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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

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In the Matter of

VERIZON WIRELESS
JASON WARDEN PROPERTY

Project No. 17-1004
1488 Route 9W, Marlboro
Section 109.1; Block 2; Lot 14

----- X

FINAL - PUBLIC HEARING

Date: June 5, 2017
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN
MICHAEL MUSSO

APPLICANT'S REPRESENTATIVE: SCOTT OLSON

----- X

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

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CHAIRMAN BRAND: I'd like to call the meeting to order with the Pledge of Allegiance to the flag of our country.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of Marlborough Planning Board, June 5, 2017. Regular meeting 7:30 p.m. Approval of stenographic minutes - none this week. Verizon Wireless, final, public hearing, Jason Warden property; Verizon Wireless, final, public hearing, James Garofalo property; Verizon Wireless, public hearing, Absolute Auto Property; Pollock/Taddeo, final, public hearing; Maria Stavroulakis, sketch, subdivision; Danskammer House, sketch, site plan; Kedem, follow up, site plan; Kedem, discussion, Pioneer Springs, without attorney, engineer, stenographer. Next deadline: Friday, June 9th. Next scheduled meeting: Monday, June 19th.

CHAIRMAN BRAND: I know many of you are here for the public hearing for the Verizon Wireless nodes. We are going to go through them one at a time but many of your questions might be able to be answered after the first presentation.

1
2 We will start off with the Verizon Wireless
3 public hearing on the property of Jason Warden.

4 MR. TRUNCALI: "Legal notice,
5 commercial site plan application. Please take
6 notice a public hearing will be held by the
7 Marlborough Planning Board pursuant to the Town
8 of Marlborough Town Code 152-17 on June 5, 2017
9 for the following application: Verizon Wireless,
10 James Warden property, at the Town Hall, 21
11 Milton Turnpike, Milton, New York at 7:30 p.m. or
12 as soon thereafter as may be heard. The
13 applicant is asking for a special permit approval
14 of a new telecommunications facility on lands
15 located at 1488 Route 9W, Marlboro, New York
16 12547, Section 109.1, Block 2, Lot 14. Any
17 interested parties either for or against this
18 proposal will have an opportunity to be heard at
19 this time. Chris Brand, Chairman, Town of
20 Marlborough Planning Board."

21 CHAIRMAN BRAND: You guys can come up
22 with your things and maybe just give us a rundown
23 for the people that are here for that public
24 hearing.

25 MR. OLSON: Thank you. Proof of notice

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of the public hearing.

CHAIRMAN BRAND: How many were sent out?

MR. OLSON: I'm sorry. How many were sent out?

CHAIRMAN BRAND: Correct.

MR. OLSON: I can tell you very quickly. Thirteen it looks like.

CHAIRMAN BRAND: Thirteen out and all thirteen back?

MR. OLSON: Yes.

CHAIRMAN BRAND: Excellent. You can just give those to the secretary.

MR. OLSON: That's for this one.

MS. FLYNN: Thank you.

MR. OLSON: You're welcome.

Good evening. My name is Scott Olson, I'm here representing Verizon Wireless. This is the application for the Warden properties, what we call node 11.

So for the benefit of everyone that's here tonight that's here for these, what we're proposing for tonight are three separate applications. They're for what we call an

1 outdoor distributed antenna system, ODAS or node.
2 It's basically in this case a 40-foot telephone
3 pole, a wooden telephone pole, which will include
4 a couple of radio cabinets, a power supply on the
5 pole itself as well as a single antenna at the
6 top of the pole. So we're talking about total
7 height of the pole with antenna of about 41.3
8 feet.
9

10 We're starting to do that as a company
11 throughout major State rights-of-way. The
12 purpose is essentially to provide additional
13 capacity relief for the Verizon Wireless network
14 in very targeted, limited areas. So this is one
15 example. It's along Route 9W. This is one node
16 of three we have in this Town that's subject to
17 an application.

18 We've got a site plan that we drew up
19 to show exactly where the pole would be. Like I
20 said, it's essentially a typical wooden utility
21 pole. We did some photo simulations the Planning
22 Board wanted which would show the intersection,
23 where it's going to be located without the pole
24 and then show what the pole will look like. You
25 probably can't see it back there. Essentially

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it's almost identical to the other utility poles that are along Route 9. Because these are on private property, though, we've tried to keep them as close to the right-of-way as possible because we wanted it to blend in with the existing utility poles.

These facilities fall under the Telecommunications Law that the Town has which would technically require two times the -- double the height of the pole would be the setback. So we would require at least an 82 foot setback from the right-of-way here. In this specific case we're 3 feet off of the front property line and we're 14 feet off of the side line. We're asking the Planning Board for a waiver under their Telecommunications Law to allow for that. We've submitted some reasons as to why we think it's appropriate, it blends with the Route 9 right-of-way. If you have a telephone pole with 80 feet plus off the right-of-way, it's not something typically you would normally find. Some of the other reasons -- here's an existing utility pole on Route 9. They don't have setbacks. They're like 2 feet off. All the

1 utility poles on Route 9 don't comply with
2 setbacks. Since what we're proposing is
3 essentially a utility pole, we think it's
4 appropriate that it be treated similar. We made
5 that request to the Planning Board.
6

7 More significantly, we've also provided
8 a radiofrequency emissions report that
9 demonstrates that the emissions from this
10 specific antenna will be less than 1 percent of
11 that which we are legally permitted to emit.
12 Because of that, the height of the antenna also,
13 under the FCC we are categorically excluded from
14 even monitoring the emissions because they deemed
15 it safe. So there are no health issues, no
16 health risks in any case.

17 With that, if I can entertain any
18 questions that the Board may have, or the public.

19 CHAIRMAN BRAND: I think I would like
20 Mike to run through his comments first on this
21 node 11 and then we can open it up.

22 MR. MUSSO: Mr. Chairman, Members of
23 the Board and Members of the Public, thanks for
24 having me here. For the record, Mike Musso with
25 HDR working on behalf of the Town of Marlborough.

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It's good to see you again. I think it was last summer we were dealing with a more conventional cell tower.

What I'd like to do is go through this node 11 report. I have a total of three tech memos for the three nodes that are in front of you for special permit use and site plan. Mr. Chairman, as you mentioned earlier these are similar applications. Our tech notes are very similar as far as recommendations that we put forth.

Node 11 is as good as any to start with. I think just as a guidance here I'd like to put the memo up on the screen and quickly run through it. I'd be glad to circle back. Please stop me if there's questions, and then I'll entertain questions from the public.

Just to kick off the presentation, I just want to note HDR does work on behalf of New York State municipalities. We do not work for the wireless industry. We made that choice and that distinction. Not that there's necessarily anything wrong with it but we recognize that sometimes it's very dual objectives. You have

1 zoning in front of you. Municipalities like
2 yourself sometimes are a little hamstrung about
3 Federal laws and Federal exclusions.
4

5 So I'd like to go through what we've
6 done, our analysis. I want to note that this
7 property is in the HD Zoning District as are two
8 of the nodes. One is in the R-1. This one, node
9 11, the Warden property, is in a Highway
10 Development Zoning District.

11 The application itself, we ran through
12 the information that was received. The Planning
13 Board engineer had some comments back in April
14 and supplemental information was submitted. Not
15 to go through all the details, but what we've
16 actually looked at were the actual forms for the
17 Town for special use permit and site plan.
18 There's an application with a narrative that
19 describes this technology, small cell, as I call
20 it, technology; a statement of intent; an
21 environmental assessment form under SEQRA; a copy
22 of the lease with the property owner and Verizon;
23 construction drawings and details showing the
24 equipment and cross sections of what this would
25 look like; a radiofrequency report that talks

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about the need for these small cells.

I'd like to stop there for a minute.

The big picture with Verizon in this case is to develop a system of these nodes, lower profile sites, starting actually in the Town of Newburgh and working up through node 11. This is the northern most node that's being proposed as part of the system. The overall plan are seven nodes in the Town of Marlborough, three are in front of you right now, nodes 5, 9 and 11. This system is also proposed to dip down into the Town of Newburgh. I'll show you a coverage map in a minute.

