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

In the Matter of

5 EIGHTY SIX WASHINGTON

PUBLIC HEARING - SITE PLAN

11 Date: September 18, 2017
12 Time: 7:30 p.m.
13 Place: Town of Marlborough
14 Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

21 APPLICANT'S REPRESENTATIVE: FRANK BOVA
22 NICHOLAS BOVA

23 - - - - - MICHELLE L. CONERO
24 3 Francis Street
25 Newburgh, New York 12550
26 (845)541-4163

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 CHAIRMAN BRAND: Agenda, Town of
7 Marlborough Planning Board, September 18, 2017.
8 Regular meeting 7:30 p.m. Approval of
9 stenographic minutes for 7/17, 8/7 and 8/21.
10 Eighty Six Washington, 1613 Route 9W, Milton,
11 New York, public hearing, site plan; Miller and
12 Coppola, 111 & 107 Mahoney Road, Marlboro,
13 streamline, lot line; Rod and Jack Gallagher,
14 98 Peach Lane, Marlboro, sketch, subdivision;
15 Highland Pet Center, 131 Bailey Gap Road,
16 Highland, sketch, amended site plan; Smith
17 Subdivision, First Street, Marlboro, New York,
18 sketch, subdivision; Anthony Bagatta, discussion,
19 lot line revision, without the attorney, engineer
20 or stenographer. Next deadline: Friday,
21 September 22, 2017. Next scheduled meeting:
22 Monday, October 2, 2017.

23 Do I have a motion to approve the
24 stenographic minutes for 7/17, 8/7 and 8/21?

25 MR. CAUCHI: I'll make the motion to

2 approve the stenographic minutes for 7/17, 8/7,
3 8/11.

4 CHAIRMAN BRAND: Do I have a second?

5 MR. CLARKE: Second.

6 CHAIRMAN BRAND: Any discussion?

7 (No response.)

8 CHAIRMAN BRAND: All those in favor,
9 say aye.

10 MR. CLARKE: Aye.

11 MS. LANZETTA: Aye.

12 MR. CAUCHI: Aye.

13 MR. LOFARO: Aye.

14 CHAIRMAN BRAND: Aye.

15 All those opposed?

16 (No response.)

17 CHAIRMAN BRAND: Motion carried.

18 Before we begin, for the record I'd
19 like to add in that Members Clarke, Lofaro and
20 myself attended the Ulster County Land Use
21 Referral Guide and Community Design Manual
22 Professional Development. That was a two-hour
23 credit for each of us.

24 First up would be Eighty Six
25 Washington, public hearing.

2 "Legal notice, site plan application.

3 Please take notice a public hearing will be held
4 by the Marlborough Planning Board pursuant to the
5 Town of Marlborough Town Code 155-12(h) and
6 Chapter 155-31 on Monday, September 18, 2017 for
7 the following application: Eighty Six Washington,
8 LLC, at the Town Hall, 21 Milton Turnpike,
9 Milton, New York at 7:30 p.m. or as soon
10 thereafter as may be heard. The applicant is
11 asking for a commercial site plan as part of a
12 business corridor overlay on lands located at
13 1613 Route 9W, Section 103.3, Block 4, Lot 19.
14 Any interested parties either for or against this
15 proposal will have an opportunity to be heard at
16 this time."

17 Would you like to just give us a brief
18 overview of what the plan is?

19 MR. FRANK BOVA: Sure. We purchased
20 the property at 1613 Route 9W. It was the former
21 well drilling -- I guess it was a business.

22 We plan on having our construction
23 company there. It's not open to the public.
24 It's just basically for warehouse space and
25 office space. Six office employees, one

2 warehouse guy. Everything else is done in the
3 field.

4 CHAIRMAN BRAND: This is a public
5 hearing. If you're here for or against -- I'm
6 sorry. The mailings. I told you I'd forget.
7 How many went out and how many were returned?

8 MR. NICHOLAS BOVA: 33 total went out
9 and 25 were received back.

10 CHAIRMAN BRAND: If you'd give those to
11 the secretary, that would be great.

12 Any interested parties either for or
13 against this project, please stand up and state
14 your name for the record and you'll be heard.

