

2 MR. TRUNCALI: I'd like to call the
3 meeting to order. Please rise for the Pledge
4 to the flag.

5 (Pledge of Allegiance.)

6 MR. TRUNCALI: Agenda, Town of
7 Marlborough Planning Board, August 7, 2017.
8 Regular meeting 7:30 p.m. Reservoir Road,
9 public hearing; Vincent and Moran, public
10 hearing; Grand Slam Auto, site plan; Hudson
11 Valley Tree House, site plan; Cipriano and
12 Conifer, lot line; Marlboro District Route 9
13 LLC, site plan; Peter McAuliffe, commercial
14 solar; Herald Decara, logging. Next
15 deadline: Friday, August 11th. Next
16 scheduled meeting: Monday, August 21st.

17 I'm a part owner in one of the lots
18 on the Reservoir Road application so I'll be
19 recusing myself from this first application.
20 Cindy will take over.

21 MS. LANZETTA: We're going to start
22 with the lot line revision application. "Please
23 take notice a public hearing will be held by the
24 Marlborough Planning Board pursuant to the State
25 Environmental Quality Review Act and Town of

2 Marlborough Town Code 134-33 on Monday, August 7,
3 2017 for the following application: Reservoir
4 Road, Lucky 7 lot line consolidation, at the Town
5 Hall, 21 Milton Turnpike, Milton, New York at
6 7:30 p.m. or as soon thereafter as may be heard.
7 The applicant is seeking approval of a lot line
8 revision for lands located on Reservoir Road in
9 Marlboro, New York, Section 108.2, Block 9, Lots
10 43.132/133/134/135. Any interested parties
11 either for or against this proposal will have an
12 opportunity to be heard at this time."

13 MR. McCORMACK: My name is Connor
14 McCormack, I'm with Maser Consulting. Just for
15 your benefit, would you rather me face you or the
16 public?

17 MS. LANZETTA: First of all, did you
18 have to send out any public notices?

19 MR. McCORMACK: We did. We sent out a
20 total of twenty-seven and we received back
21 twenty-three.

22 MS. LANZETTA: Could you provide those
23 to the secretary?

24 MS. FLYNN: Thank you.

25 MS. LANZETTA: We'd like for the public

2 to be able to see this. We've had an opportunity
3 to see it. If you could hold it up and explain
4 to the public what the general lot line revision
5 is for.

6 MR. McCORMACK: So our plan is five
7 existing lots that will be reduced to four. Lot
8 1, owned by Mr. Truncali, is going to stay the
9 same. It's going to be the same area. The only
10 proposed change is we are proposing a driveway
11 directly onto Reservoir Road.

12 This is the existing lots 2, 3 and 4.
13 This lot line is going to dissolve and then it's
14 getting larger. Lot 3 is also getting larger.
15 It's getting lands from lot 4. Lot 4 will be
16 reduced and it's access to Reservoir Road will
17 change from the private road that currently
18 exists to a driveway off Reservoir Road here.

19 The existing private road will be
20 dissolved and that area divided up between lots 2
21 and 3.

22 MS. LANZETTA: This is a public
23 hearing. Would anybody like to comment either
24 for or against this lot line revision?

25 MR. SHABALA: That's how it's --

2 MS. LANZETTA: I'm sorry. Could you
3 please state your name for the stenographer?

4 MR. SHABALA: Frank Shabala. That
5 revision -- I mean it's already approved to build
6 houses; correct?

7 MR. HINES: Yes.

8 MR. SHABALA: You know where my house
9 is up on the top of the hill there? It's in
10 bluestone. That whole ridge is bluestone. I
11 don't want to see any blasting. They can do
12 whatever they want down there building houses.
13 Blasting is going to damage my well and my
14 foundation. That's what I have a problem with.

15 MS. LANZETTA: I do remember the last
16 time that this was before us that there was a
17 provision put in that on the fourth lot if they
18 were going to access Reservoir Road, that they
19 would have to do it manually, that there would
20 not be any blasting. That was a concern in the
21 past as well.

22 MR. SHABALA: Okay. That's the only
23 problem I have is because my foundation, I've had
24 to go down eight feet into the bluestone and the
25 well goes down 385 feet. Blasting will destroy

2 that. Not going to happen.

3 MS. LANZETTA: Anybody else?

4 (No response.)

5 MS. LANZETTA: Pat, would you like to
6 go over your comments?

7 MR. HINES: We received a letter from
8 the highway superintendent just regarding the
9 illumination of the private roads and the
10 installation of the three driveways. There are
11 two trees which he identifies must be removed
12 prior to him issuing any permits for the
13 driveways. I'm suggesting those trees be removed
14 at this time prior to filing of the map. That's
15 the only mechanism we have of accomplishing that
16 and making sure that happens. So if the trees
17 are eliminated now, prior to the maps being
18 signed, that issue is completed.

19 Our second comment has to do with the
20 easement. At the last meeting the applicant's
21 representative stated they couldn't find any
22 information on that easement. It's now been
23 clarified. They just couldn't find the bulb of
24 the cul-de-sac having never been filed. The
25 fifty-foot dedication strip on the way in

2 apparently exists. As a condition of approval
3 that will also have to be eliminated, otherwise
4 the previous lots will have certain rights over
5 that private roadway.

6 With that, we would recommend a
7 negative declaration for the lot consolidation
8 and lot line change.

9 MS. LANZETTA: Can I have a motion to
10 close the public hearing?

11 MR. TRAPANI: I'll make that motion.

12 MR. CAUCHI: Second.

13 MS. LANZETTA: All in favor?

14 MR. CLARKE: Aye.

15 MR. TRAPANI: Aye.

16 MR. CAUCHI: Aye.

17 MR. LOFARO: Aye.

18 MS. LANZETTA: Aye.

19 We closed the public hearing. Let's
20 take a look at the environmental assessment form.
21 We do have the preparation of an negative dec.

22 Do I read this entire thing?

23 MR. BLASS: I don't think that's
24 necessary.

25 MS. LANZETTA: So if you look at the

2 short environmental assessment form that we
3 looked at together, you'll see that there really
4 has been minimal to no impact with this
5 subdivision change.

6 I would entertain a -- can we just do
7 it by --

8 MR. HINES: A negative dec.

9 MS. LANZETTA: Do I have a motion for a
10 negative declaration?

11 MR. CLARKE: I'll move for a negative
12 declaration.

13 MR. TRAPANI: I'll second it.

14 MS. LANZETTA: All in favor?

15 MR. CLARKE: Aye.

16 MR. TRAPANI: Aye.

17 MR. CAUCHI: Aye.

18 MR. LOFARO: Aye.

19 MS. LANZETTA: Aye.

20 And we can do the resolution of
21 approval if those conditions have been met that
22 Pat had mentioned.

23 MR. BLASS: There's the condition about
24 removal of the two trees, there is the condition
25 of submitting a legal instrument to abandon or

2 dissolve the private road.

3 Any others, Pat?

4 MR. HINES: That's it.

5 MR. BLASS: Then you might want to add
6 a condition that construction of the driveway to
7 lot 4 shall be done by ripping as opposed to
8 blasting.