The technology is being used more and more in suburban and even rural areas. This technology, small antennas, small cells, this is not new to any of us. I can give you a couple of examples. Going up to a festival in upstate New York in the summer where the population might triple or quadruple for the weekend, the existing infrastructure of cell towers can not handle all the calls and all the phones. Very high traffic, stadiums, airport and malls that use this type of technology, either outdoor or indoor, as a

1 supplement. What we're seeing with wireless
2 communications now, it's not about coverage
3 footprint so much, which was the thing in the
4 early 2000s when the technology was breaking, but
5 it's really a function of capacity. We don't use
6 phones for solely calls anymore. There's text
7 messages, there's downloads of movies and news
8 clips, there's gaming that's on site. Really the
9 role of wireless uses has evolved. I know we
10 spoke about this last summer for one of the
11 applications that was in front of you. The
12 radiofrequency justification that was provided is
13 very important because I feel it does demonstrate
14 an inventory of the existing Verizon sites in the
15 area, in the Town and the surrounding communities
16 across the river. This is another tool in the
17 toolbox now of wireless carriers to supplement
18 those sites, to provide more coverage, but
19 especially more capacity. There's been a
20 demonstration of that capacity shortfall.

22 So this node system isn't overly
23 surprising. It's targeting a heavily trafficked
24 road in Newburgh and then heading up to Ulster
25 County here in Marlborough. We are seeing that,

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working on behalf of a number of other municipalities in the Hudson Valley, there are locations that are coming in. I had a meeting this morning in Rockland County, for example, on a twenty-node system that's being contemplated. I'll show you a little bit more of the nodes and the maps in a minute.

The applicant also provided some generic information on small cells and how they differ from the conventional what we call macro cell sites. Verizon has one facility at the current time in Marlborough and that's a co-location on the Mount Airy Road tower. So that's a macro cell site. I believe they have twelve antennas there.

MR. HINES: Mount Zion.

MR. MUSSO: I'm sorry What did I say?

MR. HINES: Mount Zion.

MR. MUSSO: Mount Zion. That's the only cell site currently Verizon has within your limits, within the Town limits.

As you'll see on one of the exhibits, there's a number of macro sites in the area, Marlboro, across the river both north and south,

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and also along the Thruway. Verizon, just like all the other carriers, they have a number of these conventional sites.

The applicant also provided a review of the Telecommunications Act which you see ad nauseam in all the municipalities. I get to read that over and over. They also provided licenses that Verizon can operate. A visual EAF was provided. At first it was really just a footprint of where the sites would be visible from. Supplemental information came to pass, and I know this Board had a lot to do with it. They also provided a photo simulation which I'll show you in detail. These are maybe a little hard to see.

FCC and FAA determination. There's no lighting that's proposed for these or none that's needed. They don't meet any kind of height criteria or proximity to an airport.

Radiofrequency emissions report. What the applicant rep said a couple minutes ago is true, these things are Federally excluded because they're above 10 meters in height. It's something we always ask for. We always want that

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on file. If there's anyone interested that lives in the proximity, they would be able to see that documentation.

Indeed, these sites are generally low power. The coverage footprint is much smaller, usually a range of about 500 to 1,000 feet. They interact with nodes and also work by fiberoptic connections to these macro cell sites. The power is much less than what you see in a macro conventional cell site. Again, one antenna on each of the nodes here that's being proposed.

The supplemental information that came through, there were survey maps that were provided. I know Pat Hines mentioned that in detailing the setbacks for you to consider and detailing possible variances. The survey map is really the right thing to have in front of you.

There are also some adjustments to the SEQRA EAF form.

As I mentioned, the photo simulation along with a signed copy of the leases by each of the property owners.

I gave you a little bit of background on small cell sites. Just to get you oriented

1 with node 11, this is Route 9W north going up,
2 Stuart across. Driving upward, up the hill going
3 north on U.S. 9W, there is quite a bit of a grass
4 shoulder here and there is a home here. You can
5 see where that node would be located. There's an
6 existing wooden utility pole just a few feet away
7 that would be used to tie in. The proposed 40
8 foot pole is in a 6 foot by 8 foot area. That's
9 what it would be anchored into. It's really not
10 much different from a wooden telephone pole
11 right-of-way. The hatched area here that covers
12 part of the driveway would be a 20 foot wide
13 access agreement that Verizon would have with the
14 property owner. That's documented in the lease
15 agreement as well. Verizon would visit the site
16 after construction, typically on a monthly basis
17 or as needed. There's no ground base equipment
18 in this case as we're used to seeing in more
19 conventional towers. Everything is actually on
20 the side of the pole.

22 So here's a cross section of the pole
23 itself. I'd like to walk through that for a
24 minute. Ground level. Here the scale at the
25 very top of the antenna is at 41.3 feet. The top

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of the pole proposes 38.5 feet. Tie-ins by overhead electric and fiber. There would be one guide wire that's common on utility poles and rights-of-way. Then what are sometimes called shrouds. These are the radio cabinets that come off the side of the tower. So you see by scale these are about a foot-and-a-half or two feet in length. Their width is somewhat comparable to the width or diameter of the pole. Down below there's a power box and electric meter. Everything is sited about 6 feet off the ground here.

All three nodes are very similar. Actually, the heights, with the exception of a caution sign, are identical. So this cross section is almost the same throughout our three tech memos.

We provided a couple photos. The top image is a plan view just showing, and our report discusses, the site usage in the area. This of course is a residential area. It's the furthest north node, node 11, that's being proposed. You have some commercial further south and some development a little bit further off to the east.

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You can see it's proximity to Route 9W in the top photo. The bottom photo is a photo that I took looking north there. The existing telephone pole or utility pole at the driveway, the proposed pole would be located just to the right of that. We'll see that in the photo simulation in a second.

I'd like to zoom in on this very quickly. This is one of the topics I spoke about in the beginning. This gives you a little bit of an overview to the nodes that are proposed. Node 11, node 9 and node 5, those are three of the seven Verizon nodes being contemplated in Marlborough. The three stars are the ones we submitted the reports for. Node 11 we're talking about now. Node 4 is the first in the Town of Newburgh, over the line, but there are three others further south in the 9W corridor. The big picture here is different jurisdiction, but I just want to put that out.

The orange text and sites are actually Verizon macro cell sites. You know, at first I looked at this by going through other applications in other municipalities, looking

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back at the Mount Zion application that you reviewed a couple years ago. It's really quite amazing if you look at the number of macro sites across the river, on Route 9 in Wappingers, and going upward towards Poughkeepsie, and then east and south in Newburgh, and further off to the west. So this demonstrates the trend. This is just one of the four carriers that service the area. I think that's -- that's a kind of telling exhibit about the evolution of this.

This is one of the coverage maps that was provided. I know you can't see the municipal boundaries. Node 11 would be here towards the top. Trust me, Route 9W is underneath here. These are spacing of the nodes. The green would be a coverage pattern that would be established, a signal pattern that would be established by this particular node. Although they're not broken out separately here, you kind of get the idea. There are these little pieces of coverage in the darker yellow. So that was part of the RF justification, how this particular type of technology could provide an enhanced service. A little bit more coverage for sure but more in

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terms of capacity.

MR. TRUNCALI: Mike, the other nodes that are in Marlboro are not before us because they're in the existing right-of-way so they don't have to come before the Planning Board. Is that correct?

MR. MUSSO: There's three right now that are on private property, this being one of them. So site plan, special use permit. The code rewrites, I guess it was adopted earlier this year and talked about being officially in the right-of-way or being on Town of Marlborough property. So my understanding is that the other four nodes meet those criteria.

You bring up a good point with these in that the first thing I thought of is why would an applicant want to go through this process if they maybe could go building permit only. There was some pretty decent reason, I thought, given. For each of these nodes there was four or seven or eight alternatives that were looked at in the right-of-way and there was documentation about the existing Central Hudson telephone poles that actually sit in the right-of-way. Based on a

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number of different things, either safety, the poles being a primary power, having a transformer on top, Central Hudson doesn't allow this on every pole in the area. So Verizon I think did a careful evaluation of that because I think it would be in their interest to actually go into a right-of-way. It didn't work in these more critical nodes that we're going for.

Just a couple other exhibits. One is the photo simulation. The ones up here that the applicant rep showed are actually for the southernmost node, node number 5. Let me try to zoom in on this a little bit.