15 MR. POPOLIZIO: Frank Popolizio, I'm at
16 26 Lyons Lane. We border the proposed site.

17 I'd just like to know, is the building
18 going to be extended, the existing building?

19 MR. FRANK BOVA: Nothing is in the
20 plans to do any extension to anything at this
21 time.

22 CHAIRMAN BRAND: There is a map up on
23 the table. If you'd like to take a look at it,
24 you're more than welcome to come up and take a
25 look.

2 MR. HINES: Right now they are not
3 proposing any changes to the site. Initially
4 when they came before they had a concept to put
5 an additional building in the back. That was
6 withdrawn. They're only going to be utilizing
7 the existing site as it looks today.

8 MS. POPOLIZIO: Also, there's a lot of
9 woods behind our house. That's the only buffer
10 we have. If you're planning to cut all those
11 trees and put a parking lot there or bring
12 machinery and employees and a lot of people,
13 elements in and out.

14 MR. FRANK BOVA: I understand. Nope.

15 MS. POPOLIZIO: Not to mention it won't
16 be worth a penny after that.

17 MR. FRANK BOVA: Yes, ma'am. No.
18 We're not planning on doing anything like that.
19 In fact, there's a four-wheeler trail that I
20 believe --

21 MS. POPOLIZIO: Yes, it is.

22 MR. FRANK BOVA: -- these families use.

23 MS. POPOLIZIO: Awful.

24 MR. FRANK BOVA: It doesn't bother me.

25 MS. POPOLIZIO: It is on your property.

2 I'm listening to it.

3 MR. FRANK BOVA: I understand.

4 MS. POPOLIZIO: All right. So you're
5 not going to do anything?

6 MR. FRANK BOVA: No, ma'am. Not at
7 all.

8 MS. POPOLIZIO: Okay. I'm going to
9 come and get you if you do. Just saying. Thank
10 you.

11 CHAIRMAN BRAND: Thank you.

12 Mr. Garofalo.

13 MR. GAROFALO: James Garofalo, 3 Young
14 Avenue.

15 The building that's right by the road
16 is part of the site?

17 MR. NICHOLAS BOVA: Yes.

18 MR. GAROFALO: Okay.

19 MR. HINES: It's the only building that
20 they're proposing to be utilized.

21 MR. GAROFALO: This is a photograph, an
22 aerial photograph from Google, of the site. What
23 I would recommend is that -- this is a huge curb
24 cut. It's an open curb cut. There are multiple
25 driveways coming off of this curb cut. This is a

2 perfect example of where some access control is
3 needed. I think if they go to DOT and talk to
4 them, they would want access control. I am going
5 to suggest, though, that perhaps the Board can
6 ask the Town Board if this could be referred to
7 the DFJ who is currently doing a study on Route
8 9W and they need a good example of access control
9 that they can work on. Maybe they can give them
10 a concept plan that they can go to DOT with.

11 CHAIRMAN BRAND: Just so you know, the
12 project has been referred to State DOT and Ulster
13 County Planning Department. We have not heard
14 back from either of those agencies. It had been
15 referred to both.

16 MR. GAROFALO: Okay. Well I hope you
17 certainly will recommend that some curb cut
18 control be provided on the site. The plan --
19 this is such a small one, but if you look at
20 this, you blow it way up, you'll see where the
21 designated parking is which doesn't seem to agree
22 at all with the striping that's on the site.
23 Perhaps some better striping for the parking
24 would be needed to show exactly where they can
25 and can not park. I think that goes along with

2 part of designing the access control, because you
3 have a driveway here, you have -- what is this --
4 three different driveways over here, plus the
5 access to this building. This is basically a
6 perfect example of we need some access control.

7 MR. CLARKE: Of those driveways how
8 many are actually on this property? I mean how
9 many --

10 MR. GAROFALO: I would ask them to --
11 MR. CLARKE: He may not control the
12 other ones.

13 MR. HINES: The Board had before it
14 previously Empire Industries, the adjoining lot,
15 which went to DOT. We had those very same
16 conversations. DOT required minimal improvement
17 to that access at that time. Hopefully they're
18 taking a look at it now. The landscaping
19 business next door was before the Board probably
20 four or five months ago.

