



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

5 (Pledge of Allegiance.)

6 MR. CAUCHI: Agenda, Town of  
7 Marlborough Planning Board, July 17, 2017.  
8 Regular meeting 7:30 p.m. Approval of  
9 stenographic minutes for 6/5, 6/19. Danskammer  
10 House, lot 108.12-3-14, site plan, public  
11 hearing; Maria Stavroulakis, lot 95.4-3-15,  
12 subdivision, public hearing; Highland Pet Center,  
13 lot 95.4-1-18.2, revised sketch, amended site  
14 plan; Verizon Wireless, lot 109.1-2-14, final,  
15 site plan, property Jason Warden; Verizon  
16 Wireless, 109.1-3-26.2, final, property James  
17 Garofalo, site plan; Verizon Wireless,  
18 108.4-5-24, final, property Absolutely Auto, site  
19 plan; Reservoir Road, lot 108.2-9-43.131, 132,  
20 133, 134, 135, sketch, lot line; Eighty Six  
21 Washington, 103.3-4-19, sketch, site plan;  
22 Vincent & Moran, lot 102.2-6-2, 3 and 4, sketch,  
23 lot line; Smith Subdivision, lot 103.1-4-47.130,  
24 sketch, subdivision; Janet, discussion,  
25 102.2-5-14, subdivision, without attorney,

2 engineer or stenographer. Next deadline:  
3 Friday, July 21, 2017. Next scheduled meeting:  
4 Monday, August 7, 2017.

5 CHAIRMAN BRAND: I'd like to have a  
6 motion for the approval of the stenographic  
7 minutes for June 5th and June 19th, please.

8 MR. CLARKE: So moved.

9 CHAIRMAN BRAND: Is there a second?

10 MR. LOFARO: Second.

11 CHAIRMAN BRAND: Any discussion?

12 (No response.)

13 All those in favor of the approval?

14 MR. CLARKE: Aye.

15 MR. TRAPANI: Aye.

16 MS. LANZETTA: Aye.

17 MR. CAUCHI: Aye.

18 MR. LOFARO: Aye.

19 CHAIRMAN BRAND: Aye.

20 Any opposed?

21 (No response.)

22 CHAIRMAN BRAND: So carried.

23 First up, Danskammer House. Come up to  
24 the table.

25 MR. CAUCHI: "Legal notice, amended

2 special use permit. Please take notice a public  
3 hearing will be held by the Marlborough Planning  
4 Board pursuant to Town of Marlborough Town Code  
5 155-32 on Monday, July 17, 2017 for the following  
6 application; Danskammer House, at the Town Hall,  
7 21 Milton Turnpike, Milton, New York at 7:30 p.m.  
8 or as soon thereafter as may be heard. The  
9 applicant is asking for a special permit for a  
10 home occupation bed and breakfast on lands  
11 located at 5 West Street, Marlboro, New York,  
12 Section 108.2, Block 3, Lot 14. Any interested  
13 parties either for or against this proposal will  
14 have any opportunity to be heard at this time."

15 CHAIRMAN BRAND: First off, why don't  
16 you give us a brief overview of the --

17 MS. COOL: I have the legal notice  
18 materials.

19 CHAIRMAN BRAND: How many did you send  
20 out and how many were returned?

21 MS. COOL: We sent out 66, 44 were  
22 returned, 3 were returned as undeliverable and 19  
23 not delivered.

24 CHAIRMAN BRAND: Great.

25 MR. WILLINGHAM: Good evening. My name

2 is Andy Willingham, Willingham Engineering. I'm  
3 here to present the Danskammer Bed & Breakfast.

4 The project is located at 5 West  
5 Street, outside the core of the Village of  
6 Marlboro. It's originally a house from 1870, a  
7 beautiful house that the owners, Ken and Linda  
8 Cool, have beautifully renovated.

9 The project is converting -- it's an  
10 existing four-bedroom house to a four-room bed &  
11 breakfast, owner occupied.

12 They have upgraded the property as  
13 well, including the driveway, the patio in the  
14 rear, a garden, a small orchard, a berry patch.  
15 It's really quite nice, what they've done to the  
16 property.

17 All parking will be provided on the  
18 site for users.

19 That's really it. That's the summary  
20 of my project.

21 CHAIRMAN BRAND: Okay. This is a  
22 public hearing. If you're here to speak either  
23 for or against the project, please stand, state  
24 your name for the Stenographer and go ahead and  
25 voice your opinion.

2 I would like to note for the record  
3 that I did receive a letter from Joanne Pagnotta  
4 who is a local history researcher who thought  
5 that the project would be a beneficial addition  
6 to the Town of Marlborough. So I'll enter that  
7 into the record as well.

8 Please stand and state your name.

9 MS. MERRILL: My name is Dianne  
10 Merrill, I live at 14 West Street which is kind  
11 of across the street.

12 They did a fabulous job. Actually,  
13 before they took it over to make it a bed and  
14 breakfast it was rapidly becoming a bed and  
15 breakfast for the ground hogs and mice. I think  
16 they did a fabulous job. It's made me feel good  
17 about the property values on my street.

18 Thank you for doing that and I wish you  
19 the best of luck.

20 CHAIRMAN BRAND: Please stand.

21 MR. PALENTI: My name is Ralph Palenti,  
22 I'm the neighbor, 7 West Street, of the Cools.

23 They did an excellent job in providing  
24 such needed repairs to the house. The house was  
25 in total disarray. Actually, the property values

2 I'm sure would not have gone up like they would  
3 with the addition -- with the work that the Cools  
4 have done. Being a next door neighbor to them,  
5 they are very caring and considerate neighbors.  
6 It would be a wonderful addition to the  
7 neighborhood, the bed and breakfast.

8 CHAIRMAN BRAND: Anyone else? Mr.  
9 Garofalo.

10 MR. GAROFALO: James Garofalo, 3 Young  
11 Avenue.

12 I'm not a neighbor of this property. I  
13 certainly am in favor of it.

14 I was sad to see that there is not,  
15 though, a sidewalk which would connect the  
16 sidewalk to the south of the property halfway to  
17 basically the sidewalk at the Coach's Doghouse.

18 If the Chairman will allow me, I will  
19 give you an aerial photo.

20 CHAIRMAN BRAND: Certainly. Thanks.

21 MR. GAROFALO: You're welcome. I could  
22 understand if it would be reasonable if they  
23 didn't want to put it in immediately. If it  
24 could be something bonded and may be done three,  
25 four years down the road. Something to consider.

2 I think it would help them and I think it would  
3 be a positive for the Town also. If it doesn't  
4 happen now, I hope that the Members of the Town  
5 Board will hear me in thinking about yes, we do  
6 need more sidewalks in that area.

7 The two other things that I would like  
8 to say, which peripherally deal with this  
9 particular project, I've complained to the Town  
10 Board about it. Certainly the Planning Board  
11 does not make regulations, the Town Board does,  
12 but when you speak with a common voice I think it  
13 is heard and I think you could have an impact.  
14 The impact areas are two that I'm thinking of.  
15 One which is the residency requirement. You have  
16 people that can rent their houses and be out of  
17 the country and there be noise complaints.  
18 Certainly there's been a rental property in this  
19 Town where there have been noise complaints, you  
20 can talk to the police chief, and they've come to  
21 the Town Board. That's just an example of -- I  
22 think that that residency requirement is a little  
23 bit too much. I hope that the Board will  
24 consider talking to the Town Board about it.  
25 You have off-site parking for

2 facilities that are allowed. This is certainly a  
3 case where you are at least close to the  
4 property. You have another bed and breakfast  
5 that is cottages that are not occupied that are  
6 probably not within sight of the main residence.  
7 I think that there may be a precedent for  
8 allowing nonresidency of the structure. I  
9 certainly would encourage you to talk to the Town  
10 Board and maybe give them some time in the  
11 future.

12 The second thing I'd like to talk about  
13 is we all need continuing sensitivity training.  
14 I made a copy of some guidelines. I'll hand them  
15 to you in a second. I just want to read one of  
16 the things. It says the words you use and the  
17 way you portray individuals with disabilities  
18 matter. The fact is the word handicapped is not  
19 found in the American with Disabilities Act. I  
20 don't think it is any place in the Town  
21 documents. My wife's father was wounded in  
22 Guadalcanal. I have great respect for him. I  
23 think it's important that we respect everyone. I  
24 hope that you will read this and I hope that you  
25 will talk to the Town about passing it around so

2 that they too may read it, act on it and change  
3 the way the documents are presented in the Town  
4 and by engineers, et cetera.

5 CHAIRMAN BRAND: Thank you, Mr.  
6 Garofalo.

7 MS. LANZETTA: Jim, can you send that  
8 to me electronically?

9 MR. GAROFALO: There's an URL. You can  
10 get it directly. I cut and pasted.

11 Once again, I'm in favor of this  
12 project. I hope that there will be some  
13 consideration in the future for getting a  
14 sidewalk because I think it would improve things  
15 in that area and connect them to the rest of the  
16 village where hopefully the people that come and  
17 stay there will want to walk to.

18 Thank you.

19 CHAIRMAN BRAND: Thank you.

20 Does anyone else want to speak on the  
21 Danskammer House? Mr. Lanzetta.

22 MR. LANZETTA: Al Lanzetta, Supervisor,  
23 Town of Marlborough.

24 This is something that we need in the  
25 community. The Town Board supports this and I

2 support it. Thank you.

3 CHAIRMAN BRAND: Anyone else?

4 (No response.)