Node 11, this is a shot looking to the northeast, if you will, 9W northbound lane. Hard to see but there's an existing pole that I mentioned here. This would be the full installation. Your copies of material are probably a little bit clearer. I apologize, I couldn't get this much clearer. You see there's one canister antenna on top, 38 foot pole. There's an awful lot of treeline around here. As I said many times here, cell towers are never invisible. This isn't the traditional cell

1 tower. I think it actually fits in fairly well
2 with these sites given the dense tree cover. A
3 number of nodes I think dictate the topography
4 and vegetation that's on the 9W corridor. That's
5 why they are eventually proposing several nodes
6 within the Town.
7

8 The report concludes with
9 radiofrequency emissions. We reviewed that.
10 There's some notes on structural assessment and
11 then there's a number of recommendations that I
12 put into the memos, among the last couple pages.

13 The first thing I discussed are
14 proposed waivers. Maybe we could go through
15 those in a little bit more detail. I laid out
16 all the waivers that are being proposed,
17 including the setbacks, annual certification,
18 recertification, the need for a balloon test.
19 That's really for conventional, larger, much
20 taller cell towers. Co-location. This is only
21 Verizon. Small cells are one carrier only, so
22 there wouldn't be somebody else coming in looking
23 to co-locate on these poles. That's not part of
24 the design.

25 Then I have a number of recommendations

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2 for you. For this particular site perhaps the
3 applicant has some feedback. As far as the EAF
4 information and SEQRA, I know that this Board
5 will take a careful look at a few things
6 regarding natural resources and public resources.
7 I flagged those items in the long form EAF. This
8 site also has some contamination history.
9 Perhaps the applicant could talk a little more
10 about that. It could be a spill, it could be
11 something else associated with the property.
12 Maybe that's something they could shed some light
13 on.

14 The recommendations I think are fairly
15 similar in large part to the reports you've seen
16 from us prior on more conventional cell towers.

17 I understand that this was referred to
18 the County, and I would bet that it's maybe one
19 of the first ones that Ulster County will comment
20 on as far as the small cell system. I would be
21 very interested in their feedback.

22 Just at the very end, these are some
23 actual other photos of actual small cell
24 facilities. You get an idea of what they look
25 like. This is a ground utility pole. What

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they're proposing here is actually similar, a comparable size antenna at the top. The boxes on the side in this case are a little bit taller I think than -- a little bit larger than what's depicted here. I think the photo simulation gives you a good idea.

Here's another one in obviously the utility right-of-way. This is part of the system I worked on a couple years ago in Westchester County. It's kind of hard to see. Maybe that's the point. The idea is that some of the equipment color matched a little bit. This is a brown antenna, brown boxes to match the pole a little bit better. This is also obviously in a right-of-way on private property.

I think that's the summary that I wanted to go through tonight. I'd be happy to try to elaborate on anything or answer any questions.

MR. TRAPANI: With these types of systems, do they -- we have a lot of hills in Marlboro. Will they only go a certain distance and then with the hills and everything and then would end there? I'm thinking about if they

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decide they want to do these things on the back roads up there to try to get better --

MR. MUSSO: Sure.

MR. TRAPANI: We have nothing up in the back. I could see you right there, I could talk to you but I can't talk to you on my cell phone. I'm wondering when they put these up, like a big cell tower, everything has to be at a certain height so that it would reach certain areas. With this type of system, will it go over the hills or it's not going to go over the hills?

MR. MUSSO: No. It's range or radius is generally 500 to 1,000 feet. There's contiguous nodes that would communicate with one another, or if you're driving up or down the corridor you would be handed off to another node. If there is a blockage -- say they install three of these, the three that we have in front of us tonight, there will be a lot of infill where there wouldn't be coverage at that time but you would pick up that next cell site as you get into it's range and your call will be diverted by fiber optic to one of the macro sites in the area, wherever that is. So the priority that I'm

1 seeing the carriers is really on main highways.
2
3 Five years from now, Ben, it could be a different
4 story, different technology including secondary
5 and tertiary roadways. To build these systems
6 they're really targeting specific high traffic,
7 commercial areas and roadways. The reason they
8 need several nodes here is because of the winding
9 topography and treeline in Marlboro. Just a few
10 of these nodes wouldn't cut it. With the line of
11 sight you'd lose out.

12 CHAIRMAN BRAND: Mike, I'm sorry, I
13 don't see in your report the comments about the
14 contamination on the site.

15 MR. MUSSO: In the node 11 report it is
16 on page 14 near the end under revised SEQRA long
17 EAF. So it's a quick note. It is understood
18 that the Planning Board will review the
19 information. Again, they revised their long form
20 based on comments from April 3rd, particularly
21 with regard to sections E-1(H), which is
22 contamination and spills; E-2, natural resources;
23 and E-3, designated public resources. So I just
24 noted that that was one of the boxes that was
25 checked as a yes, there was something at the site

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and something off site. Again, it could be a very simple explanation. It could have been a spill that was reported to DEC. That would show up on the environmental database.

MR. HINES: It could have been a car accident along the 9W corridor. Any reportable spill could have showed up.

MR. MUSSO: Just something that I flagged. This was the only node that --

MR. HINES: That showed up as a result of us requesting the applicant use the DEC database to populate the long form EAF. That wasn't in the original submission. When they used the DEC's database to do that, all that information shows up.

CHAIRMAN BRAND: This is a public hearing. If there are any members from the public who would like to speak for or against this, if you could just stand up and let the Stenographer know your name for the record, you can do so at this time.

Mr. Garofalo.

MR. GAROFALO: James Garofalo. I stood up before the Planning Board and the Town Board.

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They have several of these macro towers, not necessarily Verizon but other companies, being proposed. I've always said that I am in favor of improving cell service, both for the public and businesses, and especially for emergency services. Thank you.

CHAIRMAN BRAND: Thank you.

Any other comments for or against?

(No response.)

CHAIRMAN BRAND: Any other comments from the Board? Questions, comments regarding cell phone service?

(No response.)

CHAIRMAN BRAND: No. Pat, Ron?

MR. HINES: I don't have anything to add.

MR. BLASS: If you'd like, I can walk you through one of several requests for waivers from the current provisions of the code, Chapter 152.

CHAIRMAN BRAND: Sure.

MR. BLASS: The first one is a waiver from annual filing of radiofrequency emission data. The applicant is suggesting that the

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radiofrequency output from these facilities is so low that they fall about 1 percent below the safe level as established by the Federal Government.

Mike, do you have a recommendation on that?

MR. MUSSO: Yeah. It's the recommendation that we use -- with the changes in technology that you've seen, we think it's a good idea to keep that in, and also to keep in the recertification, five-year recertification. Under the code a pole like this on private property would be covered under the ordinance.

MR. BLASS: So every five years Chapter 152 requires a recertification of the special permit for this sort of facility. One approach might be to extend the date for the radiofrequency emission report from annually to five years and match it with the recertification process.

There is a request for waiver from detailed geotechnical --

MR. MUSSO: I would be okay with that, by the way. I think that would make sense.

MR. BLASS: There's a request for a

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waiver from the geotechnical foundation design. Basically given the fact this is only a pole, the deferral of that exercise until the building permit phase in front of the building inspector.

I think you had a favorable recommendation on that, Mike.

MR. MUSSO: Yeah. The same thing. The building permit phase should this be approved.

MR. BLASS: There are some technical legal requests for waiver of additional insurance provisions in any liability insurance that Verizon takes out on this site. The additional insurance provision would benefit the Town, naming it as an additional insured. There's also a legal objection to the code provision which requires the applicant to defend and to indemnify the Town of Marlboro with respect to any accidents that arise out of this type of facility, a telecommunication facility. I would suggest to you that these are strictly legal points. I'd have to craft a recommendation to you. I think Verizon is fairly and strenuously committed not to indemnifying the Town or providing the Town with additional insurance.

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We'll see whether we can work that out.

There's a request for -- of course there's a request for waiver of the two times tower height setback. If we didn't do that you couldn't have a small cell node facility of this sort.

By the way, this is not material for the ZBA because Chapter 152 of the Town Code gives the Planning Board the power to grant these waivers.

MR. HINES: The height limitation, and I know Mike Musso touched on it before, there is a guidewire provided on these. It is the intent of the guidewire to direct -- should the pole fall, the guidewires are provided to allow them to only fall away from the right-of-way. They didn't need the guidewire to design the pole. It's a mitigation measure they're proposing for you to discuss that waiver.

MR. CLARKE: Should this be a waiver or should we change the Town Code for these?

MR. HINES: Right now we don't have the ability to change the Town Code. Moving forward it may be something the Town Board may want to

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address. I don't think Verizon is in a position to wait for that to occur.