21 MR. GAROFALO: Other than that, I'm not
22 against the project, I would just like to see a
23 safer access to Route 9W, particularly since
24 there's going to be more vehicles coming in and
25 going out of here. I think it's important.

2 MR. CLARKE: The one difference is DOT
3 has already taken one lane out of that. They
4 shifted everybody over one lane. The access is
5 not as much as it used to be. It's going to be
6 referred to DOT.

7 MR. GAROFALO: Basically you have an
8 open curb cut from here to here between all these
9 accesses, and defining whose driveway is where, I
10 think it simplifies matters. I'm not saying you
11 should necessarily cut off access between the
12 sites, because again that's under the Planning
13 Board's preview -- purview to retain access
14 between parcels. Thank you.

15 CHAIRMAN BRAND: Thank you.

16 Anyone else for Eighty Six Washington,
17 either for or against?

18 (No response.)

19 CHAIRMAN BRAND: No. I'd like to have
20 a motion to adjourn the public hearing until the
21 next meeting. Is there a motion to close the
22 public hearing?

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

25 MR. LOFARO: Do we want to close it?

2 MS. LANZETTA: Adjourn it. I'll make a
3 motion to adjourn the public hearing.

4 CHAIRMAN BRAND: Is there a second?

5 MR. CAUCHI: I'll second it.

6 CHAIRMAN BRAND: All in favor, say aye.

7 MR. CLARKE: Aye.

8 MS. LANZETTA: Aye.

9 MR. CAUCHI: Aye.

10 MR. LOFARO: Aye.

11 CHAIRMAN BRAND: Aye.

12 MR. HINES: You're adjourning it until
13 the next meeting?

14 CHAIRMAN BRAND: Until we receive --

15 MR. HINES: You need to do a date
16 certain, otherwise they have to re-advertise.

17 MS. FLYNN: That's October 2nd.

18 CHAIRMAN BRAND: I believe that the
19 original submission was made before -- County
20 should have met on this previously I would think.
21 I was just hoping --

22 MS. LANZETTA: I missed that meeting.

23 I'm not sure.

24 CHAIRMAN BRAND: They certainly would
25 have it by the second meeting in October. We

2 should hear back from at least County by that
3 date. We can adjourn it until the second meeting
4 in October. Do you want to modify that motion?

5 MR. HINES: That's October 16th.

6 CHAIRMAN BRAND: October 16.

7 MS. LANZETTA: We'll adjourn until
8 October 16th the public hearing.

9 CHAIRMAN BRAND: Ms. Lanzetta is
10 amending her motion. Do we have a second?

11 MR. LOFARO: I will second.

12 CHAIRMAN BRAND: All those in favor?

13 MR. CLARKE: Aye.

14 MS. LANZETTA: Aye.

15 MR. CAUCHI: Aye.

16 MR. LOFARO: Aye.

17 CHAIRMAN BRAND: Aye.

18 Do you want to run through your
19 comments, Pat?

20 MR. HINES: Our comments are basically
21 we haven't heard from the County and the DOT.

22 CHAIRMAN BRAND: Any comments from the
23 Board?

24 (No response.)

25 CHAIRMAN BRAND: No.

2 MR. LOFARO: I just have a question.
3 You asked about the containers.

4 MR. HINES: They have multiple overseas
5 containers that are on the site. They're not
6 permitted to be utilized on the site. It's a
7 code enforcement issue. They need to address
8 that as well. I think they are aware of it.

9 MR. FRANK BOVA: I spoke to code
10 enforcement about it. I'm working on it.

11 MR. HINES: I think they're trying to
12 agree on the timeframe is what I heard.

13 CHAIRMAN BRAND: Your goal is to have
14 them removed; correct?

15 MR. FRANK BOVA: Correct.

16 CHAIRMAN BRAND: Okay. I think that we
17 need to ask you to come back on October 16th and
18 hope that we have the information from the County
19 and the New York State DOT.

20 MR. FRANK BOVA: I need the SEQRA thing
21 from you guys?

22 CHAIRMAN BRAND: Yes. That would be
23 also at that meeting. We have to circulate the
24 lead agency, to have ourselves be the lead
25 agency. That would be when we get the County --

2 the information back from the County.

