

2 STATE OF NEW YORK : COUNTY OF ULMSTER  
3 TOWN OF MARLBOROUGH PLANNING BOARD  
----- X

4 In the Matters of

5 ALDRICH & TONSING (17-1007)  
6 Milton Turnpike

7 JOHN & THERESA SHILLIETO (17-1009)  
8 63 Milton Turnpike

9 HANS TAYLOR (17-1010)  
10 65 Woodcrest Lane  
----- X

11 Date: May 1, 2017  
12 Time: 7:30 p.m.  
13 Place: Town of Marlborough  
14 Town Hall  
21 Milton Turnpike  
Milton, NY 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairman  
16 JOEL TRUNCALI  
17 BEN TRAPANI  
18 CINDY LANZETTA  
19 JOSEPH LOFARO  
20 MANY CAUCHI  
21 STEVE CLARKE

22 ALSO PRESENT: RONALD BLASS, ESQ.  
23 PATRICK HINES  
24 VIRGINIA FLYNN  
25

26 REPORTED BY: BARBARA ULRICH  
----- X

27 MICHELLE L. CONERO  
28 10 Westview Drive  
29 Wallkill, New York 12589  
30 (845) 541-4163

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2 MR. BRAND: I'd like to call the  
3 meeting to order with the Pledge of  
4 Allegiance.

5 (Pledge of Allegiance.)

6 MR. TRUNCALI: Agenda, Town of  
7 Marlborough Planning Board, May 1st, 2017,  
8 regular meeting, 7:30 p.m. Approval of  
9 stenographic minutes for 4/3.

14 Next deadline: Friday, May 5, 2017.

25 UNIDENTIFIED SPEAKER: I'll second

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2 it.

3 MR. BRAND: All in favor say, aye.

4 MEMBERS : Aye.

5 MR. BRAND: All opposed?

6 MR. TRUNCALI: I wasn't at that  
7 meeting, so.

14 First up, Aldrich and Tonsing public  
15 hearing, subdivision.

16 MR. TRUNCALI: Please take notice, a  
17 Public Hearing will be held by the  
18 Marlborough Planning Board pursuant to the  
19 State Environmental Quality Review Act in the  
20 Town of Marlborough, Town Code 134-23 on  
21 Monday, May 1st, 2017 for the following  
22 application: Jeffrey Aldrich and Gregory  
23 Tonsing at the Town Hall, 21 Milton Turnpike,  
24 Marlborough, New York at 7:30 p.m. or soon  
25 thereafter as may be heard. The applicant is

10 MR. BRAND: Patty, do you want to  
11 give us a review before we get started --

12 MS. BROOKS: Yes.

13 MR. BRAND: Public input.

14 MS. BROOKS: First of all, I'll give  
15 these to Jenn, 20 mailings went out.  
16 Fourteen were returned, and six that were not  
17 returned, we did the search on.

18 I did prepare a new map for this  
19 evening because we did receive comment from  
20 the Ulster County Department of Public Works,  
21 and they requested that we relocate the  
22 driveway to Walnut Lane -- whenever there is  
23 a work, state, county, town. So whoever has  
24 the least traveled roadway is where the  
25 driveway typically will need to be placed. I

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2 thought the existing driveway, we could just  
3 leave it there. But they prefer the driveway  
4 on Walnut Lane, so we haven't done so.

13                   We have shown a proposed house and  
14       well on the lot, and make a note on the lot  
15       the Board of Health approval for septic  
16       system is required prior to the issuance of a  
17       building permit.

18 MR. BRAND: Pat, did you want to go  
19 through your brief --

20 MR. HINES: Our previous --  
21 (indiscernible) -- have been address  
22 is a natural subdivision on the area  
23 map where it says subdivision, so it  
24 need approval.

25 We had some conditions that Ron and

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2 I have worked on regarding access to the  
3 county road. Apparently, that's no longer on  
4 the table, so it will be a town highway  
5 superintendent approval as well as the Health  
6 Department for the septic system has  
7 conditions. That's all we have.

8                   There was a note pertaining to the  
9    septic system, and there were also -- Ron is  
10   updating the resolution to include the  
11   highway superintendent sign off on the  
12   driveway part of the building permit.

22 Mr. Garofalo?

23 MR. GAROFALO: James Garofalo. I  
24 just want to say two things. One is I hope  
25 the Board will make sure that where the

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2 driveways are located, there will be adequate  
3 site distance for those driveways or at least  
4 there can be based on wherever they put them.

13 Thank you very much.

14 MR. BRAND: Thank you.

16 MR. TRUNCALI: So Ron, there will be  
17 no recreation fee being that this is not an  
18 approved building lot or is there going to be  
19 a recreation fee?

