 decibels maximum at the property lines, to be continuously monitored; sound mitigation plan will be a condition of any approval.
- Board member Sharon Klein noted that she and the Board wish to see the Orchard be successful, but asked the question “Are you an Orchard, or are you going to be a concert promotor, or are you going to do both”?
- The Chair noted that the Town Code allows for no more than 2 events of this size and scope on the property. This restriction helps to alleviate some of the Board members and the neighbors’ concerns that the Orchard may be heading toward becoming a commercial entertainment venue rather than an orchard; these events have to be geared toward agriculture and this is a benefit for the Rondout Valley Growers Association and is tied to Agriculture. Most events at the farm don’t trigger the need for a Special Use Permit per the Code.



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- The Town Comprehensive Plan aims to preserve the Agricultural history of the Town and as this is a benefit for the RVGA, it's of benefit to the Town and in line with the Comprehensive Plan.
- To have camping on site is problematic as it makes this a Music Festival.
- The Applicant noted that due to the weather in the spring, particularly the late freeze, a substantial amount of the Orchards crop was lost; estimated at 70% as per the Applicant. The Applicant went on to note that the future of Agricultural activities in all Towns, not just Marbletown, is being discussed to include crop diversification and non-traditional means to support and grow farm operations.
- The Board discussed the on-site camping which was originally proposed by the Applicant at the outset of the Application review. The Applicant noted that as camping was an early concern, not only for the Board but also for her, the sale of camping passes was halted and as a result was effectively limited to 8 campers, mainly volunteers who are working the event and a small number of participants.
- Board member Sharon Klein impressed upon the Applicant that if there are any future plans which require an application to the Planning Board, more time is given and the Applications and discussions are started much sooner.
- The applicant noted that the details and exact nature of the process was not previously known and that the process has been an informational experience and didn't realize the detailed extent of the process.

The Chair polled the Board as to the allowance of a limited number of on-site campers for the event; unanimous Aye from the Board.

Call to the Public for Comment:

- 1) Peter Macdonald – Leggett Road:
 - Has had productive conversations with Elizabeth Ryan and also feels that the Planning Board process is very effective and good for communication.
 - Appreciates the comments from the Chair with regard to the Code limits with regard to these types of events at the orchard and that it's good to keep an eye on activities which the Code regulates moving forward.
 - Semi-Permanent camping structures are on the Orchard; an Air B&B type operation that has been there for several years.
 - Wishes the Orchard well and wish to be a pleasant neighbor but it is a two-way street.

Call for any additional Public Comment: None



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Motion to close the Public Hearing made by M. Stratton, second by I. Bachrach; call for vote with unanimous Aye. (6-0)

Motion to close the Public Hearing made by D. Cobb, second by S. Klein; call for vote with unanimous Aye. (6-0)

The Board read, reviewed, edited, and discussed a Draft determination and Resolution for the Stone Ridge Orchard Special Use Permit Application.

The Board engaged in discussion with the Applicants and discussed the details of the Sound Mitigation Plan.

Motion to Accept and Approve the Determination and Resolution with Conditions for the Stone Ridge Orchard Meadowlark Festival Special Use Permit made by M. Stratton, second by S. Klein; call of the roll: I. Bachrach, Aye; J. Economos, Aye; H. Hansen, Aye; S. Klein, Aye; D. Cobb, Aye; M. Stratton, Aye. (6-0)

6.) 2023-04 SUP: Stone Ridge Orchard SUP – New Application

(J.E.)

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. +/-
Requesting Special Use Permit Approval for “Wool & Folk” Event

Elizabeth Ryan in attendance for the Application

Motion to accept and open the Application made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (6-0)

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

Application Point Jim Economos and the Board discussed the details of the Application and the Special Use Permit request:

- The event was brought to the Orchard in the spring, but a contract has not been signed.
- One day event opening at noon and closes at 7 p.m.
- To take place the same week/weekend of the Dutchess County Sheep and Wool Festival.
- Event has previously taken place at the Hutton Brick Yard in Kingston and is a collection of farmers and vendors that are connected to the Sheep and Wool festival; some of which are on the waiting list to participate in the actual Sheep and Wool festival itself.



