

**ZONING BOARD OF APPEALS
TOWN OF MARBLETOWN
ULSTER COUNTY
COTTEKILL, NEW YORK
(845) 687-7500 Ext. 171**

MINUTES OF August 28th, 2019 **Regular Meeting** of the Town of Marbletown **Zoning Board of Appeals**, held at the **Rondout Municipal Center**, Cottekill, NY.

Chairman Perry called the meeting to order at 7:00PM.

Chairman Perry asked everyone to stand for the pledge to the Flag.

PRESENT:

Paris Perry, Chairman
Tom Smiley, Vice Chairman
Will Husta
Kathleen Grambling

ABSENT:

Andrew Nilsen

Also present:

Shaye Davis, Secretary and Tracy Kellogg, the Town Attorney.

2019-04AV – Donald Beesmer – New Application

Proposes construct an 10X18 foot shed 18 feet from the property line. As per Section 200-20 of the code, for an R-3 zone if requires a 30-foot set back from the property line.

Located at 11 Mickle Drive, Stone Ridge. Zoning District: R-3 SBL: 61.4-2-45 Acres: 1.02

Sarah Beesmer, Donald Beesmer's wife was present on behalf of the application.

Chairman Perry explained to the Board and public the history of the application. He explained that the applicant was applying for a variance for a shed they had constructed that was too close to the property line for the size of the shed. He asked the applicant the 5 questions for granting a variance.

Mr. Fredrick suggested moving the shed 10 feet forward from the property line.

Mrs. Grambling stated that she thought the shed looked better where it was versus moving it 10 feet from the property line.

Mrs. Beesmer stated that the reasoning for the placing the shed where it was, was because they already had a woodshed in place and thought it looked better aligning the storage shed with the woodshed. They also have a pool and the septic with the leech field in the back yard.

Chairman Perry opened the meeting for public comment.

Daisy Foote, representing her friend Judy Sullivan stated that Ms. Sullivan could not attend and asked her to attend the meeting to see how the shed looked. Mrs. Foote stated that she would tell Ms. Sullivan that the shed looked fine.

Mr. Husta motioned to hold the public hearing open. Mrs. Grambling seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

There was no further discussion.

2019-02SUP – CES Marbletown Solar – Continued Application

Applicant: CES Marbletown Solar, LLC

Property Owner: Aldarosi Enterprises, Inc. C/O Allan Harari

Proposes a 5 MW (AC) community solar generating system on approximately 24 acres of the 301 acres.

Located at 2675 Route 209, Kingston. Zoning District: R-1 SBL: 62.1-4-1.2

Steve Ondishin and other members from Con Ed Solutions and Michael Moriello were present on behalf of the application.

Chairman Perry discussed with the Board how the site visit went. He stated that they went to the end of Rock Ledge Lane where Chuck Petershiem owned property through his company Catskill Farms. Mr. Petershiem was worried about the view from the proposed house building sites. He noted that Mr. Smiley, Chairman Proctor of the Planning Board and Town Attorney Kellogg also attended the site visit. They also visited the Bevier House located across the entrance way for the solar project. The Bevier House is owned by the Historical Society and they had concern with the visual impacts for poles and a larger driveway directly across from the historic building. The entrance to the property for the solar project was actually on a strip of land owned by the Bevier House which was granted to them when State Route 209 was changed. Chairman Perry stated that they seemed to come to an agreement with the neighbors' concerns. He did note that Mr. Harari, owner of the land does need to come to an agreement with the Historical Society regarding the driveway access.

Mr. Ondishin explained the changes they've made to the plans. Most importantly they were planning to add 20 evergreen trees in a line along the property line where Mr. Petershiem owns the 4 proposed building lots to help with the visual impact. He also touched base regarding the decommissioning bond. He stated that the bond was similar to the New Beginning's Bond but with the amount of \$430,000 which was a little higher.

The Board read through Part 3 for SEQR which was prepared by Elizabeth Axelson from CPL, the Town Designated Engineer.

There were a few grammatical errors that were made during the meeting but otherwise the Board was pleased with the write up.

Mr. Smiley motioned to accept the Part 3 write up as corrected. Mrs. Grambling seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

Mr. Smiley motioned to hold the public hearing open. Mr. Husta seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

There was no further discussion regarding this application.

2019-04SUP – Ridgewell Center – New Application

Applicant: Solar Generation Projects, LLC & Michael Tumminia

Property Owner: Main Street Ridge LLC

Proposes to expand municipal parking by 35 spots, adding a trail connecting 209 & SUNY Ulster and installing solar arrays on roof, ground and carports.

Located at 3555 Route 209, Stone Ridge. Zoning District: B-1 SBL: 61.20-5-5 Acres: 5.4

Sam Wilkinson and Paul McMenemy from Solar Generations were present on behalf of the application.

Mr. Wilkinson gave a presentation to the Board of the plans for the Community Solar Project, Trail Access to the Ulster County Community College, municipal parking and a proposed soccer field.

Chairman Perry stated that the word "Rail" had to be removed from the Rail Trail on the map to just say trail. He also asked if the Davenports have signed off on the trail running through their property.

Mr. Wilkinson stated that the Davenports have already signed off on allowing the walking trail to the college to happen.

Mr. Smiley motioned to classify the application as a Type 1 under SEQER. Mrs. Grambling seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

Mrs. Grambling motioned to seek Lead Agency. Mr. Smiley seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

The Board agreed to send the application to multiple involved and interested agencies.

There was no further discussion.

2019-03SUP – Hurley Motor Sports Solar – Continued Application

Applicant: Solar Generation Projects, LLC

Property Owner: Sloan Hoffstatter

Proposes 200.KW community solar generating system.

Located at 2779 Route 209, Kingston. Zoning District: B-2 SBL: 62.1-3-40.220

Sam Wilkinson and Paul McMenemy from Solar Generations were present on behalf of the application.

Mr. Wilkinson explained that they had added some landscaping on the side that has the open field to the house but had not decided on exactly what they were going to plant.

Mr. Smiley suggested planting River Birches which will have 3-4 trunks on the bottom of each which will supply plenty of screening.

The Board read through Part 3 for SEQER which was prepared by the Town Engineer, Nadine Carney from Peak Engineering.

Mrs. Grambling motioned to accept Part 3. Mr. Fredrick seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

Mr. Smiley motioned to adjourn the meeting at 8:32PM. Mr. Fredrick seconded the motion.

All in favor. Motioned Carried.

4 ayes, 0 nays, 0 abstain, 1 absent

Respectfully submitted,

Shaye Davis, Secretary

Adopted and accepted, September 25th, 2019