9 MS. LANZETTA: Even though that was a
10 condition of the previous subdivision?

11 MR. HINES: You still should include
12 it. It will be mechanically removed rather than
13 blasting.

14 MS. LANZETTA: We'll add that. Should
15 I read this entire --

16 MR. BLASS: I don't think that's
17 necessary.

18 MS. LANZETTA: Can I have a motion to
19 approve the resolution of approval with the
20 discussed amendments?

21 MR. CLARKE: Conditions.

22 MS. LANZETTA: Conditions.

23 MR. CLARKE: I'll so move.

24 MR. TRAPANI: I'll second it.

25 MS. LANZETTA: All in favor?

1 RESERVOIR ROAD 10

2 MR. CLARKE: Aye.

3 MR. TRAPANI: Aye.

4 MR. CAUCHI: Aye.

5 MR. LOFARO: Aye.

6 MS. LANZETTA: Aye.

7 Okay.

8 MR. McCORMACK: Thank you.

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10 (Time noted: 7:38 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 22nd day of August 2017.

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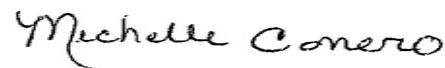
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MICHELLE CONERO

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

In the Matter of

5 VINCENT & MORAN

PUBLIC HEARING - FINAL

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

21 APPLICANT'S REPRESENTATIVE: CARMEN MESSINA

2 MR. TRUNCALI: Next up is Vincent and
3 Moran, a public hearing.

4 "Legal notice, lot line revision
5 application. Please take notice a public hearing
6 will be held by the Town of Marlborough Planning
7 Board pursuant to the State Environmental Quality
8 Review act and the Town of Marlborough Town Code
9 134-33 on Monday, August 7, 2017 for the
10 following application: Vincent and Moran, lot
11 line revision, at the Town Hall, 21 Milton
12 Turnpike, Milton, New York at 7:30 p.m. or as
13 soon thereafter as may be heard. The applicant
14 is seeking approval of a lot line revision for
15 lands located at 565 and 561 Milton Turnpike,
16 Milton, New York, Section 102.2, Block 6, Lots 2,
17 3 and 4. Any interested parties either for or
18 against this proposal will have an opportunity to
19 be heard at this time. Chris Brand, Chairman,
20 Town of Marlborough Planning Board."

21 MR. MESSINA: Eight were sent out and
22 six were returned.

23 MS. FLYNN: Thank you.

24 MR. TRUNCALI: Mr. Messina, would you
25 like to give us an overview?

2 MR. MESSINA: Carmen Messina, surveyor
3 for the project.

4 This is a lot line revision between
5 three lots located on Milton Turnpike. Lot 3 is
6 going to be giving to lots 1 and 2 approximately
7 1.3 acres. The original lot 1 was 1.04 acres and
8 now it will be 2.38. Lot 2 was 1 acre, now it's
9 going to be 2.34. Lot number 3 was 24.3 acres
10 and it will now be 21.6.

11 MR. TRUNCALI: This is a public
12 hearing. If anyone would like to comment either
13 for or against this application, now would be the
14 time.

15 (No response.)

16 MR. TRUNCALI: If there's nothing, I'll
17 make a motion to close the public hearing.

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

19 MR. LOFARO: I'll second.

20 MR. TRUNCALI: All in favor?

21 MR. CLARKE: Aye.

22 MR. TRAPANI: Aye.

23 MS. LANZETTA: Aye.

24 MR. CAUCHI: Aye.

25 MR. LOFARO: Aye.

2 MR. TRUNCALI: Aye.

3 Any opposed?

4 (No response.)

5 MR. TRUNCALI: So carried.

6 Ron, Pat?

7 MR. HINES: Our previous comments were
8 addressed. There were clean-up items on the map.

9 The only outstanding issue is with the
10 extension of the easement further back onto lot
11 3. I think that's a condition of the resolution.

12 We would recommend the adoption of a
13 negative declaration and an approval conditioned
14 on those items identified in the resolution.

15 MR. BLASS: The Board has before it a
16 part 2 environmental assessment form, just like
17 the prior item, and a proposed written negative
18 declaration ,and also a resolution of conditional
19 approval, the only condition being the submission
20 of a modified access and maintenance right-of-way
21 instrument to extend the private road, as Pat
22 just indicated.

23 MR. TRUNCALI: Are there any questions
24 from the Board Members?

25 (No response.)

2 MR. TRUNCALI: So the environmental
3 assessment form seems to not have any impacts.
4 Do I hear a motion for a negative declaration?

5 MR. CLARKE: I'll make a motion for a
6 negative declaration on this.

7 MR. TRUNCALI: A second?

8 MR. CAUCHI: I'll second.

9 MR. TRUNCALI: All in favor?

10 MR. CLARKE: Aye.

11 MR. TRAPANI: Aye.

12 MS. LANZETTA: Aye.

13 MR. CAUCHI: Aye.

14 MR. LOFARO: Aye.

15 MR. TRUNCALI: Aye.

16 All opposed?

17 (No response.)

18 MR. TRUNCALI: So carried.

19 Also moving forward for approval with
20 the conditions that were mentioned by the Town
21 Planning Board Lawyer, do I have a motion for
22 that?

23 MS. LANZETTA: I'll make a motion to
24 approve this resolution.

25 MR. TRUNCALI: And a second?

2 MR. LOFARO: I'll second.

3 MR. TRUNCALI: All in favor?

4 MR. CLARKE: Aye.

5 MR. TRAPANI: Aye.

6 MS. LANZETTA: Aye.

7 MR. CAUCHI: Aye.

8 MR. LOFARO: Aye.

9 MR. TRUNCALI: Aye.

10 All opposed?

11 (No response.)

12 MR. TRUNCALI: So carried.

13 MR. MESSINA: Thank you.

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15 (Time noted: 7:43 p.m.)

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

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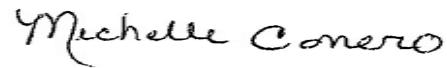
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MICHELLE CONERO

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

In the Matter of

GRAND SLAM AUTO

Project No 17-1018

1924 Route 9W

Section 103.1; Block 2; Lot 61

SKETCH - SITE PLAN

Date: August 7, 2017

Time: 7:43 p.m.

Place: Town of Marlborough

Town Hall

21 Milton Turnpike

Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman

BEN TRAPANI

CINDY LANZETTA

JOSEPH LOFARO

MANNY CAUGHT

STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.

PATRICK HINES

VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: THOMAS CORCORAN

MICHELLE L. CONERO

3 Francis Street

Newburgh, New York 12550

(845)541-4163

2 MR. TRUNCALI: Next up is Grand Slam
3 Auto, site plan.

4 Tom, would you like to explain what
5 you're looking for here?

6 MR. CORCORAN: It's a commercial
7 property in the HD district. It's just under one
8 acre on the north side of Kirky's Deli. It's a
9 proposed used car sales which is a special use in
10 the district.