MR. BLASS: There's a request for waiver for providing for co-location on large towers. Your local law requires mandatory space be reserved for co-locating antennas to, in theory, reduce the number of towers by increasing the amount of shared use. These are single purpose poles for which I believe no co-location is a viable alternative. So I wouldn't have a problem with waiving the mandatory co-location requirement. Perhaps you want to impose a condition that there will be no co-location on these particular tower facilities. I don't think that would upset the applicant.

The balloon test requirement is to be waived. This is a 40-foot pole as opposed to a tower. That certainly seems to make sense.

I talked about the geotech and foundation design waiver already.

Security fencing. There's a requirement for security fencing in the code, Chapter 152. There's a request to waive given the nature of this facility.

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The only pushback I see to the request for waivers is with respect to the request, I believe the recertification every five years, the request for annual -- a waiver of the annual requirement for radiofrequency report and the legal issues pertaining to defense indemnification and additional insurance. The other waivers seem to be tailor made for this sort of facility.

CHAIRMAN BRAND: Mike, is co-location possible so we don't have 800 poles on the highway eventually?

MR. MUSSO: With this technology, no. Small cell technology, as I referenced in our tech memos, really is for one service provider at a time. I don't think it was -- I don't think it was 100 percent accurate to call this an ODAS system, outdoor distributed antenna system, as was in some of the application materials. I'm sure the folks for Verizon might have a good basis for that, they're a lot closer to this and a lot closer to the industry than I am. Distributed antenna systems are something that could accommodate more than one carrier with a

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single antenna. In fact, the last photo example in the tech memo, the one I mentioned here with the brown cabinet, this is actually a distributed antenna system. A single box like that called a shroud on the side can't have base radius for more than one carrier. In this case this is Verizon only. The design does not call for any kind of co-location with that.

CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: I'd like to -- anything else from the public?

(No response.)

CHAIRMAN BRAND: No. I'd like to have a motion to close the public hearing.

MR. CLARKE: So moved.

CHAIRMAN BRAND: A second?

MR. LOFARO: Second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

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MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: The public hearing is closed.

So we could issue a negative declaration on this, if the Board so chooses, to have it reviewed by the County and then those recommendation of proposed waivers we could look at when that comes back; correct?

MR. BLASS: Yeah.

CHAIRMAN BRAND: So do I have a motion for a negative declaration?

MR. TRUNCALI: I'll make a motion for a negative declaration.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: I'll second it.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

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MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So we will send this off to County to await their comments.

MS. LANZETTA: Are we going to put it in the record that County understands that we're waiving these -- that we're in agreement that we want to waive these things? Is that necessary at this point or not?

CHAIRMAN BRAND: I don't think we are waiving all of them. We're waiting on the recommendation from counsel on some of those items. Correct?

MR. BLASS: Yes.

CHAIRMAN BRAND: And then we would have to agree to them one at a time.

MR. BLASS: I think that this matter has been before the County. All three matters have already been referred to County. I can advise County Planning tomorrow by letter of the SEQRA determination and of the waiver issue if

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you wish.

CHAIRMAN BRAND: I think maybe we should look at -- when they come back we can look at each one of the recommendations.

MR. BLASS: I think County Planning meets on the first Wednesday of the month. They'll be taking a look at this thing on Wednesday.

CHAIRMAN BRAND: I'm sure they'll be looking at all the proposed waivers as well.

MR. BLASS: All three, yes. So I'll transmit that letter right away, tomorrow morning, so they have it.

CHAIRMAN BRAND: Okay. Great.

(Time noted: 8:11 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of June 2017.

Michelle Conero

MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

----- X
In the Matter of

VERIZON WIRELESS
JAMES GAROFALO PROPERTY

Project No. 17-1005
3 Young Avenue, Marlboro
Section 109.1; Block 3; Lot 26.2

----- X

FINAL - PUBLIC HEARING

Date: June 5, 2017
Time: 8:12 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN
MICHAEL MUSSO

APPLICANT'S REPRESENTATIVE: SCOTT OLSON

----- X

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

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CHAIRMAN BRAND: Moving on. We have a public hearing for Verizon Wireless for the property of James Garofalo.

MR. TRUNCALI: "Legal notice, commercial site plan application. Please take notice a public hearing will be held by the Marlborough Planning Board pursuant to the Town of Marlborough Town Code 152-17 on June 5, 2017 for the following application: Verizon Wireless, James Garofalo location, at the Town Hall, 21 Milton Turnpike, Milton, New York at 7:30 p.m. or as soon thereafter as may be heard. The applicant is asking for a special permit approval of a new telecommunications facility on lands located at 3 Young Avenue, Marlboro, New York 12542, Section 109.1, Block 3, Lot 26.2. Any interested parties either for or against this proposal will have an opportunity to be heard at this time. Chris Brand, Chairman, Town of Marlborough Planning Board."

CHAIRMAN BRAND: We've heard an awful lot about nodes. Perhaps you can just highlight this particular property.

MR. OLSON: Absolutely. First, proof

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of the mailings and public notice. Twenty-one were sent out and fifteen were returned. There are a couple of duplicates. I think there are four or five outstanding but they were sent.

So very quickly, this is another node that we're proposing located on 3 Young Avenue. The same technology, the same purpose, it's just another facility basically in the group of eleven or so we're trying to build in the Town of Marlborough, Town of Newburgh.

This is also located in the R-1 Zoning District. In your local Zoning Law you have a requirement that any development needs to be on a 4 acre parcel. This property that we're locating -- proposing to locate the facility on is less than 4 acres. I believe it's 3 and change or so. It's definitely not 4 acres. In addition to the waiver request that we made for the last application, we'd have a request for the waiver to not have a 4-acre requirement. I provided some reasons.

Setbacks, another waiver that we need to get. We're trying to keep it as close to the right-of-way as possible.

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The same type of RF analysis, emissions report that we did. All of these are less than 1 percent of that which we are legally allowed to emit. They're extremely low power. That's the reason why you're not going to get over the hills or through a lot of trees. Very, very low power. Because of that and because of the antenna being located above 10 meters, the FCC, again, they control the radiofrequency broadcasts. We don't even have to monitor this.

That kind of goes to the one issue -- one of our waivers about we would like not to have to annually certify. The argument that I make to every town I go before is we don't feel the local municipalities have the jurisdiction. We believe it's preempted by the Federal Government. They take sole and exclusive jurisdiction over radiofrequency issues. If they say we don't have to do any monitoring or reporting to them, we don't feel it's appropriate for the State to impose anything on that.

Having said that, and working in this area for seventeen or eighteen years, and not being an engineer, we know that we can pretty

1 much guarantee every time it's going to come back
2 to be under 1 percent because that's how the
3 technology designs this. We're not concerned.
4 We're trying not to say please don't impose it
5 because we are going to miserably fail. That's
6 just not the case. It's never going to fail. We
7 show that we are in compliance.
8

9 CHAIRMAN BRAND: How do you feel about
10 the five-year?

11 MR. OLSON: We prefer not to have to do
12 it, obviously. It's an additional burden. If
13 the Board is going to impose it on us, other
14 boards impose it on us and we end up coming down
15 five years, three years, whatever the zoning is,
16 and we take care of it. It's part of the
17 process.

18 CHAIRMAN BRAND: Okay.

19 MR. OLSON: Anyway, that in a nutshell
20 is what we're looking to do at 3 Young Avenue.

21 CHAIRMAN BRAND: Do you have any other
22 specifics for this one, Mike?

23 MR. MUSSO: If you'll allow me, I can
24 go through the figures in our memo just to
25 highlight some of the visual exhibits.

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There's an intersection here obviously,
so there's traffic lights.

Really the same exact cross section, a
41.3 foot pole.

Land use we talked about is obviously a
little different. We have the hamlet a little
further to the south, the school is close by.
That's always important, not only for residential
but for the radiofrequency emission reports.

This is looking north. The facility
would be kind of behind the Young Ave sign here.
There's other poles in the area.

A galvanized pole may be more effective
here, in my opinion, rather than a wooden pole.
I put that for consideration.

The same node map we had before. We're
at node 9 here.

Coverage is in green. Visual influence
in plan view. The dark green shading is where it
would be visual from based on a desktop analysis.
Although the newer track pole isn't depicted,
this is what that pole would look like in that
area. So that's the northeast intersection of
Young and Route 9W.

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That's it. The recommendations are very similar.