5 CHAIRMAN BRAND: Anything from the  
6 Board?

7 MR. CLARKE: If my understanding is  
8 correct, we're going to have issues. As a Board  
9 we have to follow rules and regulations. You  
10 probably have a little bit of leeway there but  
11 not a lot. I think this is a wonderful project.  
12 It's the kind of project that our community -- it  
13 helps build our communities in a positive way. I  
14 don't think either we or the Town Board should be  
15 an impediment to promoting projects like this.  
16 If we need legislation to create a different set  
17 of rules that would fit this type of housing, I  
18 think we need to do that. Those are my comments.

19 CHAIRMAN BRAND: Anyone else from the  
20 public or the Board?

21 (No response.)

22 CHAIRMAN BRAND: Pat, do you want to  
23 run through your comments?

24 MR. HINES: Sure. Most are the main  
25 comments I had from last time. The applicant's

2 representative has provided a floor analysis of  
3 the proposed bed and breakfast. It's not really  
4 consistent with what the Board has done in the  
5 past with bed and breakfast uses. Their analysis  
6 limits the square footage to the actual bedrooms  
7 with no common areas, no dining room.

8 Specifically the bed and breakfast use requires  
9 other portions of the house. Typically there's a  
10 dining area utilized for a bed and breakfast,  
11 some common seating areas. I think there's a  
12 problem with the analysis that they've  
13 identified. This is a home occupation in this  
14 zone. It needs to be exactly that, a home  
15 occupation utilizing less than 50 percent of the  
16 structure. I think that their analysis is  
17 deficient in that they've kind of selectively  
18 cordoned off areas that are just the bedroom  
19 guest rooms with no other uses. We've gone  
20 through this before with other applicants to a  
21 great extent, delineating those areas of the  
22 structure that are dedicated to the bed and  
23 breakfast areas, such as the kitchen where I  
24 assume the breakfast will be cooked, the dining  
25 room area where I assume that food and other

2 meals will be consumed by the clients, as well as  
3 the living room. So I just direct the Board that  
4 I think the latest information should be  
5 submitted to the building department for an  
6 analysis consistent with the home occupation use.

7 The other issue that we have, there's a  
8 July 7th letter from the applicants to the  
9 Planning Board identifying that the owners shall  
10 retain one bedroom suite within the dwelling for  
11 their own use and they shall be in the residence  
12 whenever the bed and breakfast operations are  
13 active. This again is under a home occupation.  
14 It needs to be in the primary residence of the  
15 applicant. It's not a hotel use, which wouldn't  
16 be permitted, where you're going to have someone  
17 there when there are guests there. I think  
18 there's a flaw with the application that either  
19 needs to go to the ZBA for clarification or the  
20 building department.

21 I know we heard from the public that  
22 it's a good idea, but you don't want every house  
23 in Town turned into, under your definition, a  
24 tourist hotel.

25 I think my previous comments are still

2 outstanding and I think that they should be  
3 deferred initially to the building department and  
4 possibly to the ZBA should they wish to grant  
5 relief for this "home occupation" that is not  
6 going to be owner occupied.

7 I think that an analysis of the common  
8 areas that are going to be utilized should be  
9 further refined before the Board can take any  
10 action.

11 CHAIRMAN BRAND: Thank you.

12 Did you have anything, Ron?

13 MR. BLASS: No. I would echo what Pat  
14 said. Bed and breakfasts are a home occupation  
15 use under the Zoning Code as currently written.  
16 There's been an implicit undercurrent here that  
17 it might be a good idea for the Town Board to  
18 take a look at that rule and consider changing  
19 it. Right now owner occupancy means that the  
20 residence is the primary occupancy of the owner  
21 and that the bed and breakfast use is secondary  
22 in terms of dimension to the owner occupancy.  
23 Those are the fundamental criteria of a home  
24 occupation. So it is conceivable that the Town  
25 could legislate in favor of a bed and breakfast

2 which is not limited to being a home occupation.

3 That would seem to be the path for the Town Board  
4 to consider.

5 MR. CANTOR: Mr. Chairman, may I? My  
6 name is Richard Cantor, I'm with the firm of  
7 Teahan & Constantino. I'm here with Andy and on  
8 behalf of Mr. and Mrs. Cool.

9 With all due respect to Mr. Hines and  
10 Mr. Blass, I would submit that both of the points  
11 they've raised are incorrect. The Marlborough  
12 Code does not, does not spell out how the  
13 percentage of use is to be computed and what  
14 elements of the building are to be included or  
15 excluded. The basic rule of law is that zoning  
16 is a fancy word as is derogation. Zoning is in  
17 derogation of the common law and is to be  
18 strictly construed against the municipality. In  
19 the absence of definitions in the code telling  
20 you what to include and what not to include, I  
21 think that rule of law makes our analysis  
22 appropriate.

23 In addition, in the memo from Mr.  
24 Hines, we received it this evening, it's not  
25 dated, I assume it was just prepared, he refers

2 to a computation and previous analyses for other  
3 bed and breakfasts in the Town. When Mr. and  
4 Mrs. Cool went to the building and zoning  
5 department after your last meeting to inquire  
6 about previous applications and determinations,  
7 they were told there are no previous applications  
8 and determinations in the Town of Marlborough on  
9 this issue of how you compute the percentage to  
10 be included and the percentage to be excluded.  
11 So in the absence of code definition and in the  
12 absence of prior history, your Board, without  
13 going to the Zoning Board, has more than ample  
14 discretion to conclude that this application  
15 satisfies the percentage requirements.

16 The other piece raised by Mr. Hines and  
17 Mr. Blass is the assertion that the bed and  
18 breakfast must be the primary residence of Mr.  
19 and Mrs. Cool. Your code does not use the term  
20 primary residence, it just refers to residence.  
21 There's a Third Department case, Town of  
22 Marlborough is in the Third Department, it's  
23 called Prizzio against the City of Albany, a 1992  
24 case, which directly contradicts Mr. Hines and  
25 directly contradicts Mr. Blass and states that in

2 the absence of a requirement in a code that a  
3 home occupation be the primary residence, that a  
4 secondary or transitory residential use is enough  
5 by the owner. So the case law in this Third  
6 Department, which includes Ulster County and this  
7 Town, is that the residence proposed by Mr. and  
8 Mrs. Cool, that is that they will be in residence  
9 at such time as there is any bed and breakfast  
10 occupant, satisfies the code requirement.

11 So I would submit that they have  
12 presented applications that are consistent with  
13 the code and that merit approval by the Board.  
14 We hope that you will see fit to close the  
15 hearing, consider a negative declaration and  
16 consider approval of the application. Thank you.

17 MR. BLASS: So the Planning Board has a  
18 dilemma in front of it this evening. By law it  
19 is not the body which interprets the Zoning Law.  
20 That is done in the first instance by the code  
21 enforcement officer, and in the event of dispute  
22 with the code enforcement officer's  
23 interpretation it proceeds to the Zoning Board of  
24 Appeals.

25 Now, the supplemental submission of the

2 applicant, I think it's dated July 7th, came to  
3 the Planning Board subsequent to a June 23rd  
4 letter of the code enforcement officer which  
5 fundamentally laid out the local regulations that  
6 apply to bed and breakfasts and summarizes them.  
7 The code enforcement officer, to the best of my  
8 knowledge, I think he's on vacation or was on  
9 vacation, has not seen the supplemental  
10 submission of the applicant which has two  
11 interesting components. One, it has a component  
12 that says that residency by the owner will occur  
13 only during occupancy by guests. Secondly, it  
14 represents that the bedrooms each have their own  
15 independent bathroom and the bedrooms will be the  
16 only thing available to the guests of the B&B.  
17 It indicates that one bedroom suite will be  
18 reserved for the owner to reside at a time when  
19 there are guests. It proceeds then to say that  
20 the living room will not be used, the bedroom  
21 will not be used, the kitchen will not be used  
22 and other common areas, if any, will not be used  
23 for the bed and breakfast. So as the submission  
24 is presented to the Planning Board this evening,  
25 nobody is going to use the living room, nobody is

2 going to use the dining room, nobody is going to  
3 use the kitchen, because all of the guests and  
4 the owner occupant are reserving their occupancy  
5 to bedrooms which are apparently lockable with  
6 lockable doors.

7 So I think that -- by the way, under  
8 the Town Code as I read it, and I call the  
9 Board's attention to a letter dated May 19, 2009  
10 that I composed to the Town Board which presents  
11 an analysis of the regulations regarding bed and  
12 breakfasts, it's clear that owner occupancy is  
13 the only pigeon hole for bed and breakfasts. It  
14 is also clear that the use of the facility as a  
15 bed and breakfast must be secondary in scope and  
16 dimension to the owner occupancy.

17 So as presented by the applicant on  
18 July 7th, I don't believe that the structure is  
19 going to be used secondarily for a bed and  
20 breakfast but it will be used primarily for a bed  
21 and breakfast, both by virtue of occupancy and  
22 division within the structure itself.

23 Since the Planning Board is not a body  
24 which is empowered to interpret the Zoning Law,  
25 and since that's the function of the building

2 inspector as gatekeeper and the Zoning Board of  
3 Appeals as a reviewing body, I don't see that you  
4 have much option but to refer this to the code  
5 enforcement officer to take a look at the  
6 July 7th submissions and to make a ruling based  
7 on them.