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- Yarn vendors, sellers, and producers, who as a collective began this event as a spin off of the Sheep and Wool event.
- The initial request was to bring 3,000 people to the Orchard; believes it is too many people for the Orchard but is agreeable to 2,000 people.
- Not a concert; a market and vendor event and is agricultural.
- Applicant does share potential mutual concerns about the number of attendees, but believes the estimate is on the high side. Does not want the event to overwhelm the Orchard as October is a busy time of year for the orchard.
- Feels it is a low impact event overall.
- The Applicant made note that it is not “their event”, and that the event will be fully insured, and the Orchard will be a participant in the event to set up and sell their products.
- The organizers of the event are entirely responsible for the staff and the infrastructure of the event; organizers are responsible for the operation of the event.
- Despite the lack of a contract or agreement with the orchard, the Applicant has impressed upon the “Wool & Folk” organization that they need a permit to have the event and that realistically the proper amount of time to organize and participate in the Planning Board process is really a six-month process.
- The Board noted that 2,000 people in a short period of time does and will have an impact on the orchard and an impact on traffic.
- The Applicant expressed her sentiment that any event that were to take place on the orchard is the ultimate responsibility of the orchard and that the orchard needs to have the ultimate control over the event.
- The event is a ticketed event and a cap on attendance can be enacted and attendance controlled.
- The Board noted that if the event is not being run by the orchard, then the event organizers should be the ones in attendance talking to the Board, but ultimately, it’s the orchard’s responsibility as being the owner of the land.
- Town Attorney Tracey Kellogg noted that the owner of the orchard can be the Applicant, or the organizer can be the applicant, but again, ultimately it is the owner’s responsibility to ensure compliance on all Code requirements and any potential Approval requirements and conditions.
- The Board noted that the event being proposed is less than 2 months away and that there’s a lot of details that need to be discussed and considered; a special meeting being called in early October will be an important part of the Application process.
- The Board requested more details and clarification on the proposal and a Site Plan reflecting the actual proposal agreed upon between the orchard and the organizer; a Traffic Study will be essential. This information needs to be provided expeditiously.



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- Moving traffic off Route 213 and into the farm is a critical component of the planning for this event; Applicant notes once the traffic is on the farm, the farm has experience from its busy season in maneuvering traffic around the farm quite well.
- The Applicant conveyed that she believes the orchard can support an event of 2,000 attendees and will be able to manage the traffic and attendance.

Motion to refer the Application to the Ulster County Planning Board made by M. Stratton, second by D. Cobb; call for a vote with unanimous Aye. (6-0)

The Chair called the Oakley Road Minor Subdivision to the floor.

7.) 2023-01 SBD: Oakley Road Minor Subdivision – New Public Hearing (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.

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

The Board and Bill Eggers discussed the Application's progress:

- The Board is satisfied with the supporting documentation and revised Plat; is in agreement that Lot #1 to be created is buildable.
- Plat depicts residence, septic, septic reserve, access driveway, and Well for Lot #1.
- The existing 25-foot ROW is noted to be an access drive which runs along the northwest side of Lot #1.
- The Town Engineer provided commentary on map notes to be added to the Final Plat; Subdivision plan is conforming to the Average Density Subdivision code.
- The Board has all details requested for their review of the Application and is ready to move to the Public Hearing.

Motion to Open the Public Hearing made by M. Stratton, second by I. Bachrach; call for vote with unanimous Aye. (6-0)

Call for Public Comment:

1.) Roger Davis – County Route 2:

- Inquired as to what the plan for the Subdivision is; is a neighbor directly adjacent.
- Inquired if the Subdivision would have any impact on his parcel which fronts on County Route 2 and is adjacent to Lot #2 on the Plat.



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2.) Rick Roland – Oakley Road:

- Owns the parcel in between Parcel #1 and Parcel #4 on the Subdivision plat; south side of Oakley Road.
- Requested a better understanding of what the Subdivision plan is, specifically regarding the lot being created, Lot #1.

The Applicant and Agent, Bill Eggers of Medenbach & Eggers, provided a presentation and overview of the Subdivision plan to the neighbors and spoke to their inquiries.