We do note that it is an R-1 District, so technically the Wireless Ordinance does require a 4 acre parcel. This I believe is a .21 acre parcel, the subject property.

MR. HINES: I think it's two parcels combined that add up to that.

MR. MUSSO: That could be, Pat.

MR. HINES: They're under common ownership.

CHAIRMAN BRAND: Anything from the Board on this one?

(No response.)

CHAIRMAN BRAND: This is a public hearing for node 9, Garofalo on Young Avenue. If there's anyone here for the public that would like to speak for or against, this is your opportunity to do so.

MS. MONDELLO: I have a question.

CHAIRMAN BRAND: Sure.

MS. MONDELLO: You're going with a galvanized pole there?

CHAIRMAN BRAND: He made that

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recommendation. We didn't necessarily say that it would be galvanized or not. He recommended just to match the existing poles in the area there.

MS. MONDELLO: It's going on a wooded lot, though.

MR. MUSSO: It's a consideration, you know. Wooden poles are proposed at all three. Just looking at our photos, something to consider. You're right. Maybe a brown pole would be better. I'll leave that up to the Planning Board.

MR. HINES: Ma'am, we need your name and address for the Stenographer.

MS. MONDELLO: Lisa Mondello, 6 North Young Avenue.

CHAIRMAN BRAND: Any other comments for or against? Mr. Garofalo.

MR. GAROFALO: Once again, this time I will say I'm putting my property where my mouth is in order to facilitate good service to businesses, residents and to emergency services. Thank you.

CHAIRMAN BRAND: Anyone else for or

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against?

MR. MCGOWAN: If I'm not mistaken, this is just a single service node. So this is only Verizon? You're not talking about Sprint or another cell provider? I mean is this going to balloon into where we have multiple poles and multiple service providers?

CHAIRMAN BRAND: Dave McGowan; right?

MR. MCGOWAN: Yeah.

CHAIRMAN BRAND: Dave McGowan, for the Stenographer.

I did ask that same question. All of these towers are just single location I believe. There's no co-location on these towers. So in theory, yes, if Sprint wanted to do a node system like this, or AT&T, we'd be back with other towers.

MR. MCGOWAN: Single. Okay.

MR. HINES: We're seeing some of these not only being on towers, we're seeing them placed on other structures, buildings, traffic signal poles that are existing. There is that technology. If you go to some more urban areas, Mike could probably address this better, but

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they're hitting all over the place now with the various carriers.

MR. MUSSO: I know an application was approved last year by AT&T much closer to the Route 9W corridor. I wouldn't think that a small cell system or ODAS system would be high on AT&T's radar at the present time because they do have that approval and that covers a large portion of the traffic areas on 9W. Every carrier is a little different. Again, two, three years from now, five years from now we'll have to wait and see what's being proposed. You have a process to do it, to review it, including small cells that are in the right-of-way. I think your code adjustments were helpful for that.

CHAIRMAN BRAND: I know the leases were included. What's the time length for this lease and then what happens should Verizon choose to not renew it, or the property owner at that time?

MR. MUSSO: I think the applicant is better suited to answer the specifics.

MR. OLSON: If the lease is terminated or expires, upon expiration we would remove the infrastructure.

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CHAIRMAN BRAND: How long are the leases for? Are all these nodes the same length of time?

MR. OLSON: More or less, yes. They're fairly long term. Usually a five-year term with five-year renewals. We have, generally speaking, four or five-year renewals. You're looking at about a twenty-five year term.

MR. MUSSO: One of the recommendations that's common in our memo is actually for decommissioning if it does come to that. There should be a bond that the Town agrees to in place. It's not a conventional cell tower per se, 150 or 200 feet tall with a base station and cabinets. Verizon has noted that they would be agreeable to post a reasonable removal bond. I think that's helpful as well.

CHAIRMAN BRAND: Anyone else for or against the Young Avenue node 9?

(No response.)

CHAIRMAN BRAND: Anything else from the Town -- the Board?

MR. LOFARO: No.

CHAIRMAN BRAND: I'd like a motion to

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close the public hearing.

MR. CLARKE: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. TRAPANI: Second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: The public hearing is closed.

Do we have an issuance of a negative declaration?

MR. TRUNCALI: I'll make a motion for a negative declaration.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: Second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

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MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: It passes unanimously.

That's been sent off to the County as
well. Excellent.

(Time noted: 8:23 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of June 2017.

Michelle Conero

MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

----- X
In the Matter of

VERIZON WIRELESS
ABSOLUTELY AUTO PROPERTY

Project No. 17-1006
1024 Route 9W, Marlboro
Section 108.4; Block 5; Lot 24

----- X

FINAL - PUBLIC HEARING

Date: June 5, 2017
Time: 8:24 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN
MICHAEL MUSSO

APPLICANT'S REPRESENTATIVE: SCOTT OLSON

----- X

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

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CHAIRMAN BRAND: Next up, Verizon Wireless, property at Absolutely Automotive.

MR. TRUNCALI: "Legal notice, commercial site plan application. Please take notice a public hearing will be held by the Marlborough Planning Board pursuant to the Town of Marlborough Town Code 152-17 on June 5, 2017 for the following application: Verizon Wireless, Absolutely Automotive location, at the Town Hall, 21 Milton Turnpike, Milton, New York at 7:30 p.m. or as soon thereafter as may be heard. The applicant is asking for a special permit approval of a new telecommunications facility on lands located at 1024 Route 9W, Marlboro, New York 12542, Section 108.4, Block 5, Lot 24. Any interested parties either for or against this proposal will have an opportunity to be heard at this time. Chris Brand, Chairman, Town of Marlborough Planning Board."

MR. OLSON: We're six for six on this one.

This is the third of our three applications. It's really the same as the other ones except for the location. So this is a

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little different location, next to the Absolutely Automotive -- on the Absolutely Automotive property.

The setbacks are just a little different. We are 9 feet off one of the side setbacks and 15 feet off the other, just because of how that property situates.

It's in a highway district so we don't have that 4 acre minimum lot requirement.

There's really nothing different other than that.

CHAIRMAN BRAND: Mike, do you have anything?

MR. MUSSO: Just a couple quick things. The Gomez Mill House is located to the east, behind the right-of-way and behind where this is proposed. I just want to show you an image of that real quick. So here's node 5. Very close to the Orange County border, incidentally. This would be the southernmost node in Marlboro. The southernmost of the three that you're reviewing. A small commercial area. A lot of empty space to the west, obviously.

The same 40 foot height, so a fairly

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limited view shed.

We did look at the Gomez Mill House a little bit. I think the photo simulation and the area of visual influence is important for you to consider.

I would ask if the applicant -- that's one of the SEQRA items that we had in the recommendations is just the Planning Board to take a hard look at that and maybe ask some questions tonight, the Gomez Mill House.

We agree with this area of influence. The dark green is really where this would be visible from, located almost in the right-of-way but on private property. The historic property here, just based on the topography and tree line, there's probably not a great visual influence, if any. Off-leaf season, with all of these you're going to get a better view of these poles, just like you do a conventional tower. Any correspondence perhaps going to SHPO with this, about that historic resource, that would be good to have in the file. The same comment that we had in our other reports also, that this does note a historic resource very close by.

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MR. HINES: With that, my office is coordinating that review with SHPO. This is a Type 1 action because of that. We're working on coordinating comments from SHPO which are outstanding as well.

CHAIRMAN BRAND: Anything from the Board?

(No response.)

CHAIRMAN BRAND: This is a public hearing. If you're here to speak about the Absolutely Automotive Verizon node 5, you may do so at this time.

Mr. Garofalo, I appreciate your participation tonight.

MR. GAROFALO: I will repeat myself once again, that I'm in favor of improving cell service in the Town. It's good for the residents, the businesses and emergency services. Thank you.

CHAIRMAN BRAND: Anyone else to speak on node 5, for or against?

(No response.)

CHAIRMAN BRAND: No. I'd like a motion to close the public hearing.

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MR. CLARKE: So moved.

MR. TRAPANI: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: Do I have someone to
issue a negative declaration?

MR. HINES: We're going to hold off.
We need to coordinate that.

CHAIRMAN BRAND: It's a Type 1. My
fault.

MR. HINES: We'll put that off until
after we hear from the County.

CHAIRMAN BRAND: Okay. I believe that
does it for Verizon this evening.

MR. OLSON: Thank you.

CHAIRMAN BRAND: Thank you.

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Thank you, Mr. Musso, as well.