8 MS. LANZETTA: I would like to say as  
9 far as the amount of usage on the property,  
10 percentage of usage, my daughter has a home  
11 business. She's a massage therapist. People  
12 come in and they sit in her living room and wait  
13 for her other clients to leave and so that she  
14 can do the massage. They use her bathroom.  
15 Sometimes they are sitting in the kitchen for  
16 awhile talking. To my mind that's all common  
17 area. I don't think of that as being her  
18 business. Her living room, her kitchen, her  
19 bathroom is not part of her business. Her  
20 massage room is part of her business. I don't  
21 see where the applicant has a problem with, you  
22 know, saying that they meet the percentages  
23 because only the bedrooms are reserved  
24 specifically for that use. I do agree with you  
25 that there's a problem with the owner occupation.

2 Is it possible that the Town Board,  
3 too, could take a look at revising the  
4 legislation that would enable something like this  
5 to take place? Is that a lengthy process?

6 MR. BLASS: No. No. There's nothing  
7 that compels the Town to make a bed and breakfast  
8 only available under the umbrella of home  
9 occupation. It could be taken out of that  
10 context and made a special permit use on whatever  
11 reasonable terms and conditions the Town Board  
12 finds to be applicable.

19 So there are two avenues. One, there's  
20 a solution that the Town Board could develop.  
21 Two, it may very well be that the code  
22 enforcement officer thinks that Pat Hines and Ron  
23 Blass don't know what they're talking about and  
24 could rule quite to the contrary. In either case  
25 there would be a remedy for the issue.

2 MR. CLARKE: I think that -- based on  
3 the discussions tonight, I don't think as a Board  
4 Member I want to make a decision. I want more  
5 information. The easiest thing would be for the  
6 Town to create the legislation to enable this to  
7 go through, then everybody would be happy. I  
8 just think that -- from the comments I think that  
9 the code enforcement officer has to give a formal  
10 written letter as to what our regs should be or  
11 the Town Board needs to adjust the legislation.

12 CHAIRMAN BRAND: I guess what I'd like  
13 to propose is that we adjourn the public hearing  
14 for the moment, wait until we hear back from the  
15 code enforcement officer and/or representatives  
16 of the Town Board to see if there's any type of  
17 remedy that they have.

20 MR. BLASS: Adjourn the public  
21 hearing --

22 CHAIRMAN BRAND: Adjourn.

23 MR. BLASS: -- for a month. The first  
24 Monday in August.

25 CHAIRMAN BRAND: August 2nd. I will

2 not be here for that meeting.

3 MR. BLASS: Maybe the first Monday in  
4 September, or that would be Labor Day; right? We  
5 have the Tuesday following Labor Day.

6 CHAIRMAN BRAND: We can do the second  
7 one in August.

8 MR. BLASS: The second Monday.

9 CHAIRMAN BRAND: The second Monday in  
10 August.

11 MR. BLASS: The second Monday in August  
12 -- the third Monday in August.

13 CHAIRMAN BRAND: The second meeting.

14 MR. HINES: The 21st.

15 MR. BLASS: The second meeting in  
16 August, the third Monday.

17 CHAIRMAN BRAND: Correct.

18 Do I have a motion to adjourn the  
19 public hearing until the second meeting in  
20 August?

21 MR. HINES: August 21st.

22 MR. LOFARO: I'll make the motion to  
23 adjourn the meeting until --

24 CHAIRMAN BRAND: Adjourn the public  
25 hearing until August 21st.

2 MR. LOFARO: -- August 21st.

3 CHAIRMAN BRAND: Is there a second?

4 MR. CLARKE: Second.

5 CHAIRMAN BRAND: All those in favor?

6 MR. CLARKE: Aye.

7 MR. TRAPANI: Aye.

8 MS. LANZETTA: Aye.

9 MR. CAUCHI: Aye.

10 MR. LOFARO: Aye.

11 CHAIRMAN BRAND: Aye.

12 Any opposed?

13 (No response.)

14 CHAIRMAN BRAND: So you'll be in  
15 contact with the zoning officer to see if there's  
16 a remedy in store. Thank you.

17

18 (Time noted: 8:00 p.m.)

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

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6

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

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

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

16                  IN WITNESS WHEREOF, I have hereunto  
17                  set my hand this 3rd day of August 2017.

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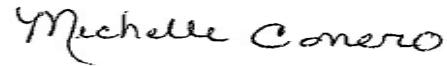
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MICHELLE CONERO

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

In the Matter of

MARIA STAVROULAKIS

Project No. 17-1012

73 Peach Lane

Section 95.4; Block 3; Lot 15

PUBLIC HEARING - SUBDIVISION

Date: July 17, 2017

Time: 8:00 p.m.

Place: Town of Marlborough

Town Hall

21 Milton Turnpike

Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman

BEN TRAPANI

CINDY LANZETTA

JOSEPH LOFARO

MANNY CAUCHI

STEVE CLARKE

ALSO PRESENT: RONALD BLASS ESO

RONNIE DENNIS,  
PATRICK HINES

## INTERVIEW KATHY NATLAND

APPLICANT'S REPRESENTATIVE: ROBERT JAMES

MICHÉLLE L. CONERO

3 Francis Street

Newburgh, New York 12550

(845)541-4163

2 CHAIRMAN BRAND: Next up, Maria  
3 Stavroulakis. This is a public hearing for Maria  
4 Stavroulakis.

5 MR. CAUCHI: "Legal notice, subdivision  
6 application. Please take notice a public hearing  
7 will be held by the Marlborough Planning Board  
8 pursuant to the State Environmental Quality  
9 Review Act, SEQRA, and Town of Marlborough Town  
10 Code 134-32 on Monday, July 17, 2017, for the  
11 following application: Maria Stavroulakis, at the  
12 Town Hall, 1650 Route 9W, Milton, New York at  
13 7:30 or as soon thereafter as may be heard. The  
14 applicant is seeking approval of a subdivision  
15 application for lands located at 73 Peach Lane,  
16 Milton, New York, Section 95.4, Block 3, Lot 15.  
17 Any interested parties either for or against this  
18 proposal will have any opportunity to be heard at  
19 this time."

20 CHAIRMAN BRAND: Would you like to  
21 state your name and give us a brief overview?

22 MR. JAMES: My name is Robert James,  
23 I'm the engineering surveyor on the project.

24 What we have here is a two-lot  
25 subdivision on Peach Lane, 25 acre total -- just

2 shy of 25 acres.

3                   One of the lots is going to have the  
4 existing house to remain on it, the 4-acre lot.  
5                   The remaining 21 acres with a flag 50-foot strip  
6                   will be reaching back about 400 feet before it  
7                   opens up.8                   The existing house lot has its own  
9                   septic system. It will have to have a new well  
10                  drilled on it as the existing well is going to go  
11                  to lot number 2.

12                  I suppose that's about it.

13                  CHAIRMAN BRAND: This is a public  
14                  hearing. If you're here to speak either for or  
15                  against this project, please stand and state your  
16                  name for the Stenographer and voice your opinion.

17                  Mr. Garofalo.

18                  MR. GAROFALO: James Garofalo, 3 Young  
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12 access. It's very important that you take a look  
13 at that aspect of a subdivision to make sure that  
14 it's reasonably placed to be safe to the public.

15 Thank you.

16 CHAIRMAN BRAND: Thank you.

17 Any other public comments for or  
18 against this project?

19 (No response.)

20 CHAIRMAN BRAND: Anything from the  
21 Board?

22 MR. CLARKE: Jim, to address your  
23 issues, this Apple Blossom Farms, this would be  
24 incorporated into Apple Blossom Farms. It's not  
25 like it's a standalone lot with a flag going into

2 it -- a flag entrance going into it.

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6 CHAIRMAN BRAND: And there was no plan  
7 for development on the site?

8 MS. LANZETTA: No.

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21 15 foot separation from a property line for the  
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23 MS. LANZETTA: That's 50 feet from the  
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10 the septic system area and the side yard and  
11 front yard property line.

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16 close the public hearing.

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18 CHAIRMAN BRAND: A second?

19 MR. CAUCHI: Second.

20 CHAIRMAN BRAND: All in favor, say aye.

21 MR. CLARKE: Aye.

22 MR. TRAPANI: Aye.

23 MS. LANZETTA: Aye.

24 MR. CAUCHI: Aye.

25 MR. LOFARO: Aye.

2 CHAIRMAN BRAND: Aye.

3 Any opposed?

4 (No response.)

5 CHAIRMAN BRAND: The public hearing is  
6 closed.

7 MR. JAMES: I have the notices.

8 Twelve went out, eleven came back.

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19 MR. CAUCHI: Aye.

20 MR. LOFARO: Aye.

21 CHAIRMAN BRAND: Aye.

22 Any opposed?

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8 poll the Board. We'll give preliminary and we'll  
9 go over the final.

10 MS. NATLAND: You want me to poll --

11 CHAIRMAN BRAND: Is there anyone that  
12 does not approve of that?

13 MR. CLARKE: No.

14 MR. TRAPANI: No.

15 MS. LANZETTA: No.

16 MR. CAUCHI: No.

17 MR. LOFARO: No.

18 CHAIRMAN BRAND: Okay.

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20 finding to make as well.

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5 MR. BLASS: Pardon?

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10 lot for the subdivision. Do I have a motion for  
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23 Planning Board has reviewed a subdivision  
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4 resolution. It was seconded by Steve Clarke. It  
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6 the following findings pursuant to Section 277 of  
7 the Code of the Town of Marlborough. Based on  
8 the present and anticipated future need for park  
9 and recreational opportunities in the Town of  
10 Marlborough and to which the future population of  
11 this subdivision will contribute, parkland should  
12 be created as a condition of the approval of this  
13 subdivision. However, a suitable park of  
14 adequate size to meet the requirement can not be  
15 properly located within the proposed project  
16 site. Accordingly, in lieu of providing  
17 parkland, the project sponsors render the Town  
18 payment of a recreational fee to be determined in  
19 accordance with the prevailing schedule  
20 established for that purpose. The subdivision  
21 known as Maria Stavroulakis resulted in two lots  
22 for a total of \$3,000 in recreation fees.