11 MR. TRUNCALI: It's a vacant lot right
12 now?

13 MR. CORCORAN: Correct.

14 MR. TRUNCALI: Is this in the business
15 overlay district?

16 MR. CORCORAN: It is but it's not
17 required to be because it's already an HD piece.
18 Since it's an HD piece already, it's already
19 zoned HD, it just comes under the Zoning Law 155
20 under special use.

21 MR. TRUNCALI: Pat, do you have any
22 comments?

23 MR. HINES: It's a preexisting
24 nonconforming lot in the HD Zone. It doesn't
25 conform for lot size and lot width but it is --

2 this project is not changing any of those
3 conditions. Section 155-14(c), as we learned
4 during the Chestnut Mobil process, under
5 nonconforming lots says the area or dimension of
6 any lot, yard, parking area or other space shall
7 not be reduced to less than the minimum required
8 by this chapter, and, if already less than the
9 minimum required by this chapter, said area or
10 dimension may continue and shall not be further
11 reduced. So there's no change in the non-
12 conformities for this use. It does not look like
13 it needs to go to the ZBA at this time based on
14 the current building size and layout.

15 This is kind of a sketch plan right
16 now. We don't have a lot of detail.

17 There are some other involved agencies.
18 The DOT will be involved for access from the
19 State highway. The Health Department will be
20 involved for review of the subsurface sanitary
21 sewer disposal system. It will eventually need
22 to be submitted to County Planning once the plans
23 are in a form acceptable for their review.

24 We're looking for additional design
25 details for the site development, including the

2 grading, erosion and sediment control, parking
3 lots, curbing, septic system design, drainage.
4 Everything that we need.

5 It's here before you as a concept right
6 now.

7 I think the Board could declare it's
8 intent for lead agency and could start that
9 process, circulating to those outside agencies
10 for their opinion on whether or not they wish to
11 serve as lead agency. I doubt they will but it
12 will start the process.

13 MR. TRUNCALI: Do I have a motion from
14 the Board to circulate intent to become lead
15 agency?

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

17 MR. CAUCHI: I'll second it.

18 MR. TRUNCALI: All in favor?

19 MR. CLARKE: Aye.

20 MR. TRAPANI: Aye.

21 MS. LANZETTA: Aye.

22 MR. CAUCHI: Aye.

23 MR. LOFARO: Aye.

24 MR. TRUNCALI: Aye.

25 Ron, do you have anything?

2 MR. BLASS: No, I don't.

3 MR. TRUNCALI: I guess you've got some
4 work to do.5 MR. CORCORAN: Everything is in motion.
6 I just wanted to get here.

7 MR. TRUNCALI: Thank you.

8 MR. CORCORAN: Thank you.

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10 (Time noted: 7:48 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
15 interested in the outcome of this matter.

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

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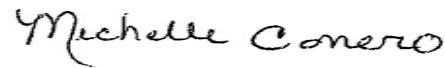
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MICHELLE CONERO

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

In the Matter of

HUDSON VALLEY TREE HOUSE

Project No. 17-1019

80 Gobblers Knob

Section 108.3; Block 2; Lot 66

SKETCH - SITE PLAN

Date: August 7, 2017

Time: 7:48 p.m.

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

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman

BEN TRAPANT

CINDY LANZETTA

JOSEPH LOFARO

MANNY CAUGHT

THOMAS CROCHET
STEVE CLARKE

19 ALSO PRESENT: RONALD BLASS, ESO.

PATRICK HTINES

VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: LAUREN BAGLIO

MICHÉLE L. CONERO

3 Francis Street

Newburgh, New York 12550

(845)541-4163

2

MR. TRUNCALI: Hudson Valley Tree

3

House, sketch, site plan.

4

Would you like to tell us what you're

5

here looking for?

6

MS. BAGLIO: I have a home and we've

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been putting it on Airbnb for income. It's been

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really wonderful. I've met a lot of people who

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really appreciate Marlborough, the wineries, the

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farms, the Falcon, the Perch. They've been

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really loving it so much that they've been

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telling their friends and family and we've had a

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lot of people passing through. I didn't think it

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would be as wonderful as has been having

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strangers come in. I feel like I've made a lot

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of friends. We keep in contact with people that

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we've hosted. We really have a wonderful

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experience. I would like to make it official by

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zoning it and making it a business that we can

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continue to grow and give back to the community

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by sending our guests to local businesses.

22

Marlborough is a destination for people that want

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to get away and relax. I feel I want to provide

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that for people. Some people say it's the most

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relaxing experience they've had, just to come to

2 unwind and regroup. I would like to continue to
3 do that.

4 MR. TRUNCALI: When you rent it out are
5 you there or do you rent the whole house out?

6 MS. BAGLIO: Yes. My home is my home.
7 I don't leave it. I protect it. We have house
8 rules. We have quiet hours at 10, we wake up at
9 9 sharp and serve breakfast and everybody sits at
10 the table, we do pancakes and eggs, just talk
11 about, you know, what they want to see and do.
12 We kind of send them in the right direction.
13 We're there the whole time. I wouldn't feel
14 comfortable leaving my home to complete
15 strangers.

16 We do vet the people before they come.
17 They have a profile with all of their reviews,
18 drivers license and photo ID. Airbnb does that
19 all for you to make sure the person is who they
20 say they are. You read their reviews and decide
21 if they are somebody you want to welcome into
22 your home. If not, you cancel the reservation
23 and tell them it's not a good fit for them
24 because it is our home. We do want respectable
25 people coming to our home. We do want to make

2 sure we're safe with the people we're inviting
3 into our home. Once they have our address they
4 have it forever.

5 Everybody has been very lovely. It's
6 been a really good experience. I'd love having
7 it full time. I love entertaining. I love
8 connecting with people. When I first started
9 doing it I wasn't really sure how it was going to
10 unfold but it's been super pleasant.

11 MR. TRUNCALI: Pat, do you have any
12 comments?

13 MR. HINES: I do. I have my typical
14 bed and breakfast comments.

15 MS. BAGLIO: Okay.

16 MR. HINES: The project is before you
17 as a home occupation as a bed and breakfast. We
18 need to document compliance with the bed and
19 breakfast code for the percentage of the home
20 existing and proposed to be utilized, and we get
21 into this again how the kitchen is being used.
22 I'll defer to the Board on just how much of the
23 home is going to be utilized. I think we need a
24 better square footage of the home, square footage
25 of the area to be used and to document that.

2 There needs to be shown an adequate
3 area for the parking at the facility. The
4 information in that home occupation of bed and
5 breakfast in the Zoning Code is what we're
6 looking for.

7 I did note the application packet
8 contains a piece of a site plan. My office
9 apparently did this map for an attorney that we
10 worked with in the past in 1989 when the house
11 was built. We have no financial interest in this
12 right now. They are no longer the owner.
13 Interestingly, the site plan that was submitted
14 was prepared by my office in 1989. Unfortunately
15 I was at my office in 1989.

16 The house is on a private roadway, so I
17 think that a copy of the private road access and
18 maintenance agreement should be submitted to see
19 there is typically -- not typically but sometimes
20 those private roadways have caveats that no
21 commercial use for landscaping or for any other
22 commercial uses. So a copy of that private road
23 easement should be submitted for the Board's use
24 as well.