20 MR. BLASS: I think there is a  
21 recreation fee when you're creating a lot --

22 UNIDENTIFIED SPEAKER: One fee.

23 MR. BLASS: -- just got the  
24 condition prior to building --

25 UNIDENTIFIED SPEAKER: One lot, one

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2 fee.

3 MR. BRAND: Anyone else from the  
4 public wish to choose -- I'm sorry, speak for  
5 or against this project?

6 (No response.)

7 MR. BRAND: Anyone from the Board?

8 MR. CLARK: Just, you know, about  
9 the building fee, you know, the baseball  
10 field was by Bob Young, you know, I don't  
11 know if that impacts this or not.

12 MS. BROOKS: That does provide  
13 recreation for the entire community.

17 MS. BROOKS: Yeah. And actually,  
18 the ball field is still on their property,  
19 and they pay taxes on it.

20 MR. CLARK: Okay. So --

21 MS. BROOKS: And they gift the  
22 benefit to the community on a regular basis  
23 even though they are still paying taxes on  
24 that. So, yes, they definitely do provide  
25 recreation facilities to the municipality.

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2 MS. LANZETTA: It's in our town code  
3 and the fees are set by the Town Board. If  
4 they need --

5 MR. CLARK: There's a provision in  
6 there because, you know, if somebody provides  
7 recreational, then they don't have to pay a  
8 fee.

9 MS. LANZETTA: Only if part of the  
10 subdivision includes a set aside for -- of  
11 public lands.

12 MR. HINES: This parcel is not --  
13 (indiscernible) -- than it was previously.

14 MR. BLASS: So there's also a  
15 recreation fee finding that has to be done by  
16 the Board as part of the approval. I haven't  
17 done one of these in a while.

18 MR. BRAND: Any other comments from  
19 the Board.

20 (No response.)

21 I'd like to have a motion to close  
22 the public hearing.

23 MS. LANZETTA: I make a motion to  
24 close the public hearing.

25 MR. BRAND: Is there a second?

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2 MR. TRUNCALI: I'll second.

3 MR. BRAND: All in favor?

4 MEMBERS : Aye.

5 MR. BRAND: We do have a resolution  
6 on approval that was prepared by Ron.

7 MR. HINES: We would recommend a neg  
8 dec also.

9 MR. BRAND: I'd like to add a motion  
10 to have a negative declaration.

11 MR. TRUNCALI: I make a motion for a  
12 negative declaration on this project.

13 MR. BRAND: Is there a second?

14 MR. LOFARO: Second.

15 MR. BRAND: All those in favor?

16 MEMBERS: Aye.

17 MR. BRAND: All opposed?

18 (No response.)

19 MR. BRAND: Negative declaration.

20 Ron, would you like to go through

21 the --

22

23 to change the conditions of this resolution.  
24 One of the conditions I believe is approval  
25 of -- (indiscernible) -- sewer for the

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2 2.99-acre parcel by the County Board of  
3 Health, but Pat called my attention to the  
4 fact that the applicant has requested to  
5 defer that requirement until building  
6 permit -- until the time of the building  
7 permit to give the buyer notice of that  
8 condition which follows the approval.

9 MR. BRAND: So basically omit  
10 Section C.

20 MR. HINES: Yeah. The conversation  
21 previously was from Milton Turnpike going  
22 down to county DPW, which said it's a town  
23 road, which is typical.

24 MR. BLASS: So then the only  
25 condition of subdivision approval finding of

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2 plat would be A, which is payment of  
3 appropriate fees including rec fee and for  
4 any of the town's consultants. I believe  
5 that would be only condition of subdivision  
6 approval. B and C would be conditions of the  
7 building permit.

8 MS. LANZETTA: So strike B and C?

18 MS. LANZETTA: I'm just curious.  
19 When they give a building permit for a house,  
20 isn't part of getting a building permit to  
21 have the permit from Ulster County Health?

22 MR. HINES: Yes.

23 MR. BLASS: Yes.

24 MR. HINES: It's a buyer be aware  
25 that the work hasn't been done yet. It's

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2 notification for a potential buyer --

3 MS. LANZETTA: Okay.

4 MR. HINES: -- hey, this is  
5 something -- typically if you buy in a  
6 subdivision -- it's not one that the work has  
7 been done already. So this is a note for any  
8 potential buyer.

9 MS. LANZETTA: Okay.

10 MS. BROOKS: And it would have to be  
11 done again by that potential buyer anyway  
12 because the Board of Health permit has to be  
13 in the name of the person obtaining the  
14 building permit.

15 MR. BRAND: Any other questions  
16 regarding the resolution?

17 (No response.)

21 MR. CLARK: So move.

22 MR. BRAND: Is there a second?

23 MR. CAUCHI: I second.

24 MR. BRAND: Any discussion?

25 (No response.)