23 MS. NATLAND: It's only 1,500.

24 MR. HINES: It's only one new lot.

25 MS. NATLAND: The parent parcel --

2 MR. HINES: Just the new lot.

3 CHAIRMAN BRAND: Got you. For a total  
4 of \$1,500 in recreation fees, parent parcel  
5 excluded. Where upon the following vote was  
6 taken:

7 Member Cauchi?

8 MR. CAUCHI: Yes.

9 CHAIRMAN BRAND: Member Clarke?

10 MR. CLARKE: Yes.

11 CHAIRMAN BRAND: Member Trapani?

12 MR. TRAPANI: Yes.

13 CHAIRMAN BRAND: Member Lanzetta?

14 MS. LANZETTA: Yes.

15 CHAIRMAN BRAND: Member Lofaro?

16 MR. LOFARO: Yes.

17 CHAIRMAN BRAND: And yes for Chairman  
18 Brand.

19 Okay. That will do it. I think you're  
20 all set. Sorry for the confusion.

21 MR. JAMES: Thank you.

22

23 (Time noted: 8:15 p.m.)

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

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

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

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

16                  IN WITNESS WHEREOF, I have hereunto  
17                  set my hand this 3rd day of August 2017.

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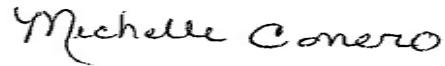
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MICHELLE CONERO

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

In the Matter of

MARIA STAVROULAKIS

Project No. 17-1012

73 Peach Lane

Section 95.4; Block 3; Lot 15

PUBLIC HEARING - SUBDIVISION

Date: July 17, 2017

Time: 8:00 p.m.

Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

19 ALSO PRESENT: RONALD BLASS, ESQ.  
20 PATRICK HINES  
KATHY NATLAND

APPLICANT'S REPRESENTATIVE: ROBERT JAMES

2 CHAIRMAN BRAND: Next up, Maria  
3 Stavroulakis. This is a public hearing for Maria  
4 Stavroulakis.

5 MR. CAUCHI: "Legal notice, subdivision  
6 application. Please take notice a public hearing  
7 will be held by the Marlborough Planning Board  
8 pursuant to the State Environmental Quality  
9 Review Act, SEQRA, and Town of Marlborough Town  
10 Code 134-32 on Monday, July 17, 2017, for the  
11 following application: Maria Stavroulakis, at the  
12 Town Hall, 1650 Route 9W, Milton, New York at  
13 7:30 or as soon thereafter as may be heard. The  
14 applicant is seeking approval of a subdivision  
15 application for lands located at 73 Peach Lane,  
16 Milton, New York, Section 95.4, Block 3, Lot 15.  
17 Any interested parties either for or against this  
18 proposal will have any opportunity to be heard at  
19 this time."

20 CHAIRMAN BRAND: Would you like to  
21 state your name and give us a brief overview?

22 MR. JAMES: My name is Robert James,  
23 I'm the engineering surveyor on the project.

24 What we have here is a two-lot  
25 subdivision on Peach Lane, 25 acre total -- just

2 shy of 25 acres.

3                   One of the lots is going to have the  
4 existing house to remain on it, the 4-acre lot.  
5                   The remaining 21 acres with a flag 50-foot strip  
6                   will be reaching back about 400 feet before it  
7                   opens up.

8                   The existing house lot has its own  
9                   septic system. It will have to have a new well  
10                  drilled on it as the existing well is going to go  
11                  to lot number 2.

12                  I suppose that's about it.

13                  CHAIRMAN BRAND: This is a public  
14                  hearing. If you're here to speak either for or  
15                  against this project, please stand and state your  
16                  name for the Stenographer and voice your opinion.

17                  Mr. Garofalo.

18                  MR. GAROFALO: James Garofalo, 3 Young  
19                  Avenue.

20                  The one thing that I'm concerned about  
21                  with this type of application is that the Board  
22                  make sure that when you create a flag lot, that  
23                  where this access is going to be, that there's  
24                  reasonable sight distance for the people coming  
25                  out and the people along the roadway. I think it

2 should be part of all applications to see what  
3 the sight distances are, what areas have to be  
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12 access. It's very important that you take a look  
13 at that aspect of a subdivision to make sure that  
14 it's reasonably placed to be safe to the public.

15 Thank you.

16 CHAIRMAN BRAND: Thank you.

17 Any other public comments for or  
18 against this project?

19 (No response.)

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21 Board?

22 MR. CLARKE: Jim, to address your  
23 issues, this Apple Blossom Farms, this would be  
24 incorporated into Apple Blossom Farms. It's not  
25 like it's a standalone lot with a flag going into

2 it -- a flag entrance going into it.

3 CHAIRMAN BRAND: The access.

4 MR. CLARKE: The access would probably  
5 be from the west or from the north.

6 CHAIRMAN BRAND: And there was no plan  
7 for development on the site?

8 MS. LANZETTA: No.

9 Two things. One is that Twaalfskill  
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15 CHAIRMAN BRAND: I'd like a motion to  
16 close the public hearing.

17 MR. CLARKE: So moved.

18 CHAIRMAN BRAND: A second?

19 MR. CAUCHI: Second.

20 CHAIRMAN BRAND: All in favor, say aye.

21 MR. CLARKE: Aye.

22 MR. TRAPANI: Aye.

23 MS. LANZETTA: Aye.

24 MR. CAUCHI: Aye.

25 MR. LOFARO: Aye.

2 CHAIRMAN BRAND: Aye.

3 Any opposed?

4 (No response.)

5 CHAIRMAN BRAND: The public hearing is  
6 closed.

7 MR. JAMES: I have the notices.

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25 MS. NATLAND: The parent parcel --

2 MR. HINES: Just the new lot.

3 CHAIRMAN BRAND: Got you. For a total  
4 of \$1,500 in recreation fees, parent parcel  
5 excluded. Where upon the following vote was  
6 taken:

7 Member Cauchi?

8 MR. CAUCHI: Yes.

9 CHAIRMAN BRAND: Member Clarke?

10 MR. CLARKE: Yes.

11 CHAIRMAN BRAND: Member Trapani?

12 MR. TRAPANI: Yes.

13 CHAIRMAN BRAND: Member Lanzetta?

14 MS. LANZETTA: Yes.

15 CHAIRMAN BRAND: Member Lofaro?

16 MR. LOFARO: Yes.

17 CHAIRMAN BRAND: And yes for Chairman  
18 Brand.19 Okay. That will do it. I think you're  
20 all set. Sorry for the confusion.

21 MR. JAMES: Thank you.

22

23 (Time noted: 8:15 p.m.)

24

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

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6

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

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

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

16                  IN WITNESS WHEREOF, I have hereunto  
17                  set my hand this 3rd day of August 2017.

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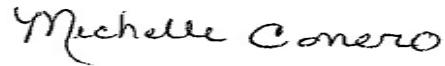
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MICHELLE CONERO

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

In the Matter of

## HIGHLAND PET CENTER

Project No. 17-1014  
131 Bailey's Gap Road  
Section 95.4; Block 1; Lot 18.2

## REVISED SKETCH - AMENDED SITE PLAN

Date: July 17, 2017  
Time: 8:15 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

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

ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
KATHY NATLAND

MICHELLE L. CONERO

3 Francis Street  
Newburgh, New York 12550  
(845)541-4163

2 CHAIRMAN BRAND: Next up, the  
3 Highland Pet Center, revised sketch and  
4 amended site plan

5 MR. HINES: I don't have anything  
6 new on this. I don't think they're here.

7 CHAIRMAN BRAND: Is anyone here for  
8 Highland Pet Resort?

9 (No response.)

10 CHAIRMAN BRAND: No.

11 MR. HINES: I think they anticipated  
12 sending something. They didn't send us anything.

13

14 (Time noted: 8:16 p.m.)

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

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

10                  That hereinbefore set forth is a  
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12                  I further certify that I am not  
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14                  blood or by marriage and that I am in no way  
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16                  IN WITNESS WHEREOF, I have hereunto  
17                  set my hand this 3rd day of August 2017.

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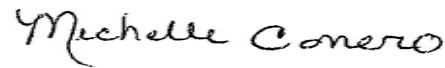
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MICHELLE CONERO

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

In the Matter of

5 VERIZON WIRELESS  
6 Property of Jason Warden

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

11 FINAL - SITE PLAN

12 Date: July 17, 2017  
13 Time: 8:16 p.m.  
14 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

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

20 ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
21 KATHY NATLAND

22 APPLICANT'S REPRESENTATIVE: SCOTT OLSON

2 CHAIRMAN BRAND: Next up, Verizon  
3 Wireless, 1488 Route 9W, final, Jason Warden.

4 How are you this evening?

5 MR. OLSON: Good, thank you. How are  
6 you?

7 CHAIRMAN BRAND: Great. Would you like  
8 to just give us a brief overview for those new in  
9 attendance this evening of what is being  
10 proposed, briefly?

11 MR. OLSON: Sure. Which one is this  
12 one? I have three of them.

13 CHAIRMAN BRAND: This is Jason Warden.

14 MR. OLSON: Just as a brief overview,  
15 this is one application of three that we actually  
16 have pending before the Board tonight.