25 MR. BLASS: That agreement might be a

2 part of your title report when you bought the
3 house.

4 MS. BAGLIO: I'll have to look. What I
5 got was -- we got that packet. There was a long
6 list of things. I wasn't sure which of those
7 checklist things were stuff that I needed to
8 submit. I went through the list and whatever I
9 could find I submitted.

10 As far as the parking goes, we took a
11 photo of it. We parked cars together to show
12 there's enough parking for guests.

13 MR. HINES: Typically we get that on a
14 site plan.

15 MS. BAGLIO: Sure, sure. Like I said,
16 I was trying to provide as much as I could.

17 MR. HINES: It's a good start. It
18 shows us where you are. There's just some
19 additional information we'll need.

20 MS. BAGLIO: I'm trying to think of
21 what I could do to make everybody's time, you
22 know, used optimally. If there's anything else,
23 just let me know.

24 MR. BLASS: It may be easier for you to
25 go to your closing file when you bought the

2 house, get the title report if you have it, and
3 if there is a recorded agreement with the county
4 clerk it will be attached to your title report.

5 MS. BAGLIO: If I can't find that where
6 is the second place I can go?

7 MR. BLASS: The county clerk's office.

8 MS. BAGLIO: County clerk. Okay.

9 MR. BLASS: In Kingston.

10 Pat's first comment basically calls for
11 a floor plan of the house to be created with
12 square footages.

13 MS. BAGLIO: I did submit that and I
14 highlighted the rooms that would be used.

15 MR. HINES: You just showed the rooms.
16 There's probably more of the house, restroom
17 facilities, kitchen. There's a limit of fifty
18 percent of the house can be utilized by your
19 guests.

20 MS. BAGLIO: Right.

21 MR. HINES: A layout of how that works
22 can be presented to the Board. I don't know how
23 much square footage your house is now versus what
24 they're going to use.

25 MS. BAGLIO: It's definitely less than

2 fifty percent because I remember reading that was
3 something that needed to be --

4 MR. HINES: We'll just need that
5 documented. The floor plans are a good start. I
6 think there's more than just the bedrooms that
7 are utilized.

8 MS. BAGLIO: Just highlight the living
9 room, essentially, and the kitchen and that would
10 square me away?

11 MR. HINES: As long as --

12 MS. BAGLIO: We have one floor of the
13 home that is not used at all, and then we have a
14 study and an office that isn't used. It's
15 definitely under fifty percent.

16 MR. HINES: We need that documentation
17 for the file.

18 MS. BAGLIO: So I'll go back and
19 highlight that.

20 MR. HINES: I can give you a copy of my
21 comments.

22 MS. BAGLIO: Is there anything else I
23 should do?

24 MS. LANZETTA: I just want to tell you
25 that I like the packet that was put together. I

2 think you did a very good and a thorough job. I
3 think it's great you're being so conscientious
4 about being a good homeowner, sharing your home
5 and watching out for the safety and those kinds
6 of issues that perhaps a lot of Airbnb people are
7 not doing. I think you're off to a good start
8 and I really appreciate the work you've already
9 done on this.

10 MS. BAGLIO: Thank you very much.

11 MR. TRAPANI: You run this as a bed and
12 breakfast now?

13 MS. BAGLIO: I sorry?

14 MR. TRAPANI: Have you been running
15 this as a bed and breakfast now or previously?

16 MS. BAGLIO: I mean we started off
17 doing it experimentally because we weren't sure
18 if this was the right route. We mainly started
19 it because we needed money and this was the
20 easiest, most accessible thing we could do to get
21 funds to pay our mortgage and to take care of
22 bills that we're in dire need. After we did it
23 -- it was supposed to be a temporary thing, to be
24 honest. We didn't think it would turn out to be
25 as lovely as it has been. When it came to my

2 attention it needed to be zoned, I was like well
3 it's going so well and I'm having such a lovely
4 experience, maybe this is something we should
5 take seriously and really like move forward with
6 it. I didn't think it would be as successful as
7 it has been and I didn't think I would enjoy it
8 as much as I have. I feel like I've been closer
9 with the people in the Town because of it. We're
10 sending people to their businesses and supporting
11 local and we're getting a lot of good feedback.
12 So it's just overall been a wonderful experience.
13 I didn't intend for it to be this but it's
14 actually growing into a wonderful thing. I
15 figured just move forward. Yeah.

16 MR. TRUNCALI: Does anybody else on the
17 Board have any questions or comments?

18 (No response.)

19 MR. TRUNCALI: If not, I guess you've
20 got a few things to do and we'll see you back
21 here.

22 (Time noted: 7:58 a.m.)

23 (Time resumed: 8:08 p.m.)

24 MS. BAGLIO: Can I ask a question? I
25 couldn't find any paper on the private road.

2 What do I do if I can't find any? What's the
3 next step?

4 MR. HINES: I'd be surprised you could
5 get a mortgage without --

6 MS. BAGLIO: This is the first time
7 I've owned a home. The private road thing, I
8 have no idea how that works.

9 MR. BLASS: You must have an easement.

10 MR. HINES: On the filed map. There
11 might not be a written one but the final map may
12 show something.

13 MR. BLASS: Your deed should say --

14 MS. BAGLIO: Just find the part where
15 it says easement? So I'll go to the clerk first,
16 and if they don't have anything then I look for
17 an easement?

18 MR. BLASS: They should have the
19 easement.

20 MR. HINES: If not, in the County
21 Clerk's office there will be a document.

22 MS. BAGLIO: Okay. And the easement
23 basically says I can --

24 MR. HINES: Some of them say no
25 commercial use. It may not say that. You're

2 going to have to check. You're going to have a
3 public hearing where all the neighbors are going
4 to come out. We want to have that information
5 before we --

6 MS. BAGLIO: So if it says no
7 commercial use, then it's basically dead in the
8 water?

9 MR. BLASS: We'll take a look at it.

10 MR. HINES: Get it to Ron.

11 MS. BAGLIO: All right.

12 MR. BLASS: Give me a copy of your
13 deed. I'll give you my card.

14 MS. BAGLIO: I put it in the packet
15 but --

16 MR. BLASS: Your deed is in the packet?

17 MS. BAGLIO: Yeah.

18 MR. CORCORAN: The road is fifty foot
19 wide, has two owners. They have a right-of-way
20 over their lands to her property to the best of
21 my knowledge.

22 MR. BLASS: Two separate owners?

23 MR. CORCORAN: Two separate owners.

24 MR. BLASS: Does anybody else have
25 rights?

2 MR. CORCORAN: Absolutely. Judge
3 Kraiza. There's probably six other houses.
4 They're done through right-of-ways. They were
5 not done through road maintenance agreements. As
6 a private road in the Town but as ownership like
7 two owners on the property, twenty-five foot
8 each, and the rest of the houses have
9 right-of-way over those parcels. Actually, if
10 you look at my comments, the road itself has two
11 separate SBLs. It doesn't even attach to their
12 homes.

13 MS. BAGLIO: From my house up, that's
14 separate?

15 MR. CORCORAN: Your house sits there
16 and then you have right-of-way over some of the
17 land. They wouldn't allow it to happen if it
18 didn't.