3 MR. FRANK BOVA: That's the only thing
4 holding the DOT permit. That's what he's
5 requesting.

6 CHAIRMAN BRAND: Okay.

7 MR. FRANK BOVA: And the approval for
8 the drawings. I'm just waiting for that. The
9 DOT guy told me get that from you guys and then
10 he'd stamp it, and then obviously the building
11 permit before I do anything.

12 CHAIRMAN BRAND: I believe you have to
13 wait -- Ron, is that correct, we have to wait
14 until after we hear back from County before we do
15 that?

16 MR. BLASS: Yes. Or thirty days, which
17 ever is -- thirty days or until you hear from
18 County, which ever is shorter.

19 CHAIRMAN BRAND: Okay.

20 MR. FRANK BOVA: So you guys will
21 contact me when I'm ready to come get it?

22 CHAIRMAN BRAND: It will probably be
23 done at that October 16th meeting.

24 MR. FRANK BOVA: Just come to the
25 meeting and you guys will have that for me? I

2 need that before I can get approved from DOT.

3 MR. HINES: We just need DOT's
4 comments. After that meeting DOT will issue a
5 highway work permit. By then we'll have DOT's --
6 what they want. After the Board makes it's SEQRA
7 determination, they'll issue you the permits.
8 There needs to be a little coordination between
9 DOT in between now and then.

10 MS. BROOKS: Did you already make
11 application to DOT?

12 MR. FRANK BOVA: Yes.

13 MS. BROOKS: It sounds like he has
14 plans that you haven't seen.

15 CHAIRMAN BRAND: If you have things
16 from the DOT that you haven't submitted --

17 MR. FRANK BOVA: It's submitted to
18 them. He told me he would not approve them until
19 he got the SEQRA.

20 MR. HINES: We'll follow up on that.

21 MR. NICHOLAS BOVA: Everything is to
22 code. He said everything on this drawing was to
23 code for him. He just needs to confirm it.

24 MR. FRANK BOVA: He asked the Town to
25 explain the DOT hang up with regard to the SEQRA

2 determination. He's just kind of waiting for
3 that, so he says. I don't know. I've never done
4 this before, guys.

5 MR. BLASS: If you're talking to the
6 DOT, suggest that they send the lead agency
7 consent form back to the Planning Board. They
8 can request the consent that the SEQRA review be
9 done by the Planning Board. I don't think they
10 responded yet.

11 MR. FRANK BOVA: Okay.

12 MR. HINES: It's different people at
13 the agency is the issue.

14 MR. FRANK BOVA: It could be.

15 MR. HINES: We'll coordinate with them
16 in the meantime to make sure they're all talking
17 to each other.

18 MR. FRANK BOVA: Thank you.

19 CHAIRMAN BRAND: Thank you.

20

21 (Time noted: 7:45 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 1st day of October 2017.

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Michelle Conero

MICHELLE CONERO

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

In the Matter of

MILLER & COPPOLA

Project No. 17-1022
107 & 111 Mahoney Road, Marlboro
Section 103.1; Block 1; Lots 39 & 41

STREAMLINE - LOT LINE

Date: September 18, 2017
Time: 7:45 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

MICHELLE L. CONERO

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

2 CHAIRMAN BRAND: Next up, Miller and
3 Coppola.

4 Pat's only comment was that we should
5 approve a negative declaration and resolution of
6 approval as prepared by Ron Blass's office. I do
7 have a SEQRA negative declaration and also a
8 determination of non-significance prepared by
9 Ron's office.

10 You have seen that document?

11 MS. BROOKS: I have not.

12 MR. BLASS: You also have a part 2
13 E.A.F. --

14 CHAIRMAN BRAND: Correct.

15 MR. BLASS: -- and resolution of
16 approval.

17 CHAIRMAN BRAND: In that order.

18 MR. BLASS: The batting order is part 2
19 E.A.F., approve that and authorize the Chairman
20 to sign it, then the negative declaration, then
21 the resolution of approval.

22 CHAIRMAN BRAND: Do I have a motion to
23 accept the short environmental assessment form,
24 part 2, impact assessment?