(Time noted: 8:32 p.m.)

C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of June 2017.

Michelle Conero

MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

----- X
In the Matter of

POLLOCK/TADDEO

Project No. 15-8008
24 & 26 Main Street, Milton
Section 103.9; Block 22; Lots 29 & 30

----- X

FINAL - PUBLIC HEARING

Date: June 5, 2017
Time: 8:33 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: CJ HARTWELL-KELLY

----- X

MICHELLE L. CONERO
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Wallkill, New York 12589
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CHAIRMAN BRAND: Next up,
Pollack/Taddeo, final, public hearing.

MR. TRUNCALI: "Legal notice, lot line
revision application. Please take notice a
public hearing will be held by the Marlborough
Planning Board pursuant to the State
Environmental Quality Review Act and the Town of
Marlborough Town Code 134-33 on Monday June 5,
2017 for the following application:
Taddeo/Pollock, lot line revision ,at the Town
Hall, 21 Milton Turnpike, Milton, New York at
7:30 p.m. or as soon thereafter as may be heard.
The applicant is seeking approval of a lot line
revision for lands located at 24 and 26 Main
Street, Milton, New York, Section 103.9, Block 2,
Lots 29 and 30. Any interested parties either
for or against this proposal will have an
opportunity to be heard at this time. Chris
Brand, Chairman, Town of Marlborough Planning
Board."

MS. HARTWELL-KELLY: I'm here
representing Robert Pollock. I'm CJ Hartwell-
Kelly.

I have the return receipts for the

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POLLOCK/TADDEO

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public notice. I sent out 32 and got 24 back.

CHAIRMAN BRAND: Do you want to give us a basic rundown of what's going on? We can go to the engineer if you'd like.

MS. HARTWELL-KELLY: Maybe that's a good idea. I believe it's just --

MR. HINES: This project was before the Board in 2015 at which time a public hearing was held, a SEQRA determination was made and conditional final approval -- I think actually final approval was granted. The maps were not filed in a timely manner with Ulster County so that approval lapsed.

It is an adjustment to an existing lot line between two common properties where -- it's kind of an agreement about where the lot line is. There's kind of a boundary dispute and they are agreeing to where the lot line is going to fall. A very minor change. I think it's a 430 square foot difference between the two lots. Actually, there's 78 feet from Taddeo to Pollock and 430 from Pollock to Taddeo, straightening that lot line out between the two.

So with that, we don't have any

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outstanding comments procedurally.

Because it's in the C Zone, your new streamline lot line provisions don't apply. They had to re-advertise and they are here for the public hearing tonight.

We don't have any outstanding comments and we would recommend the Board issue a final approval unless some substantive comments are received this evening.

CHAIRMAN BRAND: This is a public hearing. If you are here to speak either for or against the Pollock/Taddeo final public hearing on the lot line revision, please stand up, state your name.

MR. JOSEPH TRAPANI: Joseph R. Trapani for Frank Taddeo and Marie Taddeo. I'd just like the record to indicate that Frank Taddeo and Marie Taddeo are present here tonight.

CHAIRMAN BRAND: Thank you.

Any other comments?

(No response.)

CHAIRMAN BRAND: Anything from the Board?

MR. CLARKE: Are you going to file this

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time?

MS. HARTWELL-KELLY: If he got me involved sooner it would have been done.

CHAIRMAN BRAND: Any other comments?

(No response.)

CHAIRMAN BRAND: I'd like to have a motion to close the public hearing.

MS. LANZETTA: I'll make the motion to close the public hearing.

MR. LOFARO: Second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: All right. Due to the uniqueness of the situation, I guess if the Board is in agreement we can reissue a final approval. Do I have someone to make that motion?

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MR. TRAPANI: I'll make that motion.

MR. TRUNCALI: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

MS. LANZETTA: Do we have to read the resolution?

CHAIRMAN BRAND: We have a resolution. We haven't read them in the past but we do have the resolution for this.

MR. BLASS: I think we should strike the last paragraph that deals with the new negative declaration and using the old negative declaration. Just strike that. I'll give you a revised version tomorrow.

CHAIRMAN BRAND: Okay. We did all vote yes, so I won't have Jen poll the Board again.

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We all voted yes and everyone is here.

Thank you.

(Time noted: 8:36 p.m.)

C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of June 2017.

Michelle Conero

MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

----- X
In the Matter of

MARIA STRAVROULAKIS

Project No. 17-1012
73 Peach Lane, Milton
Section 95.4; Block 3; Lot 15

----- X

SKETCH - SUBDIVISION

Date: June 5, 2017
Time: 8:37 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: ROBERT JAMES

----- X

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MARIA STRAVROULAKIS

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CHAIRMAN BRAND: Next up, I'm going to go with the address of 73 Peach Lane on this one.

How do you say it?

MR. JAMES: Maria Stravroulakis.

CHAIRMAN BRAND: Would you like to give us an overview of what's happening here?.

MR. JAMES: My name is Bob James, I'm with A. Diachishin & Associates who prepared the maps. The applicant is Doug Minard who is back there in the hat there.

Doug Minard is purchasing lot 2 which is 21 acres, a two-lot subdivision. Lot 2 is vacant. Lot 1 has a house. That would be approximately 4 acres.

This is a sketch plan. There will be on lot 1 the existing house lot, existing conditions except where we need a new well because there is an existing drilled well that's in the 50-foot flag pole for lot 2.

We're in the RAG-1 Zone, rural agricultural, one acre zoning. Both lots meet the zoning.

CHAIRMAN BRAND: Pat, do you want to

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run through your comments?

MR. HINES: Again, as the applicant's representative just said, it's a two-lot subdivision. Lot 2 contains the well that serves the existing house which will end up on lot 1 and a new well will have to be drilled. We're suggesting that prior to final approval that that be accomplished to assure that that occurs, otherwise it's going to be difficult to make sure, or at least a condition of final approval that that occur.

We're also suggesting, due to the location of the well on lot 2, it's not very functional for any future use of lot 2, that it be capped and closed per AWWA standards. It's right in the flag pole of the flag lot there. Unless the applicant's representative has some really good reason to leave that there.

MR. JAMES: Doug, any comment on that, on the well? What are you thinking?

MR. MINARD: I don't have to have it, no.

MR. JAMES: Okay.

MR. HINES: It eliminates any potential

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MARIA STRAVROULAKIS

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for a well to sit there forever and potentially contaminate the groundwater supply. It's not located for it to be conducive. If some future development of lot 2 occurs it's going to impact that well location.

With that, it requires a public hearing.

I don't have any other comments on here.

The existing lot is adequately sized. The wells and septic are shown.

I was interested in where the name of that creek came from. I never saw that on a map in Marlborough before.

MR. JAMES: I think it came off of the USDA map showing the Federal wetland, if I'm not mistaken.

MR. HINES: It could. I never heard of that before. I was just interested.

CHAIRMAN BRAND: Anything from the Board?

(No response.)

CHAIRMAN BRAND: I just have one question. Is there other access to this lot 2 or

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MARIA STRAVROULAKIS

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that 50 foot flag?

MR. HINES: That's it.

CHAIRMAN BRAND: Okay.

MR. CLARKE: I think the applicant owns contiguous property.

MR. JAMES: Apple Blossom.

MS. LANZETTA: I don't think it's necessary because this is a large lot, but do you think it would be wise on the map to put some kind of reference to the agricultural buffer, 75 foot agricultural buffer on the side that is adjacent to the land that's going to be farmed?

MR. HINES: On lot 1?

MS. LANZETTA: Yeah.

MR. HINES: I didn't bring it up because the existing house meets it. A reference to that code section could be added, yes. The buffer would end up on lot 1 in this case, not lot 2.

MS. LANZETTA: Just in case they ever come back to subdivide that.

MR. HINES: They could. The rear of the property, it is Federal wetlands. Certainly a reference -- there's a code section that

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MARIA STRAVROULAKIS

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requires a 75 foot buffer between residential properties and agricultural. You could just add that note as well as we move forward.

CHAIRMAN BRAND: Any other comments?

(No response.)

CHAIRMAN BRAND: We can go ahead and schedule a public hearing. I believe that first meeting in July --

MS. FLYNN: It has to be July 17th.

CHAIRMAN BRAND: July 17th.

MR. JAMES: July 17th?

CHAIRMAN BRAND: Yes.

MR. JAMES: And the submittal date?