19 MS. BAGLIO: Where my driveway is going
20 down --

21 MR. CORCORAN: You don't own that. You
22 just have a right-of-way over it.

23 MR. BLASS: There's some chance
24 somebody is going to say the easement is
25 overburdened by this use.

2 MS. BAGLIO: I mean it's two bedrooms.
3 It's two other cars.

4 MR. BLASS: It's two bedrooms only?

5 MS. BAGLIO: We put three up and we
6 close the other one because we have to sleep in
7 one of the rooms. We've been playing musical
8 rooms instead of musical chairs. One room makes
9 more money than the other rooms.

10 MR. BLASS: There's probably no private
11 road maintenance agreement. Who maintains the
12 road?

13 MS. BAGLIO: I know we have someone who
14 plows it.

15 MR. BLASS: Do you all share in the
16 cost?

17 MS. BAGLIO: We don't share in the
18 cost. I know that they came to me and asked for
19 money to pave the road and I said okay, what
20 needs to be paved, and they said from your
21 driveway up. I said the road I don't use is
22 getting paved.

23 MR. BLASS: Was it paved?

24 MS. BAGLIO: My road that I use, no. I
25 mean in the three years I've been there I've

2 never paid.

3 MR. BLASS: Who is the nice guy that
4 does it?5 MS. BAGLIO: I know there's two people
6 that do it. I wave to everybody and I smile at
7 everybody. I know that we're going to get a plow
8 next year. I had no idea we needed one. We're
9 trying to figure that one out. It's one of those
10 things where like we -- basically I say like I
11 will plow the road and it won't be a thing. So
12 then we can plow I guess; right?13 MR. HINES: Or not. If someone has a
14 plowing contractor, you may pay them.15 MR. TRUNCALI: All right, guys. Are we
16 ready to continue with the meeting?

17

18 (Time noted: 8:18 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 22nd day of August 2017.

18

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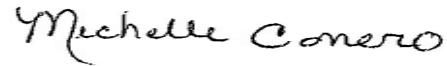
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MICHELLE CONERO

2 MR. TRUNCALI: Cipriano and Conifer,
3 sketch, lot line.

4 MR. MESSINA: Carmen Messina, surveyor
5 for the project.

6 This is the lot line revision between
7 two properties. Lot number 1 is the 20 Wygant
8 Road and lot number 2 is -- it was created -- is
9 lot number 4 on filed map 12-162.

10 On lot number 2 currently there's a
11 house under construction. It's accessed to a
12 public road, Reservoir Road, created by that
13 easement, filed map 10-33.

14 We propose to give approximately half
15 an acre to lot number 1 which was 1.5 acres and
16 now it will be approximately 2.1. Lot number 2
17 which was 2.6, that becomes 2.0.

18 We've reduced the area by Wygant Road
19 -- access to Wygant Road to 25.65 feet. The
20 basis for this is the property owner at 20 Wygant
21 Road would like to own the majority of the pond.
22 That's the reason.

23 MR. TRUNCALI: Where is lot 1 on here,
24 Carmen?

25 MR. MESSINA: Lot number 1 -- do you

2 see where it says lot 1? I'll put it inside the
3 lot. It's the one that's located on Larkin
4 Boulevard.

5 MS. LANZETTA: Larkin. If it doesn't
6 -- as you're depicting the new driveway, does
7 that actually go over the pond?

8 MR. MESSINA: No. Their access -- lot
9 number 2 -- lot number 2's access is actually
10 towards Reservoir Road.

11 MS. LANZETTA: If they needed to they
12 could have access to Wygant Road?

13 MR. MESSINA: No. Their access is
14 stated on that subdivision map which was -- what
15 was the reference again -- filed map 12-162.
16 Their access is to Reservoir Road and not to
17 Wygant Road.

18 MS. LANZETTA: Why would they need this
19 long --

20 MR. MESSINA: I believe because there
21 is a rule that you need 25 feet on a public
22 highway.

23 MR. HINES: There was quite a bit of
24 history here. Ron and I were just talking about
25 when it was before the Board. I was bringing Ron

2 up to speed on how this happened.

3 So lot 2 has access from Reservoir

4 Road --

5 MR. MESSINA: Yes.

6 MR. HINES: -- by easement.

7 MR. MESSINA: Yes.

8 MR. HINES: I remember the conversation
9 about the pond being in the flag and the fee
10 ownership. I almost think they filled in a
11 portion of the pond while this was before the
12 Board in order to provide lot 2 a usable
13 driveway, although it's not constructed.

14 MR. MESSINA: Lot number 2 in this plan
15 was lot number 4 on that other subdivision.

16 Their access was always to Reservoir Road.

17 MR. TRAPANI: That was Hanley's
18 property.

19 MR. HINES: It was Conifer and Hanley.

20 MR. MESSINA: I believe that having
21 flag shaped lots is to allow access to a public
22 road only on paper. I assume that. I mean I
23 didn't do that subdivision but that's what I've
24 been reading.

25 MR. HINES: There was a question

2 whether that access was usable because you would
3 have needed a boat to get to Wygant Road through
4 that access.

5 MR. TRUNCALI: So that dotted line is
6 the actual pond or is that just -- is that
7 wetlands?

8 MR. HINES: I think that's where the
9 pond is.

10 MR. MESSINA: That's the actual pond.

11 MR. TRUNCALI: There's a pond there?

12 MR. HINES: Right.

13 MR. MESSINA: Yes.

14 MR. HINES: I just don't know -- the
15 resulting flag pole for lot 2, I don't know if
16 some of that was filled in to make it usable. I
17 don't remember the history.

18 MR. MESSINA: I don't think it is. When
19 we just recently surveyed it, the pond covers
20 lots -- well, the property owned by Podhaiski,
21 Romero and Faraone, they have access on paper to
22 Wygant Road but their access is in that
23 fifty-foot access easement.

24 MR. HINES: They all come off that
25 cul-de-sac, too?

2 MR. MESSINA: Yes.

3 MR. HINES: I think that may have been
4 the resultant. After we struggled with the flag
5 lots for awhile, possibly that easement was the
6 mechanism that allowed them the access. There
7 was the potential that that would be a future
8 road out to Reservoir Road, I believe, so Wygant
9 Road wouldn't be a perpetual dead end where it is
10 now.

11 MR. MESSINA: Those four lots were
12 created, they have -- three of them have access
13 to Wygant Road, the fifty-foot easement, and lot
14 number -- the last lot, lot number 2, has access
15 to Reservoir.

16 MS. LANZETTA: So basically the way I'm
17 looking at it is it's a crazy subdivision and
18 you're just making it kind of nicer for the
19 person that wants to enjoy the pond?

20 MR. MESSINA: Yes. That house that
21 they own sits up on the hill. They overlook that
22 pond. They want to mull around it. It adjoins
23 their existing property.

24 MR. CLARKE: You're saying these other
25 lots are coming off that -- the entrance to their

2 lots is off this fifty-foot access and not off
3 Wygant Road? They're not using the flag lots?