17 As the Board knows, we have several  
18 other nodes in the Town of Newburgh. I just  
19 might add, there are four nodes there. They just  
20 agreed that they don't require zoning. We're  
21 getting the building permit process wrapped up.  
22 So we have a total of about nine or ten. Some of  
23 them are on Town property. In this Town it  
24 doesn't require this Board's involvement.

25 Basically we're talking about putting a

2                   new utility pole, a wooden utility pole with an  
3                   antenna and a few pieces of equipment on the pole  
4                   itself. There will be no ground equipment. This  
5                   will just be right outside of the right-of-way.  
6                   We talked about that.

7                   It's essentially providing hot spot  
8                   coverage along portions of Route 9 right now that  
9                   have too much traffic that there's not enough  
10                   coverage. The capacity is going through the  
11                   roof. We showed you the maps during the public  
12                   hearing of all the different hot spots along  
13                   Route 9. We were able to do that small kind of  
14                   innocuous facility instead of having a new tower  
15                   to accomplish the same thing basically, or more  
16                   than one tower.

17                   That's basically where we are.

18                   CHAIRMAN BRAND: Pat, do you have any  
19                   other --

20                   MR. HINES: We don't have any  
21                   outstanding comments on this. I know Ron Blass  
22                   and Mike Musso, your Telecommunications  
23                   Consultant, had worked up resolutions and  
24                   negative decs for it.

25                   MR. BLASS: On Friday I sent to the

2                   Board a completed part 2 long form environmental  
3                   assessment form which the Board should vote to  
4                   accept this evening.

5                   You also have a prepared negative  
6                   declaration of environmental significance with  
7                   respect to Verizon node 11. As of this  
8                   afternoon, after taking into account Mike's  
9                   comments, you had a resolution of special permit  
10                  approval as well.

11                  I don't think there are any outstanding  
12                  issues that would interfere with considering  
13                  approval tonight.

14                  CHAIRMAN BRAND: I spoke to Mike today.  
15                  He had none.

16                  MR. BLASS: Right.

17                  CHAIRMAN BRAND: So would we go first  
18                  with a negative declaration on the project?

19                  MR. BLASS: The first order of business  
20                  would be to accept the part 2 environmental  
21                  assessment form.

22                  CHAIRMAN BRAND: Do I have a motion to  
23                  accept the node 11 environmental assessment form?

24                  MS. LANZETTA: I'll make that motion.

25                  CHAIRMAN BRAND: Do I have a second?

2 MR. CAUCHI: I'll second it.

3 CHAIRMAN BRAND: All those in favor?

4 MR. CLARKE: Aye.

5 MR. TRAPANI: Aye.

6 MS. LANZETTA: Aye.

7 MR. CAUCHI: Aye.

8 MR. LOFARO: Aye.

9 CHAIRMAN BRAND: Aye.

10 Any opposed?

11 (No response.)

12 MR. BLASS: The second order of

13 business would be a negative declaration.

14 CHAIRMAN BRAND: A motion for a  
15 negative declaration for node 11 on the property  
16 of Jason Warden?

17 MS. LANZETTA: I'll make that motion.

18 MR. CLARKE: Second.

19 CHAIRMAN BRAND: Any discussion?

20 (No response.)

21 CHAIRMAN BRAND: All those in favor?

22 MR. CLARKE: Aye.

23 MR. TRAPANI: Aye.

24 MS. LANZETTA: Aye.

25 MR. CAUCHI: Aye.

2 MR. LOFARO: Aye.

3 CHAIRMAN BRAND: Aye.

4 Any opposed?

5 (No response.)

6 MR. BLASS: Lastly, there's a  
7 resolution of approval.8 CHAIRMAN BRAND: We all got that ahead  
9 of time.10 Kathy, I'll just poll the Board on the  
11 resolution.

12 Chairman Brand, yes.

13 Member Truncali is not here.

14 Member Trapani?

15 MR. TRAPANI: Yes.

16 CHAIRMAN BRAND: Member Lanzetta?

17 MS. LANZETTA: Yes.

18 CHAIRMAN BRAND: Member Lofaro?

19 MR. LOFARO: Yes.

20 CHAIRMAN BRAND: Member Cauchi?

21 MR. CAUCHI: Yes.

22 CHAIRMAN BRAND: Member Clarke?

23 MR. CLARKE: Yes.

24 CHAIRMAN BRAND: Okay. One down.

25 (Time noted: 8:20 p.m.)

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

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17 set my hand this 3rd day of August 2017.

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Michelle Conero

MICHELLE CONERO

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

In the Matter of

5 VERIZON WIRELESS  
6 Property of James Garofalo

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

11 FINAL - SITE PLAN

12 Date: July 17, 2017  
13 Time: 8:20 p.m.  
14 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

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

20 ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
21 KATHY NATLAND

22 APPLICANT'S REPRESENTATIVE: SCOTT OLSON

2 CHAIRMAN BRAND: Next up is Verizon  
3 Wireless, node 9 which is the property of Mr.  
4 Garofalo.

5 Do I have a motion?

6 MS. LANZETTA: I'll make a motion to  
7 accept the environmental assessment form.

8 CHAIRMAN BRAND: Is there a second?

9 MR. CAUCHI: I'll second it.

10 CHAIRMAN BRAND: Any discussion?

11 (No response.)

12 CHAIRMAN BRAND: All those in favor?

13 MR. CLARKE: Aye.

14 MR. TRAPANI: Aye.

15 MS. LANZETTA: Aye.

16 MR. CAUCHI: Aye.

17 MR. LOFARO: Aye.

18 CHAIRMAN BRAND: Aye.

19 Any opposed?

20 (No response.)

21 CHAIRMAN BRAND: Do I have a motion for  
22 the negative declaration for node 9 on the  
23 property of James Garofalo?

24 MS. LANZETTA: I'll make that motion  
25 for a negative dec.

2 CHAIRMAN BRAND: Is there a second?

3 MR. CLARKE: I'll second.

4 CHAIRMAN BRAND: Any discussion?

5 (No response.)

6 CHAIRMAN BRAND: All those in favor,  
7 say aye.

8 MR. CLARKE: Aye.

9 MR. TRAPANI: Aye.

10 MS. LANZETTA: Aye.

11 MR. CAUCHI: Aye.

12 MR. LOFARO: Aye.

13 CHAIRMAN BRAND: Aye.

14 I would poll the Board as to the  
15 resolution of approval.

16 I am a yes.

17 Member Trapani?

18 MR. TRAPANI: Yes.

19 CHAIRMAN BRAND: Lanzetta?

20 MS. LANZETTA: Yes.

21 CHAIRMAN BRAND: Lofaro?

22 MR. LOFARO: Yes.

23 CHAIRMAN BRAND: Cauchi?

24 MR. CAUCHI: Yes.

25 CHAIRMAN BRAND: Clarke?

2 MR. CLARKE: Yes.

3 CHAIRMAN BRAND: That was node 9.

4

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

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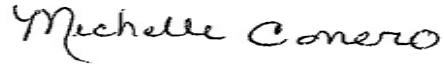
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MICHELLE CONERO

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

In the Matter of

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

11 FINAL - SITE PLAN

12 Date: July 17, 2017  
13 Time: 8:24 p.m.  
14 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

16       BOARD MEMBERS:       CHRIS BRAND, Chairman  
17                                    BEN TRAPANI  
18                                    CINDY LANZETTA  
   JOSEPH LOFARO  
   MANNY CAUCHI  
   STEVE CLARKE

20 ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
21 KATHY NATLAND

22 APPLICANT'S REPRESENTATIVE: SCOTT OLSON

2 CHAIRMAN BRAND: Absolutely Automotive.

3 MR. BLASS: Absolutely Automotive is  
4 Verizon node 5. That is the site which is  
5 substantially contiguous to the Gomez Mill House  
6 historic site. As of this moment State Parks has  
7 not responded to the referral. I don't think  
8 that this matter is right for determination  
9 tonight.

10 CHAIRMAN BRAND: So we will postpone  
11 that until our next meeting.

12 MR. OLSON: I don't think they're going  
13 to respond. We've checked into it from our end  
14 and our consultants have found -- I just found  
15 this out very late this afternoon, I apologize --  
16 that it's basically not required. So I don't  
17 know --

18 Pat, I know you said you were reaching  
19 out to them. I'm assuming that has happened.

20 MR. HINES: The way to reach out to  
21 them is through their CRIS system. Mike Musso's  
22 office has been coordinating that and did submit  
23 that as part of the lead agency circulation.

24 MR. OLSON: Okay.

25 MR. HINES: We're waiting for that to

2 time out.

3 CHAIRMAN BRAND: They did acknowledge  
4 the submission. That's all that we've received  
5 this far.

6 MR. BLASS: We also have a lead agency  
7 circulation on this because it's a Type 1 action  
8 under SEQRA, unlike the other two. I'm not quite  
9 sure the thirty days circulation has not expired.  
10 So it's not right for a second reason.

11 CHAIRMAN BRAND: Okay.

12 MR. OLSON: I can't fight that one.

13 CHAIRMAN BRAND: So we will see you  
14 next time.

15 MR. CAUCHI: Are we going to put a time  
16 on this or we're just --

17 MR. HINES: It will time out. The lead  
18 agency circulation will time out before your next  
19 meeting. If you don't hear from them you can  
20 make your lead agency determination. Hopefully  
21 Mike Musso or someone else from the Board may --  
22 I need comments from them. If you don't hear from  
23 them --

24 MR. OLSON: We'll see what we can do on  
25 our end to try to get them to acknowledge that.

2 MR. HINES: I've never seen State Parks  
3 not acknowledge the CRIS system.

4 CHAIRMAN BRAND: Particularly a  
5 submission.

6 MR. OLSON: I know. Like I said, our  
7 office said it's not a requirement.

8 CHAIRMAN BRAND: Okay.

9 MR. OLSON: Until next time.

10 CHAIRMAN BRAND: Thank you.

11

12 (Time noted: 8:25 p.m.)