25 MR. CLARKE: So moved.

2 CHAIRMAN BRAND: Is there a second?

3 MR. CAUCHI: Second.

4 CHAIRMAN BRAND: All those in favor,
5 say aye.

6 MR. CLARKE: Aye.

7 MS. LANZETTA: Aye.

8 MR. CAUCHI: Aye.

9 MR. LOFARO: Aye.

10 CHAIRMAN BRAND: Aye.

11 So carried.

12 I have a SEQRA negative declaration,
13 notice of determination of non-significance
14 prepared by Ron Blass's office.

15 Jen, would you please poll the Board?

16 CHAIRMAN BRAND: Chairman Brand? Yes.

17 Truncali is not here.

18 Trapani not here.

19 Member 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: I also have a
4 resolution of approval by the Town of Marlborough
5 Planning Board. I'll poll the Board.

6 Chairman Brand? Yes.

7 Member Lanzetta?

8 MS. LANZETTA: Yes.

9 CHAIRMAN BRAND: Truncali is not here.

10 Trapani is not here.

11 Lofaro?

12 MR. LOFARO: Yes.

13 CHAIRMAN BRAND: Clarke?

14 MR. CLARKE: Yes.

15 CHAIRMAN BRAND: Cauchi?

16 MR. CAUCHI: Yes.

17 CHAIRMAN BRAND: So moved. I believe
18 you are all set.

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20 (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
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 1st day of October 2017.

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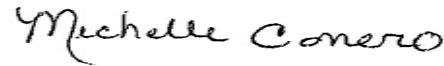
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MICHELLE CONERO

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

In the Matter of

5 ROD & JACK GALLAGHER

9
10 SKETCH - SUBDIVISION X

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

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

21 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

23 - - - - - MICHELLE L. CONERO
24 3 Francis Street
25 Newburgh, New York 12550
25 (845)541-4163

2 CHAIRMAN BRAND: Next up, Rod and Jack
3 Gallagher, sketch, subdivision, 98 Peach Lane,
4 Marlboro.

5 Is that you too, Patti?

6 MS. BROOKS: It is.

7 CHAIRMAN BRAND: Excellent. Would you
8 like to give us a brief overview?

9 MS. BROOKS: Absolutely. I actually
10 initially submitted the map before the survey was
11 totally complete, which hence Pat's comments. Hot
12 off the press today we have a two-lot subdivision
13 which is going to be split by Peach lane. Lot
14 number 1 will be 35.65 acres located on the
15 westerly side of the road. It's currently
16 improved with a dilapidated residence, a barn
17 that's in pretty good shape. There's a proposed
18 purchaser that's going to construct a new home,
19 or purchase it and then construct a new home.
20 Lot number 2 will be all the lands on the
21 easterly side of Peach Lane, which are 50.70
22 acres. Those are to be retained by the
23 Gallaghers.

24 I did notice when we were doing the
25 survey that there are a couple of subdivisions up

2 and down the road that call Peach Lane just a 33
3 foot wide right-of-way. We're creating a 50-foot
4 wide right-of-way, much like we did on the one
5 that we just did for the Young Estate on Milton
6 Turnpike. We're creating the lot lines 25 feet
7 off the center line of Peach Lane in either
8 direction. I will be able to have the survey
9 plat submitted by the deadline this Friday.

10 CHAIRMAN BRAND: Pat, did you have
11 anything else?

12 MR. HINES: No. We're just looking for
13 the survey, the metes and bounds and the roadway
14 dedication strip.

15 Ron will need some information on the
16 offer of dedication as we move forward.

17 Once we get that survey I think it will
18 qualify as the streamline lot line change with
19 the dedication parcel.

20 CHAIRMAN BRAND: Ron, do you have
21 anything else?

22 MR. BLASS: No.

23 CHAIRMAN BRAND: Anything from the
24 Board?

25 MR. CLARKE: This is a parcel that's

2 been vacated for fifteen years now.

3 MS. BROOKS: Almost twenty years.

4 MR. CLARKE: A beautiful home was
5 there. It's disappointing to watch it go down.

6 MS. BROOKS: Very.

7 MR. CLARKE: This is probably the most
8 logical thing to do with it so they can move on
9 to a new life. Maybe they will combine their two
10 farms. It's a very logical thing to do. I'm
11 glad to see it.

12 MS. BROOKS: Basically you've got
13 Paradise Valley Orchards is the farming property
14 to the south. It would be nice if that 50 acre
15 piece in between was also farmed.