4 MR. TRUNCALI: Right.

5 MR. MESSINA: That's correct.

6 MR. TRUNCALI: By law they have to have
7 twenty-five feet out to a Town road.

8 MR. MESSINA: I think we did, at one
9 point, show that it was usable.

10 MR. HINES: It was before you for a
11 long time I remember.

12 MR. BLASS: We may have taken an offer
13 of dedication of the fifty-foot wide easement to
14 Reservoir Road as a future Town road. That may
15 have been the solution. I wouldn't be surprised
16 that that strip was offered in dedication to the
17 Town for a road in the future.

18 MR. CLARKE: Was it built to Town
19 specs?

20 MR. BLASS: I don't think it's built.

21 MR. MESSINA: It's just gravel.

22 MR. HINES: It's not accepted as a Town
23 road. It's just that there was the potential
24 that it could become one. I don't know if we
25 need to take a look at filed map 10-33. That

2 might give you the answer to that.

3 MR. TRUNCALI: I believe what happened
4 was the owner of this former piece here with the
5 four lots wanted access out to Reservoir Road so
6 they could, in the future, build more lots.

7 MR. HINES: They have a length of
8 cul-de-sac/dead end road issue.

9 MR. TRUNCALI: Now they have sold that
10 to Lee Davis. He owns -- he does have a
11 right-of-way out to Reservoir Road also.

12 MR. HINES: He'll have a little more
13 after tomorrow.

14 MS. LANZETTA: What about access for
15 fire equipment to get into these places?

16 MR. HINES: I don't think this is
17 changing it, though. This lot line is not
18 changing it.

19 MS. LANZETTA: I'm not having a problem
20 with the lot line. I'm just curious.

21 MR. TRUNCALI: This is a good gravel
22 road that they all use.

23 Does anybody else have any questions?
24 (No response.)

25 MR. HINES: With all that being said,

2 this appears to qualify for your streamlined
3 approval process.

4 MR. BLASS: It's just two lots.

5 MR. HINES: It's just two lots.

6 MR. TRUNCALI: Can we schedule them for
7 a public hearing?

8 MR. HINES: You wouldn't need that. I
9 just don't know if everyone is okay with the
10 access issue. I remember the history of it. He
11 certainly resolved it back then. It is the way
12 it is today and they all have access off that
13 easement. They're not changing a lot other than
14 giving the pond.

15 MR. TRUNCALI: As long as you're not
16 taking away their right to use that road, what's
17 the difference?

18 MR. HINES: It doesn't affect that.

19 MR. TRUNCALI: Do we need to have a
20 negative dec or anything?

21 MR. BLASS: I think we should do a
22 negative dec and a resolution at the next
23 meeting. I didn't realize this was not going to
24 require a public hearing until now so I don't
25 have any paperwork on it yet. We can do it at

2 the next meeting.

3 MR. HINES: In the meantime; Carmen,
4 can you submit that filed map to us, that
5 information, --

6 MR. MESSINA: Yeah.

7 MR. HINES: -- 10-33, so we can see
8 what it says on there?

9 MR. MESSINA: Okay.

10 MR. TRUNCALI: The laws were recently
11 changed where you don't need to have a public
12 hearing to do a simple lot line revision.

13 MR. MESSINA: Okay. The last one I
14 just did, that was enacted after.

15 MR. TRUNCALI: We kind of streamlined
16 it and made it easier.

17 MR. MESSINA: So the next meeting is
18 scheduled for?

19 MS. FLYNN: 8/21.

20 MR. HINES: You don't have to do
21 anything other than get us the filed map in
22 between now and then.

23 MR. MESSINA: Okay. Thank you.

24

25 (Time noted: 8:08 p.m.)

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 22nd day of August 2017.

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2

Michelle Conero

MICHELLE CONERO

2 MR. TRUNCALI: Marlboro District Route
3 9, LLC, sketch, site plan.

4 If there's no one here for this
5 application, we will move on to the next.

6 (Time noted: 8:08 p.m.)

7 (Time resumed: 8:18 p.m.)

8 MS. BROOKS: I see that you have
9 comments. I usually get an e-mail.

10 The proposal before the Board is a
11 40,000 square foot warehouse on approximately 7.6
12 acres of land to warehouse a pods facility that
13 is currently on Riverview Drive. They're looking
14 to expand the facility and relocate.

15 This is the Michael DiVest property
16 which previously received approval back in 2006
17 for outdoor storage of materials, stone, mulch,
18 that type.

19 Currently existing on the site is the
20 office space, a well and a septic which were
21 improved as part of the original site plan.

22 Also, they installed a fence along the
23 front of the property, a landscaped berm.

24 They did receive New York State DOT
25 curb cut approval.

2 At this point in time the applicant is
3 interested in purchasing the property and
4 constructing his building for a total storage of
5 645 pods on the site.

6 They do have tractor trailers that do
7 the delivery of the pods during the day. They're
8 stored on the site in the nighttime. If you look
9 at drawing SP-1, it shows the location of eight
10 tractors and trailers on the site, that they park
11 there during the evening.

2 from three months to three years. So it's not a
3 storage unit where the people who own the stuff
4 inside the pods go and visit and take stuff out,
5 because they get stacked. It's mean for
6 long-term storage, as the current facility is.
7 So it's a little bit unique.

8 I haven't worked on a project like this
9 before. I wasn't exactly sure how to gauge what
10 the outdoor pod locations were going to be. I
11 considered them more to be storage. I was trying
12 to figure out how we were going to screen them.
13 I know that the original facility was approved
14 for outdoor storage and that the screening they
15 had already put in was acceptable. That's one of
16 my main questions with regard to the application
17 moving forward.

18 MR. TRUNCALI: How tall is the
19 building?

20 MS. BROOKS: Thirty-five feet. I told
21 him he can't go any higher than thirty-five feet.
22 Of course in the Town of Marlborough the height
23 is measured midway between the peak and the eve.
24 So the peak I'm sure is going to be higher than
25 thirty-five feet in order for them to build a

2 stack of pods like they need to. Again, it's
3 working right now in the facility on Riverview
4 Drive, which meets code.

5 MR. TRUNCALI: Thirty-five to the roof
6 or --

7 MS. BROOKS: My understanding is it's a
8 peaked roof.

9 MR. TRUNCALI: Pat, you have comments?

10 MR. HINES: It's sketch here right now.
11 The first comment just states what the site is.
12 It's a 7.6 acre site. They're looking to put a
13 1 acre warehouse building on there.

14 This project was before the Board for a
15 contractor yard lay down storage. It was here
16 for putting an accessory site to the aqueduct
17 tunnel. I don't know the status of that. I
18 guess that approval should be withdrawn at this
19 point.

20 MS. BROOKS: Which one is that?

21 MR. HINES: They have approval to use
22 it for the New York City aqueduct project and to
23 store large diameter pipes as a temporary use.
24 Any other use of the site and any long-term use
25 would have to come back. I don't know what the

2 status of that is. Certainly most of those pipes
3 are now stored in the City of Newburgh. Maybe
4 they're not using this site.