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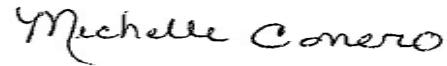
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MICHELLE CONERO

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

In the Matter of

## RESERVOIR ROAD

Project No. 17-1011

Project No. 17 1011  
Section 108.2; Block 9; Lots 131, 132, 133, 134 & 135

10 SKETCH - LOT LINE

15       BOARD MEMBERS:     CHRIS BRAND, Chairman  
16                             BEN TRAPANI  
16                             CINDY LANZETTA  
17                             JOSEPH LOFARO  
17                             MANNY CAUCHI  
17                             STEVE CLARKE

19 ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
20 KATHY NATLAND

21 ADDITIONAL REPRESENTATIVE: JUSTIN DATES

MICHELLE L. CONERO

### 3 Francis Street

Newburgh, New York 12550

(845) 541-4163

2 CHAIRMAN BRAND: Reservoir Road,  
3 sketch, lot line.

4 MR. DATES: I'm Justin Dates from Maser  
5 Consulting presenting the project.

6 Since our last meeting we made a couple  
7 of modifications to the plan. We also met with  
8 Mr. Hines to go over the driveway situation that  
9 came up at the last meeting.

10 This particular subdivision was done in  
11 2006. There were five original lots, five lots  
12 as they stand today.

13 What we are looking to do is lot 1 is  
14 referenced as Mr. Truncali's lot. That is going  
15 to remain as is. No changes, no modifications.

16 MR. HINES: Just to reiterate, the  
17 previous application had modifications to that  
18 lot. The layout, as presented in the latest  
19 submission, has removed any changes to that lot  
20 for consideration with one exception, and that is  
21 that it will now have its own driveway off of  
22 Reservoir Road. We'll hit that later. The  
23 highway superintendent has comments on it.

24 MR. DATES: So that's lot 1. We stuck  
25 with the same nomenclature as the original to

2 hopefully not confuse anyone.

3                   Across the way or east of lot 1 is lot  
4                   2 and lot 4. These two are going to be combined.  
5                   That was also proposed in the prior application.  
6                   What we've done is we've shown an individual  
7                   driveway for lot 2 as well.

8                   There was a 50-foot right-of-way which  
9                   was part of this rear lot here. That's getting  
10                  divided up between the blue and the orange here.  
11                  This will be combined to one lot and is getting a  
12                  small portion of that existing right-of-way or  
13                  flag area that goes out to Reservoir Road.

14                  MR. HINES: And that was a former  
15                  private road --

16                  MR. DATES: Correct.

17                  MR. HINES: -- within there. That's  
18                  now going to become two driveways.

19                  MR. DATES: That's correct. Then lot 3  
20                  will also get a portion of that private -- former  
21                  private road area and it will have its individual  
22                  driveway out to Reservoir Road.

23                  So all the lots now, there's no more  
24                  private road, they are all serviced by individual  
25                  driveways. There's been just kind of a

2 modification to lot lines.

3 CHAIRMAN BRAND: So that right-of-way,  
4 that 50-foot right-of-way still goes through to  
5 lot 4?

6 MR. DATES: No. It is divvied up  
7 between 2 and 3. Lot 4's access is up above  
8 Reservoir Road. I gave a copy of the prior  
9 approved map. That was where the approval and  
10 the intended access for that lot was. So we're  
11 not looking to change that.

12 CHAIRMAN BRAND: Pat, do you have  
13 comments?

14 MR. HINES: Ron and I were just  
15 talking about the need to extinguish the former  
16 right-of-way and if the filing of this revised  
17 map takes care of that. I don't know the answer  
18 to that but that's certainly something the future  
19 owners of the blue lot and orange lot would  
20 certainly want to have happen.

21 MR. BLASS: We can do a simple  
22 instrument that relinquishes the easement or  
23 right-of-way.

24 MR. DATES: Okay. We did some research  
25 and did not find the actual filed private road

2 agreement. Is that what you're referring to?

3 MR. BLASS: There's no easement of  
4 record?

5 MR. DATES: Our surveyors did not come  
6 up with anything. The only thing we came up  
7 with, and I put it in the memo, is there was a  
8 mention in the deed that they had access over  
9 that private road area.

10 MR. BLASS: If I was the purchaser of  
11 the lot I would want to have something in the  
12 chain of title that clarified this.

13 MR. DATES: Okay.

14 MR. BLASS: It's not a big deal. It's  
15 like a half a page instrument.

16 MR. DATES: Okay.

17 MS. LANZETTA: We need Mr. Truncali's  
18 agreement on that as well, because now he losses  
19 his right to use that as access?

20 MR. DATES: Yes. His original lot was  
21 to access that private road area. Those were the  
22 two that we saw in the deed. It would have to be  
23 extinguished.

24 MS. LANZETTA: But you have to have his  
25 acknowledgement that he's willing to do that as

2 well? Some type of a written document that says  
3 that; right?

4 MR. BLASS: Yes.

5 MR. DATES: Yes.

6 MR. BLASS: Relinquishment of any  
7 easement or right-of-way, half a page long,  
8 recorded with the Ulster County Clerk against the  
9 property.

10 MS. LANZETTA: That would be a  
11 condition of this approval?

12 MR. BLASS: That would be a condition  
13 of approval.

14 MR. HINES: The only other issue is  
15 that Gael Appler took a look at the new proposed  
16 driveway locations, which was in our previous  
17 comments, and he has a comment that the proposed  
18 driveways into lot 3 and the lot owned by  
19 Truncali is obstructed by two Locust trees.  
20 These trees have to be cut down by the property  
21 owners before I would sign off on these two  
22 driveways. That would also need to be a  
23 condition of approval, that those two trees  
24 identified in the highway superintendent's  
25 comments are removed. That could be done prior

2 to filing of the map and then you know it's done.

3 MR. DATES: Would the Board entertain  
4 that being a condition of a building permit on  
5 these lots?

6 MS. LANZETTA: I don't think the  
7 building inspector likes to have to go back  
8 and --

9 MR. HINES: It's difficult to track  
10 years later.

11 MS. LANZETTA: -- look for those kinds  
12 of things. I'd rather see it upfront that they  
13 need to be removed. I don't want to see those  
14 trees removed but I don't think it's up to the  
15 building inspector to have to follow up on all  
16 this.

17 MR. DATES: Okay. We're fine with that  
18 then.

19 CHAIRMAN BRAND: So the next step would  
20 be to schedule -- are there any comments from the  
21 Board? I'm sorry.

22 MR. LOFARO: No.

23 MR. CAUCHI: No.

24 MR. TRAPANI: No.

25 CHAIRMAN BRAND: The next step would be

2 to schedule a public hearing?

3 MR. BLASS: You need a public hearing.

4 CHAIRMAN BRAND: Correct. We could do  
5 that at the second meeting in August. If you  
6 guys are okay with that, I'd be willing to do  
7 that.

8 MS. LANZETTA: Okay.

9 CHAIRMAN BRAND: Let's schedule a  
10 public hearing for the second meeting in August,  
11 August 21st.

12 MR. DATES: You're not having the first  
13 meeting?

14 CHAIRMAN BRAND: We are. I'm not going  
15 to be here. Business as usual without me being  
16 here. If you're comfortable doing that, I'm  
17 comfortable. If you want to do August 7th, you  
18 would have to get all the mailings out and  
19 everything.

20 MR. DATES: Ten days prior.

21 MR. HINES: Is that going to happen?

22 Jen is out this week.

23 CHAIRMAN BRAND: She'll be here then.

24 MR. HINES: I'm saying for the  
25 mailings.

2 CHAIRMAN BRAND: Kathy is here. She's  
3 got it well under control. We can do it for  
4 August 7th.

5 MR. DATES: Okay.

6 CHAIRMAN BRAND: We'll go for  
7 August 7th.

8 MR. DATES: Thank you.

9 CHAIRMAN BRAND: You're welcome.

10

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

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Michelle Conero

MICHELLE CONERO

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

In the Matter of

EIGHTY SIX WASHINGTON

Project No. 17-1015

1613 Route 9W

Section 103.3; Block 4; Lot 19

## SKETCH - SITE PLAN

Date: July 17, 2017

Time: 8:25 p.m.

Place: Town of Marlborough

Town Hall

21 Milton Turnpike

Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND Chairman

CHRIS BRAND  
BEN TRABANT

BEN TRAFANI  
CINDY LANZETTA

CINDI LANZETTA  
JOSEPH LOFARO

JOSEPH LUFARO  
MANNY CAUGHLIN

MANNY CAUCHI  
STEVE CLARKE

STEVE CLARKE

ALSO PRESENT: RONALD BLASS FSO

RONALD BLASS,  
PATRICK HINES

PATRICK HINES  
KATHY NATLAND

21 APPLICANT'S REPRESENTATIVE: FRANK BOVA  
22 NICHOLAS BOVA

MICHELLE L. CONERO

MICHELE B. CONER  
3 Francis Street

3 Francis Street  
Newburgh, New York 12550

High, New York  
(845)541-4163

2 CHAIRMAN BRAND: Next up, Eighty Six  
3 Washington, sketch, site plan.

4 Give us an overview of what you have  
5 going on.

6 MR. FRANK BOVA: Since the last time we  
7 were here I did some changes to the drawings,  
8 which I don't believe you have the latest drawing  
9 either. It doesn't really go along with some of  
10 the things that are on here.