MS. LANZETTA: Deadline submittal.

MS. FLYNN: Yes. It would be July 7th is the deadline.

CHAIRMAN BRAND: I think you're all set unless you have anything else.

MR. JAMES: All set.

CHAIRMAN BRAND: All right. See you on July 17th.

MR. JAMES: All right.

CHAIRMAN BRAND: Make sure you get the addresses for the mailings. That needs to go out

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MARIA STRAVROULAKIS

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as well.

(Time noted: 8:41 p.m.)

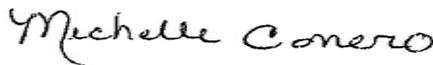
C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of June 2017.



MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

----- X
In the Matter of

DANSKAMMER HOUSE

Project No. 17-1013
5 West Street, Marlboro
Section 108.12; Block 3; Lot 14

----- X

SKETCH - SITE PLAN

Date: June 5, 2017
Time: 8:41 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: ANDREW WILLINGHAM

----- X

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

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CHAIRMAN BRAND: Next up,
Danskammer House.

MR. WILLINGHAM: Good evening. My name
is Andy Willingham with Willingham Engineering.
I'm here to present the Danskammer Bed &
Breakfast. The owner applicant is here, Kenneth
Cool and Linda Cool behind me here.

Just a little bit of history about the
project. The house was built in 1870 and
apparently was a doctor's office until the late
'60s, was given to their children where the
property was kept up pretty well until about
1999, switched ownership and the Cools kind of
watched it deteriorate over the years until 2016
when they finally decided they wanted to purchase
it. Since then they've done substantial
renovations to the property -- I don't know if
you've seen it but it's really beautiful, in my
opinion as an engineer -- to both the exterior
and interior as well as additional parking, a
patio -- a gravel patio in the rear, a small
orchard, berry patch, landscaping.

So I've brought it to you folks, the
Board. I also brought some photos of what it

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used to look like in case you're interested. It is a permitted use in the R-1 Zone.

We are proposing to provide all the parking on the property. Two spaces in the garage and four on the site.

It's proposed to be owner occupied in accordance with the Code. Linda is going to be living in the house. They live directly across the street currently.

I think that's it. That's a summary.

CHAIRMAN BRAND: Thank you.

Pat?

MR. HINES: Did I hear they live across the street or they're going to live in the house?

MR. WILLINGHAM: Kenneth is going to stay across the street. Linda is going to move into this house.

MR. HINES: There is a requirement and there will be a requirement to note on the map it be owner occupied.

I have comments as the Board is familiar with these bed and breakfasts. I didn't see it in my file and I don't know if we got the gatekeeper letter from the building inspector.

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CHAIRMAN BRAND: We did not I don't believe.

MR. HINES: We need that here.

One of the major comments, my comment number 2, and we've gone through this with bed and breakfasts in the past, is that fifty percent of the structure -- the maximum allowed use of the structure for the bed and breakfast is fifty percent. We're going to need a house plan that depicts the layout of the building and how that building is going to function based on fifty percent of it being -- a maximum of fifty percent being utilized for that bed and breakfast use. It's an existing four-bedroom structure that they're saying they are going to make a five-bedroom structure and utilize four bedrooms as the bed and breakfast. That in my mind will rapidly approach or exceed the fifty percent of the structure being utilized. I think a copy of the house plans needs to be submitted and that area that will be utilized for the business use.

CHAIRMAN BRAND: Pat, is that something that they can receive a variance for or --

MR. HINES: It's in the Zoning

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Ordinance. Yeah, they could. They need to show -- number one, show this Board how that's going to work.

MR. WILLINGHAM: If I may. I'll wait until you finish your -- I do have some information on that part.

MR. HINES: It's up to the Chairman.

CHAIRMAN BRAND: You go ahead. Finish yours and then he can go back.

MR. HINES: The Board should evaluate the use of the gravel driveway. The Board does typically require commercial uses to have paved surfaces. You know, they could have a dust issue with the four additional parking spots.

That leads into it requires six parking spaces based on the four bedrooms and the owner occupancy of two. Two of those are identified as being in the existing garage. We're suggesting a note on the plan be added that the garage must be available for parking and that it doesn't become used for storage or some other use. It meets the parking count by utilizing the garage, so the garage must be available.

Section 155-23, home occupation, says

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there could be no structural alteration to the principal building in order to accommodate the home occupation.

The plans do identify the installation of an ADA accessible ramp. I know you have photos in the submission. The front porch is or seems to be elevated. There's a construction ramp there. That's going to be the building inspector's call on whether that's going to be a structural alteration or not.

Home occupations are subject to an annual fee in accordance with the home occupation, Section 155-23 (F).

CHAIRMAN BRAND: Can you just clarify that 155-23, the no structural alterations?

MR. HINES: You can't change the structure. It's basically for home occupation. There's a proposed ramp to be constructed or shown. I think the building inspector is going to have to make a call whether that's a structural change or not. I don't have a grading plan here or the extent of the access to the structure, how that's going to be changed. Maybe the applicant's representative can address that.

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MS. LANZETTA: If you just as a homeowner wanted to prepare to have better access into your home for visitors and stuff, --

MR. HINES: I think you can.

MS. LANZETTA: -- aren't you allowed to do that?

MR. HINES: I think as a homeowner you can structurally alter your house all you want. When you're before the Board with a home occupation that shows a change to the plans to accommodate, it's going to be up to the building inspector.

MS. LANZETTA: If you're living there -- I'm confused because home occupation means it's your home, you're living there. If you want to improve access into your own home, who is to say that you're not doing it for yourself or your friends and family as opposed to all of a sudden it becomes for the business?

MR. HINES: Because it's -- I would suggest that it's on the site plan here for the home occupation. It's not there now. It's a proposed ramp right now. I just quoted that out of the home occupation section, 155-23. That is

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a quote, there shall be no structural alterations to the principal building in order to accommodate a home occupation. That's why I'm suggesting the building inspector's comments regarding the construction requirement of handicap accessibility should be received. I'm with you. If they weren't here before you for the home occupation they could construct a handicap accessible ramp compliant with the code.

MR. TRUNCALI: A ramp would be part of the building? I mean it's coming up to the porch.

MR. HINES: I think it is. It depends how they build it. If they grade it with dirt it wouldn't be. I'm going to leave it up to the building inspector. I went through the code that says home occupation and here's the following items that comply.

I think the biggest issue for this applicant is the fifty percent use of the structure. We've had that issue with other bed and breakfasts.

CHAIRMAN BRAND: Correct.

MR. WILLINGHAM: So the fifty percent

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issue we were definitely aware of before coming here. We knew we had to meet that. It's a three-story building. The top floor is going to be basically a studio, kind of common area, living space. The bottom floor is going to be -- is going to have only one bedroom in it. The rest of it is going to be, you know, dining room, kitchen. I spoke with Tom Corcoran and he said that he was willing to consider these common areas as part of the house. You know, the kitchen, the dining room. If those areas are all considered as part of the house, than we're above the fifty percent. So that's how we're kind of seeing that.

MR. HINES: In the past the Planning Board -- to be consistent with other ones, the Planning Board has asked for those house plans. Those areas that were used for the bed and breakfast, including the dining areas and kitchens, et cetera, were part of the requirements for the bed and breakfast.

CHAIRMAN BRAND: So they were considered the business?

MR. HINES: Yeah. If the patrons of

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the business are eating -- if the dining room is the dining room. Just to be consistent. This regulation was changed. It originally said 35 percent many years ago, pre Buttermilk Falls. When that bed and breakfast came in, the fifty percent was increased in the Town Code in 2009 in response to some other bed and breakfasts that said 35 percent is not practical but maybe fifty percent is. So I think it's up to the Board to take a look at how it's going to be used.

MS. COOL: If I may. As the owner/occupant of this establishment, I intend to use my dining room and I intend to have guests over who are my guests, I intend to have family for family dinners. I don't see that I'm restricted from using the dining room. No one will be using the kitchen but me. I will be preparing food for people who are staying there. Nobody is in the kitchen but me. No one is in the laundry room. No one is in the basement. I intend to spend some time in the lushish third floor space we created with a beautiful view over our backyard. I'm going to listen to my music, I'm go to read my books. If I'm not allowed to use my own space

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as an owner/occupant, this seems really crazy.

MR. HINES: No one is saying the owner/occupant can't use it. It's a matter of how much of the structure is dedicated to the "home occupation."