5 MS. BROOKS: When was that granted?

6 MR. HINES: A year ago. Maybe less
7 than.

8 MR. TRUNCALI: DuBois did that.

9 MS. BROOKS: That was this site?

10 MR. HINES: That was this site.

11 MS. BROOKS: I didn't realize that.

12 MR. HINES: We have that out there. I
13 don't know if we can approve the two uses. If
14 Divesti, whatever the name is, aren't going to
15 use that then they should withdraw that.

16 We're suggesting a long form E.A.F.

17 DOT is going to be an involved agency.

18 I'm not sure of the distance to the
19 Gomez Mill House. It's close but not that close
20 I don't think. That will play out there.

21 The survey sheet identifies ten to
22 twelve 40-foot flatbed trucks to park on the
23 site. We're just looking for you to show where
24 those are going to be, where they're parked. It
25 looks like -- I thought the intent of those

2 vehicles was to show truck circulation. Are they
3 intended to be parked?

4 MS. BROOKS: The location as shown on
5 SP-1, one, two, three, four, five, six, seven --
6 eight is what they -- this is the site plan that
7 they supplied to me of where they are intending
8 to park them on the site. They left enough width
9 for emergency vehicles to get around them.

10 MR. HINES: That leads into the
11 building height being greater than thirty feet.
12 All fire access lanes would have to be twenty-six
13 feet wide. I don't know if that's going to be
14 twenty-six feet wide with tractor trailer trucks
15 parked around that loop. Anything higher than
16 thirty feet would require that for aerial access.

17 I did note that the bulk table on the
18 engineer's plan is incorrect. It stated the
19 maximum height was thirty feet while the building
20 was thirty-five. The building inspector informs
21 me it is thirty-five. That needs to get cleaned
22 up.

23 I do believe that the storage of the --
24 the outside storage of those pods -- outside
25 storage needs to be screened per the code. I

2 believe it's an eight-foot opaque fence is the
3 requirement, or some version that the Planning
4 Board accepts.

5 DOT review of the site is required.
6 They did review the site for the pipe storage,
7 however that was of a more temporary nature,
8 temporary being three years or so. This change
9 of use will get submitted to them.

10 We do need detailed plans, typical that
11 we would require for the development of the site.

12 Drainage will be an issue on the site.
13 A stormwater management report will be required.

14 Potable water. A building of this size
15 most likely will need to be sprinklered.

16 MS. BROOKS: The applicant has already
17 contacted the water department. This is not in
18 the water district. In talking to Charlie, the
19 water goes up from Old Post Road up to 9W but
20 does not head south. I believe the applicant is
21 prepared to extend the water line and apply to
22 the Town Board for an exemption of the water
23 district.

24 MR. HINES: The Health Department again
25 would be involved in that.

2 MS. BROOKS: For the water main
3 extension. Absolutely.

4 MR. HINES: I think a traffic report
5 should be shown detailing the number of trucks so
6 that the Board can get a handle on the traffic.
7 I think DOT will ask that very same question.

8 Landscaping and architectural details
9 of the building. Right now all we have is the
10 concept plan before us.

11 MS. BROOKS: Right. Again, I think
12 this applicant has been before the Board for a
13 couple of different sites. They've been trying
14 to find a place that they can appropriately
15 relocate. This looks like it's going to be the
16 best solution to date. Again, as Pat said, we're
17 pretty much in sketch plan.

18 MR. HINES: As far as I know this is
19 the first we've seen them.

20 MS. BROOKS: We discussed with them --

21 MR. HINES: A secret meeting.

22 MS. BROOKS: Discussion only on site.
23 Actually on the opposite border of the Town of
24 Marlborough.

25 MR. HINES: The Woodward site?

2 MS. BROOKS: Yeah.

3 MS. LANZETTA: They don't have a well
4 on this site?

5 MS. BROOKS: They do. There's not
6 enough water supply for --

7 MR. HINES: Fire suppression. They
8 would need a large tank. You have to provide two
9 hours of fire flow for a building like that. You
10 would need a large tank. It's a very expensive
11 private fire protection system.

12 MS. BROOKS: I guess given what the
13 circumstances are, the business model of this
14 particular use, it's worth it for them to make
15 the investment in extending the water. As far as
16 I'm concerned, it just benefits the municipality
17 as a whole. If you're bringing the water main
18 down, other people can potentially tie into it.

19 MR. HINES: That's a pretty good
20 distance.

21 MS. BROOKS: Yeah. The applicant is
22 aware.

23 So my main issues were making sure --
24 I'm a little bit unclear, again getting back to
25 -- yes, I do have a copy of the rendering. It

2 looks like it is in fact a flat roof, to answer
3 your question.

4 MR. TRUNCALI: Ron, do you have
5 anything?

6 MR. BLASS: No.

7 MR. TRUNCALI: Board, anything?

8 MR. CLARKE: I've got one question.

9 There is an agricultural data sheet that came
10 with this. It says is any portion of the project
11 site currently being farmed. It says no but then
12 it says yes on the acres. You have to clean that
13 up. 7.8 is in there.

14 MS. BROOKS: That's on the E.A.F.?

15 MR. HINES: The agricultural data.

16 MS. BROOKS: We always submit an ag
17 data statement when there's property within 500
18 feet of it.

19 MR. CLARKE: They're saying there's no
20 agricultural but then they answered yes, 7.8
21 acres.

22 MS. BROOKS: Thank you. I'll check on
23 that. It should have just been the adjoining
24 property.

25 MR. CLARKE: It should have just said

2 no and that's it.

3 MS. BROOKS: Thank you. The reason that
4 we prepared the ag data statement is because we
5 are aware of the fact there's agricultural land
6 adjoining this. The project statement itself
7 says that we have agricultural on this property,
8 which isn't correct. We'll correct that.

9 I appreciate it, Steve. We want to be
10 as accurate as possible.

11 I guess back to the screening issue.
12 The previous site plan had been approved for,
13 again, open storage. I can only make the
14 assumption -- I only have a copy of the site
15 plan, the signed site plan -- that the landscaped
16 berm with the fencing was considered to be the
17 eight-foot screening.

18 MR. HINES: That was when it was
19 considered a landscape facility, Neko Trucking.

20 MS. BROOKS: That was the landscape
21 facility, and that one was approved back in 2006.

22 MR. HINES: I guess the question that
23 will be there is just how high are these pods
24 stacked? If they're thirty-five feet high and
25 the previous things were landscape piles, these

2 are different.

3 MS. BROOKS: Right. The outdoor
4 stockpiles that previously had been approved were
5 for a height of twenty feet. So obviously we're
6 not going to put a thirty-five foot fence. The
7 code talks about eight feet, which is why they
8 put the three-foot berm and the six-foot fence.
9 That made it nine feet, what it is right now.

10 I need feedback to go back to the
11 applicant to say what the Board is going to be
12 looking for with regard to -- you know, I tried
13 looking for the definition of outdoor storage and
14 there is none.

15 MR. HINES: The last time it was here
16 it was presented to the Board that there was a
17 wooded treeline. I don't know if you're going to
18 be impacting that with this project.

19 MS. BROOKS: On the north end? That's
20 still existing. We show that as proposing to
21 remain. I'm talking more about the front yard,
22 whether the --

23 MR. HINES: I think the front yard has
24 the required eight-foot screening.

25 MS. BROOKS: That's what I'm looking to

2 determine.