11 MR. HINES: I think this is actually  
12 your first time here.

13 MR. FRANK BOVA: Your number 1 on here,  
14 it's incomplete.

15 MR. HINES: I don't have the letter  
16 from the Town Board.

17 MR. FRANK BOVA: I'm not really sure  
18 how it works. I apologize for that.

19 We're just trying to get approval for a  
20 building that we purchased in Milton to conduct  
21 our business there. There's basically changes  
22 and upgrades to the property. We're going  
23 through with the planning process.

24 CHAIRMAN BRAND: So this is different  
25 than the other proposal you had?

2 MR. FRANK BOVA: No. I just made some  
3 of the changes that were needed to be put on  
4 there. It's a different set of drawings.

5 I talked to the building inspector --

6 MR. BLASS: This is a highway business  
7 corridor overlay zone matter. The Town Board has  
8 reviewed the concept plan, found it acceptable  
9 for review and has shifted it to the Planning  
10 Board for site plan review.

11 CHAIRMAN BRAND: Do you want to run  
12 through your comments, Pat?

13 MR. HINES: Number one -- actually, my  
14 number one is a little different because the  
15 ordinance has been changed somewhat. It has been  
16 referred from the Town Board to you. Basically  
17 it's now before you as a site plan.

18 We're looking for some additional  
19 detail which may or may not be on that map. I  
20 don't have the larger map. I got this e-mailed  
21 to me. It's the same map I believe. So we would  
22 be looking for -- it's only here for sketch right  
23 now.

24 Future submissions should address  
25 drainage, grading and erosion and sediment

2 control.

3 I'm under the impression that the  
4 building in the rear is not there yet.

5 MR. FRANK BOVA: It is not there. I  
6 was asked to include my five-year plan for the  
7 property. That's what I would eventually like to  
8 do, the building in the back.

9 MR. HINES: I guess are you applying  
10 for that now?

11 MR. FRANK BOVA: As part of this, yes.

12 MR. HINES: If it's a five-year plan  
13 your approvals are going to lapse between now and  
14 five years. You're creating -- I understand  
15 someone may have told you that.

16 MR. FRANK BOVA: They did tell me that,  
17 yes. The building inspector did.

18 MR. HINES: What we would be looking  
19 for as if the Board is reviewing that to be  
20 constructed is grading, drainage, erosion and  
21 sediment control, the parking requirements, a  
22 narrative description of the proposed use, hours  
23 of operation, site lighting, landscaping. It's  
24 the things on the site plan checklist that are  
25 required. I think you need DOT input for the

2 driveway. The Board just recently reviewed, I  
3 think Empire Landscaping or one of the  
4 landscaping proposals.

5 MR. FRANK BOVA: My neighbor. Yes,  
6 it's my neighbor.

7 MR. HINES: It's your neighbor.  
8 Similar to that project that came in under this  
9 process. Hopefully this process will be more  
10 streamlined since that was the first one. We'll  
11 need that information. If you can get your  
12 consultant that list of items that are lacking  
13 from the plan.

14 The overseas containers that are shown  
15 there now, are they proposed to remain?

16 MR. FRANK BOVA: Until the building in  
17 the back is built, yes.

18 MR. HINES: They are specifically not  
19 allowed. Based on 155-16, overseas containers  
20 may not be used for accessory storage buildings.  
21 They are containers that have wheels that go on  
22 either trucks or trains. Those are not  
23 permitted.

24 We're basically looking now for -- it's  
25 here for sketch. I think the Board can ask any

2 questions they want now as far as what the site  
3 is going to be used for, but then you need a  
4 detailed site plan submission for review. If  
5 it's five years out, you may be back here again.

6 MR. FRANK BOVA: You have two years to  
7 break ground?

8 MR. HINES: Two years to get a building  
9 permit and I think it's three years to accomplish  
10 that building permit. You're right at that limit  
11 if you get your building permit. Getting a  
12 building permit means you're submitting design  
13 plans and paying fees.

14 MR. FRANK BOVA: I understand.

15 CHAIRMAN BRAND: What exactly is  
16 happening here again?

17 MR. FRANK BOVA: It's just a storage  
18 building in the back. The building that is there  
19 existing in the front is storage and is going to  
20 be office space.

21 MR. HINES: What's the nature of the  
22 storage?

23 MR. FRANK BOVA: I'm sorry?

24 MR. HINES: What are you storing in the  
25 building?

2 MR. FRANK BOVA: Equipment.

3 CHAIRMAN BRAND: What's the business?

4 MR. FRANK BOVA: It's a construction  
5 business. We do some abatement, flooring,  
6 concrete resurfacing.

7 MR. HINES: If there's going to be any  
8 outdoor storage of equipment or materials, that  
9 should be depicted on the plans. There's a  
10 section in the zoning as to how that's regulated  
11 as well.

12 CHAIRMAN BRAND: Will this be open to  
13 the public as well?

14 MR. FRANK BOVA: No. No. Nobody but  
15 my employees.

16 MR. HINES: It sounds like a contractor  
17 yard type of use.

18 MR. FRANK BOVA: Contractor yard.

19 Basically, yeah.

20 MS. LANZETTA: Can you tell me a little  
21 bit about this ATV trail, what that is in the  
22 back?

23 MR. FRANK BOVA: You know, there's a  
24 couple of items that came up when we had the  
25 drawings done. There is an ATV trail north of

2 the property. It's not mine. I don't know whose  
3 it is. They kind of included it on my property.  
4 It's in the back.

5 MR. HINES: Probably the surveyor  
6 picked it up when he did the survey.

7 MR. FRANK BOVA: Correct. I don't use  
8 it. It's part of the property in the back that  
9 -- it's all woods anyway. I don't know who made  
10 it or did it but a bunch of people that live in  
11 the Town I think use it.

12 MS. LANZETTA: You're not concerned  
13 about anybody coming in that way to --

14 MR. FRANK BOVA: No.

15 MS. LANZETTA: -- mess with your  
16 storage?

17 MR. FRANK BOVA: No.

18 MS. LANZETTA: No.

19 CHAIRMAN BRAND: That doesn't have to  
20 be fenced in for the storage?

21 MR. HINES: Outdoor storage would have  
22 to be fenced in. That's why I was referring to  
23 that section of the Code.

24 MR. CLARKE: What about this deed  
25 overlap? There's a slight discrepancy.

2 MR. FRANK BOVA: Between DiNoto there's  
3 a small deed overlap there. There's also one I  
4 believe in small little cut pies. I'm not really  
5 sure if there's a deed overlap or not.

6 CHAIRMAN BRAND: So both of the deeds  
7 are for that property?

8 MR. FRANK BOVA: There's a small --  
9 there's two of them I believe, one in the back  
10 here and one also -- there's like a small piece  
11 right in the front here.

12 MS. LANZETTA: Can you remind me, do we  
13 send these plans to the firehouse for review or  
14 does the applicant do that to get their input?

15 MR. HINES: There's been a variety of  
16 methods to do that. I would suggest the Town  
17 send them so we can track them. I think that's  
18 the latest thing. Jen sends them so we have an  
19 acknowledgement that they did go out. I think we  
20 should wait until we get the more detailed plan.  
21 Right now this is kind of schematic.

22 When you get the topography and the  
23 larger scale -- I haven't seen the larger scale  
24 drawing yet. Once that's brought up to the  
25 requirements, and showing the parking

2 requirements, and that would more detail the  
3 access, grading. I think Jen is following that  
4 up with a transmittal so we know the date that  
5 they were sent.

6 CHAIRMAN BRAND: Anything else from the  
7 Board?

8 (No response.)

9 CHAIRMAN BRAND: So you'll get the  
10 revised maps including all of the engineer's  
11 comments and then come back to us at our next  
12 meeting, which is August 7th.

13 MR. FRANK BOVA: Yup. What time is it?

14 CHAIRMAN BRAND: I'm sorry?

15 MR. FRANK BOVA: What time is the  
16 meeting on the 7th?

17 CHAIRMAN BRAND: 7:30.

18 MR. FRANK BOVA: The ones that are  
19 complete, I don't have to worry about them?

20 CHAIRMAN BRAND: Say it again.

21 MR. FRANK BOVA: The ones noted as  
22 complete I don't have to worry about?

23 CHAIRMAN BRAND: Correct. So number 1  
24 is taken care of.

25 MR. HINES: If you get those to your

2                   consultant, if he has any questions he can give  
3                   me a call.

4                   MR. FRANK BOVA: Are you Patrick Hines?

5                   MR. HINES: Yes.

6                   MR. FRANK BOVA: Thank you.

7

8                   (Time notes: 8:42 p.m.)