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2 MR. BRAND: All those in favor?

3 MEMBERS: Aye.

4 MR. BRAND: Any opposed?

5 (No response.)

6 MR. BRAND: The resolution has  
7 passed.

8 MS. BROOKS: Just so that I can be  
9 clear, we already added the note on the map  
10 that the Board of Health approval is required  
11 for septic system is required prior to the  
12 issuance of a building permit. The board is  
13 satisfied with that, and I also will be  
14 adding the Note 11 saying that the town  
15 highway superintendent approval for access to  
16 Walnut Lane shall be granted prior to the  
17 issuance of a building permit.

18 MR. BLASS: Yeah. And could you put  
19 it over on the lot near --

20 MR. HINES: Walnut Lane.

21 MS. BROOKS: Put it near Walnut  
22 Lane, okay.

23 MR. BRAND: Recreation fee?

24 MR. TRUNCALI: Recreation fee

25 findings, Town of Marlborough Planning Board.

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2 Whereas, the Planning Board has reviewed a  
3 subdivision application known as Aldrich  
4 Tonsing with respect to the real property  
5 located at Milton Turnpike and Walnut Lane in  
6 the Town of Marlborough.

7                   It is hereby resolved that the  
8                   Planning Board makes the following points  
9                   pursuant to Section 277-4 of the Town Law:  
10                  Based on the present and anticipated future  
11                  need for park and recreational opportunities  
12                  in the Town of Marlborough, and to which the  
13                  future population of the this subdivision  
14                  will contribute, parklands should be created  
15                  as a condition of approval of this  
16                  subdivision.

17                   However, a suitable park of adequate  
18       size to meet the above requirement cannot be  
19       properly located within the proposed project  
20       site.

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2 established for that purposed by the Town of  
3 Marlborough.

4                   This approved subdivision known as  
5   Aldrich Tonsing resulted in one lot for a  
6   total of \$1,500 in recreation fees, parent  
7   parcel excluded.

8 MR. BRAND: Jenn, can you poll the  
9 Board?

10 MS. FLYNN: Member Cauchi?

11 MR. CAUCHI: Yes.

12 MS. FLYNN: Member Clark?

13 MR. CLARK: Yes.

14 MS. FLYNN: Member Trapani?

15 MR. TRAPANI: No.

16 MS. FLYNN: Member Lanzetta?

17 MS. LANZETTA: Yes.

18 MS. FLYNN: Member Lofaro?

19 MR. LOFARO: Yes.

20 MS. FLYNN: Member Truncali?

21 MR. TRUNCALI: Yes.

22 MS. FLYNN: Chair Brand?

23 MR. BRAND: Yes.

24 Recreation fee findings passed.

25 I think that's all I need.

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2 MS. BROOKS: I would hope to get  
3 final subdivision approval as well. I only  
4 heard the resolution or did that include both  
5 of them?

6 MR. BRAND: I believe the resolution  
7 includes both.

8 MR. HINES: Yeah.

11 MR. BRAND: Okay.

12 MS. BROOKS: So we got the rec fee  
13 and the resolution. Thank you.

14 MR. HINES: You didn't poll the  
15 Board on the resolution.

16 MR. BRAND: I didn't poll the Board.  
17 We took a vote.

20 MR. BRAND: Okay. Thank you.

21 Next up, John and Theresa Shillieto.

22 Is that you again, Pat?

23 MR. HINES: It is.

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## 2 **yourself organized?**

3 MR. HINES: Absolutely.

4                   This is a proposed lot  
5   consolidation, total area of 13.31 acres,  
6   current tax map lot 50.1 acre in size -- and  
7   it will be consolidated with tax map lot 51.1  
8   of 12.31 acres besides the resulting 13.31  
9   acres.

15 MR. BRAND: Pat, do we have updated  
16 plans for the site?

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2 that. The issue being that if it was a  
3 residence, there'd be two residences on one  
4 lot, and that's not permitted here. So as  
5 long as the Board is okay with the quote,  
6 unquote, fire-training issue continuing to  
7 occur, that was the only outstanding issue.

8 MR. BRAND: Did the owners provide  
9 an indication of how long this was going to  
10 be used as a fire-training location?

11 MR. HINES: They make it available  
12 to the fire department. I think that's more  
13 of a fire department question than it is an  
14 owner question. They will continue to make  
15 it available for as long as the fire  
16 department is interested in utilizing it. I  
17 did not contact the fire department to find  
18 out.

19 Again, there's always difficulties  
20 finding training facilities, so when they are  
21 available, certainly the local volunteers are  
22 very happy to utilize them. Ulster County  
23 right now is out to bid for new Ulster County  
24 training facility up by the college, so  
25 hopefully there will be a state of the art

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2 training facility for all of the departments  
3 to be able to use in the near future, but  
4 that's probably a few years down the road.