Motion to close the Public Hearing made by M. Stratton, second by J. Economos; call for vote with unanimous Aye. (6-0)

The Board read, reviewed, and edited the Draft Determination and Resolution for the Hecht & Weprin Average Density Minor Subdivision

The Board discussed the Town Engineer commentary provided regarding Map Notes to be added to the Plat; discussion reflected in the Determination for the Subdivision.

Motion to Accept and Approve the Determination and Resolution for the Hecht & Weprin Average Density Subdivision made by M. Stratton, second by D. Cobb; call of the roll: S. Klein, Aye; I; Bachrach, Aye; D. Cobb, Aye; H. Hansen, Aye; J. Economos, Aye; M. Stratton, Aye. (6-0)

8.) 2023-06 LLA: Cobb Lot Line Adjustment - New Application (M.S.)

Applicant: Dave Cobb

555 Lapla Road, Kingston, NY, 12401

Parcel A SBL: 55.1-1-30.120; A-4, 4.2 Ac. +/-

Parcel B SBL: 55.1-1-27; A-4, 1.03 Ac. +/-

Conveyance of 1.03 acre from Parcel B to Parcel A; Parcel B dissolved and Parcel A to be 5.3 Ac.

Dave Cobb recused himself as he is the Applicant and Owner of this Lot Line Adjustment

The Secretary notes that there is now a Quorum of 5 voting.

Chairman Stratton provided an overview of the Application and the Board reviewed and discussed the Sketch Plat and the Application details.

Motion to Accept and Open the Application made by M. Stratton, second by H. Hansen; call of the roll with unanimous Aye. (5-0)



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Motion to classify the Application as a Type II SEQRA Action made by M. Stratton, second S. Klein; call of the roll with unanimous Aye. (5-0)

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

Motion to Accept the Determination and Resolution for the Cobb Lot Line Adjustment made by I. Bachrach, second by J. Economos; call of the roll: I. Bachrach, Aye; J. Economos, Aye; H. Hansen, Aye; S. Klein, Aye; M. Stratton, Aye. (5-0)

Dave Cobb returned as a Voting member; the Secretary notes a Quorum of 6 voting.

Other Business:

1. Hasbrouck House SUP & SBD Bond

Board has received a supporting review of the Bond Proposal from the Town Engineer

Motion to refer the Bond Proposal to the Town Board and recommend its acceptance made by M. Stratton, second by J. Economos; call for a vote with unanimous Aye. (6-0)

2. Approval of the July 2023 Meeting Minutes

Motion to Accept the minutes of the July 2023 Planning Board Meeting made by S. Klein, second by H. Hansen; call for a vote with unanimous Aye. (6-0)

3. Ulster Savings Bank Bond Review

Motion to refer the Ulster Savings Bank Bond Proposal when received to the Town Engineer for review made by M. Stratton, second by H. Hansen; call for a vote with unanimous Aye. (6-0)

Motion to adjourn the meeting made by S. Klein, second by D. Cobb; call for vote with unanimous Aye. (6-0)

Meeting Adjourned

8:03 P.M.

Meeting Re-Called to Order by Chairman Stratton

8:08 P.M.

Quorum Call: Max Stratton, Sharon Klein, Ilan Bachrach, Dave Cobb

Meeting called to order to reschedule the September Meeting as it coincides with a holiday.



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Motion to change the date of the September 2023 Planning Board meeting to Wednesday September 27th, 2023, at 6:00 p.m., made by M. Stratton, second by S. Klein; call for vote with unanimous Aye. (4-0)

A scheduling conflict with September 27th was identified.

Motion to change the date of the September 2023 Planning Board meeting to Monday, September 18th, 2023, at 6:00 p.m. made by M. Stratton, second by I. Bachrach; call for vote with unanimous Aye. (4-0)

Motion to Adjourn made by M. Stratton, second by I. Bachrach; call of the roll with unanimous Aye. (4-0)

Meeting Re-Adjourned

8:12 P.M.

Draft Submitted 09/10/2023

Minutes Approved 9/18/2023

Shawn Marks