9

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

11

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

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

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

21                   IN WITNESS WHEREOF, I have hereunto  
22                   set my hand this 3rd day of August 2017.

23

24

25

*Michele Conero*

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MICHELLE CONERO

2                   STATE OF NEW YORK : COUNTY OF ULSTER  
3                    TOWN OF MARLBOROUGH PLANNING BOARD  
4                   ----- X  
5                   In the Matter of  
6

7                    VINCENT & MORAN  
8

9                    Milton Turnpike  
10                  Project No. 17-106  
11                  Section 102.2; Block 6; Lots 2, 3 & 4  
12

13                  ----- X  
14

15                  SKETCH - LOT LINE

16                  Date: July 17, 2017  
17                  Time: 8:42 p.m.  
18                  Place: Town of Marlborough  
19                  Town Hall  
20                  21 Milton Turnpike  
21                  Milton, NY 12547  
22

23                  BOARD MEMBERS:    CHRIS BRAND, Chairman  
24                  BEN TRAPANI  
25                  CINDY LANZETTA  
26                  JOSEPH LOFARO  
27                  MANNY CAUCHI  
28                  STEVE CLARKE  
29

30                  ALSO PRESENT:    RONALD BLASS, ESQ.  
31                  PATRICK HINES  
32                  KATHY NATLAND  
33

34                  APPLICANT'S REPRESENTATIVE: CARMEN MESSINA  
35

36                  ----- X  
37                  MICHELLE L. CONERO  
38                  3 Francis Street  
39                  Newburgh, New York 12550  
40                  (845)541-4163  
41

2 CHAIRMAN BRAND: Next up, Vincent &  
3 Moran, Milton Turnpike, sketch, lot line.

4 Just give us an overview of what's  
5 happening.

6 MR. MESSINA: Carmen Messina, Surveyor  
7 for the applicant, Joanne Vincent.

8 This is a lot line revision of three  
9 lots. Lot number 3 is a piece of property that  
10 has no buildings on it, it's vacant land to be  
11 given to lots 1 and 2. Lot 1 was 1.04 acres and  
12 it will become 2.38. Lot number 2 of 1 acre will  
13 become 2.34 acres. Lot 3, which is 24.31 acres,  
14 is now 21.6.

15 CHAIRMAN BRAND: Pat, do you want to go  
16 over your comments?

17 MR. HINES: The bulk table on lot 3, it  
18 looks like you have an extra decimal place in  
19 there.

20 MR. MESSINA: Yes.

21 MR. HINES: We're just stating that all  
22 this is doing is extending the rear lot lines  
23 back from lot 1 and lot 2 further back into lot  
24 3.

25 The access easement is going to need to

2 be modified. It's shown to come all the way back  
3 now where currently the easement terminates at  
4 the existing real property lines. It will be  
5 extended back, it looks like an additional -- I  
6 don't have the footage -- 200 and some feet.  
7 281. We'll need that.

8 To coordinate, there's the owners of  
9 record and each of the tax lots.

10 MR. MESSINA: I'll put the tax maps.

11 MR. HINES: Just so we know which  
12 section, block and lot goes with which lot. That  
13 will clean that up.

14 It's three lots so it doesn't meet your  
15 streamlined lot line requirement. It does  
16 require a public hearing. I think it has  
17 sufficient information to schedule that at this  
18 time.

19 CHAIRMAN BRAND: Any comments from the  
20 Board?

21 (No response.)

22 CHAIRMAN BRAND: Okay. So we can go  
23 ahead and schedule a public hearing for Vincent  
24 and Moran. Your choice, August 7th or  
25 August 17th?

2 MR. HINES: 21st.

3 MR. MESSINA: August 7th is fine.

4 CHAIRMAN BRAND: August 7th, public  
5 hearing. So you'll make those changes and be  
6 back for the public hearing.7 MR. MESSINA: I will send out the  
8 letters.9 CHAIRMAN BRAND: Get the information  
10 from Kathy or Jen if she's back.

11 MR. MESSINA: Thanks.

12 CHAIRMAN BRAND: Thank you.

13

14 (Time noted: 8:46 p.m.)

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

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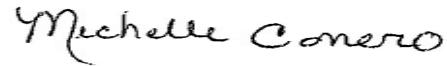
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MICHELLE CONERO

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

In the Matter of

## SMITH SUBDIVISION

Project No. 17-1017  
First Street  
Section 103.1; Block 4; Lot 47.130

## SKETCH - SUBDIVISION

Date: July 17, 2017  
Time: 8:46 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

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

ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
KATHY NATLAND

APPLICANT'S REPRESENTATIVE: JAY SAMUELSON

MICHELLE L. CONERO

3 Francis Street  
Newburgh, New York 12550  
(845)541-4163

2 CHAIRMAN BRAND: Next up, Smith  
3 Subdivision, sketch.

4 MR. SAMUELSON: Good evening. Jay  
5 Samuelson, Engineering, Surveying & Properties  
6 here representing the owner, Doug Smith.

7 This is a 10.8 acre property located  
8 along First Street. We're proposing five new  
9 lots.

10 I believe this property has been before  
11 you in the past with different applicants that  
12 had looked for six or seven lots in the previous  
13 applications. Mr. Smith is looking to develop  
14 this as a five-lot subdivision and move forward.  
15 We're here with sketch plan tonight to see if  
16 there's anything else we would like to discuss or  
17 look at specifically.

18 CHAIRMAN BRAND: Pat.

19 MR. HINES: As Mr. Samuelson said, this  
20 has been before you on several occasions over the  
21 last decade. It had various proposals for town  
22 road extensions, private roadways, a water main  
23 extension. It's now back to probably it's most  
24 basic form of wells and septic on five lots.

25 You'll see that there are approved

2 subsurface sanitary disposal systems that were  
3 approved sometime in the past by Ulster County.  
4 I think those were done when there was Town water  
5 proposed.

6 MR. SAMUELSON: There was Town water  
7 proposed for a couple of the lots at that time,  
8 not all of them. Now there is only one lot in  
9 the water district. We would like to discuss  
10 that with the Health Department as doing a well  
11 as there would be significant water main upgrades  
12 for one lot.

13 MR. HINES: We're on board with that.  
14 We're also asking that the town water department  
15 be involved in those discussions because there is  
16 a hydrant right where that driveway is. I'm not  
17 sure what it is. I think between the Health  
18 Department and the water department, that issue  
19 can be resolved.

20 We are recommending that the Health  
21 Department does weigh in on the septic systems  
22 since there is now additional wells on the site.  
23 I forget the extent. I know there was a water  
24 main extension along First Street.

25 Also previously was a cul-de-sac at the

2 end of the paved Town maintained portion of First  
3 Street which is where the three lots, 1, 2 and 3,  
4 driveways come out. Gael Appler's comments on  
5 those driveway locations. It's a busy little  
6 spot there and I believe the Lynch lot has a  
7 driveway in that vicinity as well. Gael's  
8 comments on that should be received.

9 The lot length to wise ratios,  
10 especially as the lot numbers get lower on the  
11 site, are rather large. They are conducive to  
12 future subdivision, so we're suggesting if the  
13 Board finds those lots acceptable, they are kind  
14 of flag lots, that a no further subdivision note  
15 be added to those. I think that with the layout  
16 of well and septic it's probably not possible  
17 anyway. Just so we don't see this again in the  
18 future with running additional common driveways.

19 CHAIRMAN BRAND: 1, 2 and 3?

20 MR. HINES: Yes.

21 MR. SAMUELSON: We take no objection to  
22 that.

23 MR. HINES: And then future submissions  
24 should show the grading, drainage, erosion and  
25 sediment control and such.

2 I think the next step would be to go to  
3 the water department, health department and Gael  
4 Appler, to get his comments and generate the more  
5 detailed plans that the Board needs.

6 CHAIRMAN BRAND: Any comments from the  
7 Board?

8 MR. CAUCHI: No.

9 MR. HINES: Jay, do you know the  
10 status? I'm just wondering if there should be a  
11 withdrawal of --

12 MR. SAMUELSON: I believe the prior  
13 application was completely withdrawn because  
14 there was a conditional approval, there was a  
15 bond approved. From what I understand that  
16 application has been completely withdrawn. All  
17 the fees have been paid. It's off the books. If  
18 you need a letter to that effect I can try to get  
19 the previous owner to write that letter. I  
20 believe the property is under contract to be  
21 sold. Doug is not the original owner.

22 MR. HINES: I think he was the  
23 applicant last time.

24 MR. SAMUELSON: He may have been part  
25 of the team. It's now him personally. He bought

2 it out personally.

3 CHAIRMAN BRAND: Go ahead.

4 MR. KNEETER: May I have drawings of  
5 that to the fire department?

6 CHAIRMAN BRAND: Sure.

7 MR. KNEETER: We had commented on the  
8 last one, Brody Ridge.

9 MS. LANZETTA: Isn't it required that  
10 if you're in the water district that you have to  
11 hook up? Just the same as if you're in the sewer  
12 district.

13 MR. BLASS: It's different in every  
14 town. It depends on what your water code says,  
15 which I don't have with me tonight. Not  
16 necessarily. Not necessarily. If you have a  
17 code provision that says you must connect if  
18 you're in the district, then yes. That's what  
19 needs to be checked out. I can check that out  
20 and let you know.

21 CHAIRMAN BRAND: Pat, do you think this  
22 requires substantial revisions before the public  
23 hearing?

24 MR. HINES: Yeah. We're not there.

25 CHAIRMAN BRAND: Got you. We'll see

2 you at the August 7th meeting.

3 MR. SAMUELSON: Yes.

4 CHAIRMAN BRAND: Thank you.

5 MR. HINES: It's up to Mr. Samuelson.

6 MR. SAMUELSON: It's depending when I  
7 can get some answers out of the highway  
8 superintendent. After I get those answers we'll  
9 be back.10 CHAIRMAN BRAND: We'll see you when we  
11 see you.

12

13 (Time noted: 8:52 p.m.)

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

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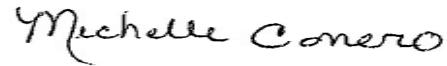
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MICHELLE CONERO