5 MR. BRAND: Anything else from the  
6 Board? No questions from the Board?

7 MS. LANZETTA: Do you have to have a  
8 new map for folders for both of them? Sorry.

9 MR. BRAND: Sure. Are we willing to  
10 provide a negative declaration at this time?

11 UNIDENTIFIED SPEAKER: I'll make a  
12 motion for a negative declaration.

13 MR. BRAND: Is there a second?

14 MR. LOFARO: I'll second it.

15 MR. BRAND: All in favor say, aye.

16 MEMBERS : Aye.

17 MR. BRAND: Opposed?

18 (No response.)

19 MR. BRAND: Excellent. I think next  
20 would be -- this doesn't need a public  
21 hearing, right?

22 MR. BLASS: No need for a public  
23 hearing. I didn't know that we were going to  
24 be ready to approve this tonight, but I think  
25 you are ready to approve it tonight. So I

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2 would have to do a resolution for you  
3 tomorrow.

4 MR. BRAND: Okay. Can we -- I  
5 always get this wording wrong. Can we grant  
6 permission and or preliminary approval based  
7 on the -- or just wait until the resolution?

10 MS. BROOKS: Right.

11 MR. BLASS: So I think you want to  
12 grant both preliminary and final together  
13 without the need for public hearing.

14 MR. BRAND: Okay.

15 MR. BLASS: And I'll I back stop  
16 your decision tonight with a resolution  
17 tomorrow.

18 MR. BRAND: Do I have that motion  
19 for a preliminary and final approval for  
20 this?

MR. CLARK: I'll make a motion.

22 MR. CAUCHI: I'll second it.

23 MR. BRAND: All those in favor say,  
24 aye.

25 MEMBERS: Aye.

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MR BRAND: Any opposed?

3 (No response.)

13 MS. BROOKS: And that note is on the  
14 map.

15 MB BRAND: Excellent. Thank you.

## 16 Moving right along.

15 Hans Taylor preliminary site plan?

12 No Hans Taylor Going once. Going

10 [jstor.org](http://www.jstor.org)

MR. TRINGALL: Do we need him here?

ME PLASS: I think that Pat is okay

22 with the application, and neither the storm  
23 water aspect nor the grading aspect requires  
24 a public hearing. So just like the prior one  
25 which proceeded without a public hearing --

7 MR. BRAND: You have the maps that  
8 show all these changes?

9 MR. HINES: Yes.

10 MR. BRAND: Okay. Do I have a  
11 motion to make a negative declaration.

12 MR. CAUCHI: I make motion to make a  
13 negative declaration?

14 MR. BRAND: Is there a second?

15 MS. LANZETTA: I'll second that.

16 MR. BRAND: All those in favor say,  
17 aye.

18 MEMBERS : Aye.

19 MR. BRAND: Any opposed?

20 (No response.)

21 MR. BRAND: Negative declaration

22 later is issued. So for this, we can grant  
23 them conditional approvals?

24 MR. BLASS: Conditional approval of  
25 grading permit and conditional approval of

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## 2 storm water management.

3 MR. BRAND: So conditional for  
4 grading and storm water facilities. Do I  
5 have a motion?

6 MS. LANZETTA: I make that motion  
7 that they stay under the one-acre disturbance  
8 required.

9 MR. BRAND: Is there a second?

10 MR. CAUCHI: I'll second it.

11 MR. BRAND: All those in favor say,  
12 aye.

13 MEMBERS : Aye .

14 MR. BRAND: Any opposed?

15 MR. BRAND: So just that I'm clear  
16 with this, Ron, what does he have to do next,  
17 Mr. Taylor? Anything?

18 MR. BLASS: Yeah. Permit for the  
19 building inspector.

20 MR. BRAND: Anything else from the  
21 Board?

22 (No response.)

23 MR. BRAND: Motion to close?

24 MR. CAUCHI: I make a motion to  
25 close the meeting.

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1  
2 MR. BRAND: Is there a second?  
3 MS. LANZETTA: Second.  
4 MR. BRAND: All those in favor say,  
5 aye.  
6 MEMBERS: Aye.  
7 MR. BRAND: Any opposed?  
8 (No response.)  
9 MR. BRAND: Thank you.  
10 (TIME NOTED: 7:55 p.m.)  
11  
12  
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## C E R T I F I C A T I O N

9 I, BARBARA ULRICH, Court Reporter and  
10 Notary Public within and for the State of New  
11 York, hereby certify that I recorded  
12 stenographically the proceedings herein at  
13 the time and place noted in the heading  
14 hereof, and that the foregoing transcript is  
15 true and accurate to the best of my ability,  
16 knowledge and skill.

17

18

19

Barbara Ulrich

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25

BARBARA ULBRICH

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