MS. COOL: But my point is it's not dedicated. It's my space that I intend to use to entertain my family and friends.

MR. HINES: In the past this Board has considered the kitchen areas of the facilities that were utilized to make breakfast for the tenants or the occupants of the bed and breakfast as well as the dining areas. I mean you have the plans for the Buttermilk Falls one. There was another one across the street. I don't know if it ever opened but we had that analysis as well in the Milton hamlet.

I would suggest, to be consistent, the Board get that plan to show how the space is going to be utilized so that that calculation can be performed.

MR. WILLINGHAM: We'll provide a floor plan showing that calculation.

I always try to think of the intent of

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why someone wrote that, you know. What was the intent of fifty percent. It just seemed like kind of your classic bed and breakfast wouldn't meet that if you look at it that way. Fifty percent couldn't include all the common areas.

MR. HINES: The intent is to keep the project to scale as a home occupation in relationship to the size of the structures and the use of the facility. Again, it was raised in that ordinance in 2009 as a response to the previous bed and breakfast applications that had difficulty showing they were using less than 35 percent.

MR. COOL: May I? As the owner of the property, there is a point here at which you need to define the term, and you haven't defined it. Until you can define the term --

MR. HINES: I don't need to define the term. I'm asking you as an applicant to provide the Board with the information so they can perform the analysis.

MR. COOL: You can't define terms three different ways. You can't say on one hand that this is the owner's property and the owner has

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the right to enjoy the uses of his or her house/
home and then to claim on the other hand that
every room in the house serves the benefit of the
guests. That's an illogical statement.

MR. HINES: I don't think anyone here
made that claim other than you right now.

MR. COOL: No, but in essence it's what
you're saying.

CHAIRMAN BRAND: I know that after your
first appearance there were some questions and I
wrote a letter to the Town Board to review the
current -- the laws. I remember there was a gap.
We had some occupancy at five or smaller, or
something like that, and we had hotels, but there
was really no in between rules. Do you recall
that? So I did send it off to them after your
last visit. I don't believe that anything has
happened from that. We will definitely -- I'll
check with Tommy and we'll check.

What was the other case, Pat, you said
we should reference? Buttermilk was the one?

MR. HINES: Buttermilk Falls was one
that we went through quite an exercise to
determine what portions of the structure were

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dedicated to the owner occupancy versus the use,
then there was one right across the street from
Buttermilk Falls that sits up on the hill.

MR. TRUNCALI: Evelyn's View?

MR. HINES: Yeah. That was another one
where we went through the same analysis.

MS. LANZETTA: What about the one in
Milton that sits up on the hill?

MR. TRAPANI: Riverview.

MR. HINES: It's in the same -- across
the street from the Buttermilk Falls one that we
had.

CHAIRMAN BRAND: So we haven't received
anything from the building inspector yet on this
as well.

MR. HINES: He did hand me something.

CHAIRMAN BRAND: You have something?

MR. HINES: It's just saying it can be
presented.

CHAIRMAN BRAND: I think what we could
do is schedule this for a public hearing, and
then in the meantime -- it's a long time.
Between now and July 17th we can discuss it,
we'll review those other cases, Buttermilk Falls

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history and the Evelyn's View history, and then maybe come to some clear decision. You'll present us with a map and show the spaces.

MR. BLASS: I think the plan will address what portions of the house are accessible to patrons and what portions of the house are inaccessible to patrons.

CHAIRMAN BRAND: Does accessibility necessarily denote that is business based --

MR. BLASS: Most B&Bs have a dining area which is accessible to patrons, they have a sitting area that is accessible to patrons and they have bedrooms which are accessible to patrons, and bathrooms. It would basically be identifying the portion of the house to which guests were -- which were inaccessible to guests, reserved for owners.

CHAIRMAN BRAND: That has to be fifty percent?

MR. BLASS: That's what the code reads now.

CHAIRMAN BRAND: Okay.

MR. WILLINGHAM: Tom Corcoran isn't seeing it quite that way, at least per my

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conversation. We'll see how it all kind of plays out.

MS. LANZETTA: If he could give us some written guidance as to how he's attributing this, that would be helpful to us.

MR. WILLINGHAM: Yeah.

CHAIRMAN BRAND: So we'll schedule a public hearing for July 17th.

MR. WILLINGHAM: Okay.

CHAIRMAN BRAND: Between now and then -- the deadline is July 7th for that?

MS. FLYNN: Yes.

CHAIRMAN BRAND: You'll send out the mailings and hopefully you can get clarification before then.

MR. WILLINGHAM: While I have you here, the gravel parking issue, is it something that's -- we don't feel like it really fits this use. If you've been to the site, it's not a paved kind of parking lot. Is it possible that the Board will consider a waiver? Is it possible?

MS. LANZETTA: I personally don't have any issue with gravel. I'm going in a few months to Newport where we frequent a lot B&Bs and they

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have no blacktop. Everything is gravel there.

MR. TRUNCALI: I agree with Cindy.

CHAIRMAN BRAND: Me, too.

MS. COOL: If I may add to it. In our particular case I think the gravel is most appropriate because we are on a slanting lot. If we macadamed this parking area and what's already a big driveway which has always been gravel -- the nice thing about gravel is it allows moisture to go down into the ground. Otherwise we're going to be sending sheets of water down the hill, and I don't think that's in anybody's --

MR. HINES: The only other issue there may be is an ADA issue with that. The gravel does not meet the Americans with Disabilities Act. I see we're going with handicap access or an accessible access ramp to the front, but there's no way to get to it at that point.

MS. LANZETTA: You might want to consider some permeable pavers where a person can pull up and --

MR. TRUNCALI: Is there a sidewalk out to the street?

MR. COOL: May I suggest just about

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that particular issue, in terms of handicap access, to suggest that the handicap access should be in the rear of the property where the parking area is would mean that a handicap person would have to walk about fifty additional yards, up a hill to the front door to go one step onto a porch at the first level. In practical terms that makes no sense. What our proposal is today -- ADA requirements have all kinds of equipment. There are light weight aluminum ramps that will take a handicap person up one step and from the front steps. That's all that he or she would really need. It does not have to be a permanent alteration of the establishment. It meets the needs when there's a handicap person on site, and it also eliminates the ugliness of what many handicap ramps are that create monstrosities in front or side yards. I would hope that the Planning Board take into due consideration being both practical in terms of truly wishing to support and meet the needs of the handicap but also be responsive to the aesthetics of the building and what makes the most sense. Sometimes regulations do everything to destroy a

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property as opposed to make it work well, look good and function appropriately for the people it's meant to serve.

MS. COOL: I'll be the first person who would agree that what applies to one should apply to all. Absolutely. But to compare what we're trying to do to Buttermilk Falls is like comparing our backyard to this fifty-acre property. Buttermilk Falls uses the word bed and breakfast but it's an inn. In fact, I would guess it's maybe a hotel.

MR. WILLINGHAM: Just lastly, the structural alteration, again I'm trying to figure out why. To me the no structural alteration seems to be so you don't do an addition. You don't say I'm going to work out of my house and build a big addition on the house and there's your office. That's seems to be the intent of that. You'd think if you're going to convert your house to your office there would be some alterations.

CHAIRMAN BRAND: Thank you.
Anything else from the Board?

MR. TRUNCALI: No.

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MR. LOFARO: No.

CHAIRMAN BRAND: So we'll see you back on July 17th. Thank you.

MS. COOL: Is this a public hearing on the 17th?

CHAIRMAN BRAND: It will be a public hearing.

MS. COOL: I'll come and see Jen and we'll find out what I need to do.

CHAIRMAN BRAND: Basically mailing out to all adjacent property owners. She'll show you how to find those persons.

MS. COOL: Thank you.

(Time noted: 9:02 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of June 2017.

Michelle Conero

MICHELLE CONERO

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KEDEM

STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD

----- X
In the Matter of

KEDEM

Project No. 17-1013
1519 Route 9W
Section 109.1; Block 1; Lot 2.100

----- X

SITE PLAN

Date: June 5, 2017
Time: 9:02 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

----- X

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

CHAIRMAN BRAND: Kedem is not present.

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KEDEM

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I would like to have a motion to
adjourn.

MR. CAUCHI: I'll make a motion to
adjourn the meeting.

CHAIRMAN BRAND: Is there a second?

MR. TRUNCALI: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

(Time noted: 9:03 p.m.)

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Michelle Conero

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