3 MR. HINES: I don't know if the Board
4 can ask for more than that. It doesn't just say
5 front yard. Maybe you can send some photos or
6 have the Board take a look at just how dense that
7 vegetation is.

8 MS. BROOKS: On the north end --

9 MR. HINES: On the north end. Right.

10 MS. BROOKS: -- to the other commercial
11 -- to where they have the -- I'm not sure what
12 they're doing there now. It was used car sales
13 and then it was a --

14 MR. CORCORAN: It still is used car
15 sales.

16 MR. TRUNCALI: Does the Town require
17 fencing around the whole property?

18 MS. BROOKS: It doesn't say that in the
19 code. It's very vague in the code. That's
20 why --

21 MS. LANZETTA: It says it needs to be
22 completely -- it says except -- that open storage
23 is permitted if enclosed by an opaque fence or
24 wall at least eight feet in height.

25 MS. BROOKS: Right. I'm not sure what

2 enclosed means. There's nobody to the east. The
3 property drops off approximately thirty feet in
4 elevation. An eight-foot fence is not going to
5 shield anybody in the back who can't see it
6 anyway. It's shielded on the south side by the
7 building itself. That's why I'm trying to get --
8 there's no definition in the code about what -- I
9 just think I need clarification on what the --
10 you know, if I take photographs of the vegetation
11 to the north. Again, when the site plan approval
12 was granted for the used car lot on the north,
13 they were supposed to be putting in an evergreen
14 buffer. That was never put in.

15 MR. TRUNCALI: I would think enclosed
16 would be around the building at some point. It
17 doesn't have to be down over the embankment or
18 whatever. As long as the building is surrounded
19 by a fence. I would think they would want to
20 fence it in to keep people out of there.

21 MS. BROOKS: They're definitely
22 planning on fencing the entire front of it. We
23 show where the existing fencing is and where the
24 proposed gate is so that nobody can get in in the
25 evening. Again, I feel comfortable that the

2 south is going to be shielded by the existing
3 building. I'm concerned about the east and the
4 north. I guess I can take photographs and come
5 back in and see how the Board feels about it.

6 MR. TRAPANI: Are there houses on the
7 east, down in back?

8 MS. BROOKS: No.

9 MR. TRUNCALI: There was someone who
10 complained about that site.

11 MR. TRAPANI: They came to the meeting
12 and complained about that from the east side.
13 Somebody was down on the east side.

14 MS. BROOKS: I'll do a digital so you
15 can see where. Okay.

16 I have already been in contact with
17 DOT. They originally said we didn't need to
18 apply for another permit because the permit was
19 in place. I sent him another e-mail in advance
20 of this meeting asking if I should make a formal
21 application or if it would just be referred as
22 part of SEQRA. Dave is on vacation right now. I
23 didn't hear back.

24 The long form E.A.F. is for -- what
25 impacts are you concerned about?

2 MR. HINES: The proximity of the Gomez
3 Mill House.

4 MS. BROOKS: Verify that a long form is
5 not required because of the proximity of --

6 MR. HINES: It's going to be up to the
7 Board as lead agency. I think that's the only
8 major Type 1 action.

9 MR. BLASS: It's contiguous.

10 MR. HINES: That's a farm.

11 MR. TRUNCALI: What is the required
12 distance from the historic site?

13 MR. HINES: I'm not sure.

14 MR. BLASS: Substantially contiguous.

15 MS. BROOKS: It's not contiguous at
16 all.

17 MR. TRUNCALI: It's not contiguous.

18 MS. BROOKS: No.

19 MR. BLASS: It's probably not a Type 1
20 action. It's probably an Unlisted action. It's
21 your option as to whether or not there should be
22 a long form or a short form. You're going to
23 wind up being the lead agency in all likelihood.

24 MS. BROOKS: It's definitely going to
25 require a circulated review. It's going to

2 Ulster County Planning Board, it's DOT. It needs
3 to go to DOH just to confirm that the septic
4 system that is on there is adequate for the new
5 use. Whatever the Board decides.

6 MR. HINES: You're extending the water
7 main as part of this project. It's going to be
8 the Town Board circulation, Health Department.

9 MS. BROOKS: I just wondered if you
10 wanted a long form E.A.F.

11 MR. HINES: DOT again for the water
12 main extension.

13 MS. BROOKS: Certainly we can do a long
14 form E.A.F. I was just asking if there was a
15 particular concern or issue that you wanted me to
16 focus on. I can do a short form E.A.F. with
17 expanded information on the areas of concern that
18 the Board may have. Again, the long form E.A.F.
19 for an application such as this that is a reuse
20 of an existing commercial site, a lot of it is
21 not applicable.

22 MR. CLARKE: We just reviewed the site.
23 Whatever they did before --

24 MS. LANZETTA: The stormwater will be
25 different.

2 MS. BROOKS: Absolutely.

3 MR. HINES: That was all previous
4 surfaces.

5 MS. BROOKS: It was going to be gravel
6 there.

7 MR. HINES: Now that I see those trucks
8 aren't there for truck turning, I think you
9 should look towards finding a parking spot for
10 those trucks on the site rather than leaving them
11 around the perimeter of that road. I thought
12 they were just showing the trucks could make the
13 turn.

14 MS. LANZETTA: You know too, keep in
15 mind that you can always do a -- keep in mind
16 that you can always go to the County and do a
17 gateway meeting in which they pull in the various
18 people. They might have some good suggestions,
19 too. That's another option as well.

20 MS. BROOKS: They're very helpful. I
21 agree. I don't know that the applicant is at
22 that stage yet. Yeah, I certainly will see if we
23 can go in that direction.

24 MR. TRUNCALI: What does the Board
25 think about a long form?

2 MS. BROOKS: As far as the general
3 overall use of the site and the application, I
4 guess the applicant is looking for initial
5 feedback this evening to see whether there's
6 going to be major concerns. I'm not seeing
7 anything from the consultants at this point in
8 time.

9 MR. HINES: It's relatively flat and
10 clear already.

11 MS. BROOKS: It's flat and clear
12 already.

13 MR. HINES: Your client may want to do
14 some geo-technical work to find out what that
15 stuff they put in there is.

16 MS. BROOKS: They did test borings over
17 the last couple of weeks. I have not personally
18 gotten the findings yet. That's obviously a
19 concern of the applicant. I think probably the
20 result of those findings will probably dictate
21 whether or not he goes forward.

22 Anything else?

23 MR. TRUNCALI: Does the Board -- does
24 anyone see any major problems?

25 MR. CLARKE: The Board was looking at

2 outside storage two times previously.

3 MR. CAUCHI: It's a good project.

4 MS. BROOKS: Great. I've got the
5 comments and hopefully will see you on the next
6 round.

7 MR. TRUNCALI: Thank you.

8 MS. BROOKS: Thank you very much.

9

10 (Time noted: 8:38 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 22nd day of August 2017.

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19

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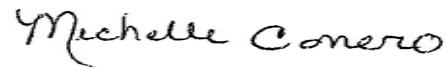
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MICHELLE CONERO