16 MR. CLARKE: And it would make logical
17 sense for them to do it.

18 MS. BROOKS: Yes.

19 CHAIRMAN BRAND: Okay. Anything else?
20 (No response.)

21 CHAIRMAN BRAND: I think the next step
22 would be to plan a public hearing for this.

23 MR. HINES: It doesn't need one. We
24 just need the survey information. It would be a
25 streamlined lot line change once we get the

2 information.

3 CHAIRMAN BRAND: We'll just go ahead
4 and do that for the next --5 MR. HINES: I'm sorry. It's a
6 subdivision. Because of the roadway in the
7 center it is two resulting lots. That is true.8 CHAIRMAN BRAND: That's considered a
9 subdivision and requires a public hearing.10 MS. BROOKS: I thought when you had
11 done the streamline process that you considered
12 also splitting either side of the road as --

13 MR. LANZETTA: We did not.

14 CHAIRMAN BRAND: So we can schedule
15 that for October 2nd? Is that the next date?

16 MR. HINES: You won't make that.

17 MS. FLYNN: You won't have enough time.

18 CHAIRMAN BRAND: October 16th.

19 MS. BROOKS: I'll have the survey in by
20 this Friday, which is --21 MR. HINES: That's fine. It's a pretty
22 generic application. The road is already
23 splitting the parcel.24 CHAIRMAN BRAND: You have to do the
25 mailings and everything. We'll go to October

2 16th.

3 MS. BROOKS: We don't have enough time
4 to get it in for October 2nd?

5 MS. FLYNN: No.

6 CHAIRMAN BRAND: She's saying no. I
7 believe her. We'll put you on the agenda for
8 October 16th. Thank you.

9 MS. BROOKS: Thank you.

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11 (Time noted: 7:52 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 1st day of October 2017.

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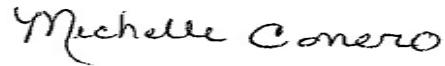
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MICHELLE CONERO

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

In the Matter of

5 HIGHLAND PET CENTER

7 Project No. 17-1014
8 131 Bailey Gap Road, Highland
Section 95.4; Block 1; Lot 18.2

9
10 SKETCH - AMENDED SITE PLAN X

SKETCH - AMENDED SITE PLAN

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

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

APPENDIX C. REPRESENTATIVE CASES OF BUREAUCRATIC INEFFICIENCY

2 CHAIRMAN BRAND: Next up, Highland Pet
3 Center.

4 Do you want to give us a quick overview
5 again? I think we're relatively familiar with
6 the project.

7 MR. DUBOIS: Basically it's an existing
8 kennel system and they want to add on to the
9 south wing an additional fourteen kennels. It's
10 strictly for dogs. It's a single-floor kennel.

11 I think we've satisfied all of the
12 concerns that Pat has written me.

13 We've handed in the ZBA determination.
14 I actually took it right out of the book with the
15 signature and all -- Jack's signature on it.

16 Other than that, we're basically asking
17 -- I think it's time for a public hearing.

18 CHAIRMAN BRAND: Okay. Pat, do you
19 have anything?

20 MR. HINES: The major issue, I don't
21 think we heard back from County Planning yet on
22 this one either. We're awaiting that. The plans
23 do need to go to the County. There was supposed
24 to be additional lighting. The parking
25 calculations and lighting were to be added to the

2 plans. It does need a public hearing. It does
3 need to go to County Planning.

4 CHAIRMAN BRAND: Ron, do you have
5 anything?

6 MR. BLASS: We have to send the notice
7 of public hearing both to County Planning and to
8 the adjacent town.

9 MR. HINES: Highland.

10 MR. BLASS: Town of Lloyd.

11 MR. HINES: Town of Lloyd, yup.

12 MR. BLASS: That's special for the
13 location of this project.

14 CHAIRMAN BRAND: It's right on the town
15 line.

16 Do we think that the October 16th date
17 would work for all of those items as well?

18 MR. HINES: I don't have a problem with
19 that. I don't know how long County -- if you
20 send it now, County Planning would have it by the
21 first week in October to look at it. You may
22 have their submission back as well.

23 CHAIRMAN BRAND: We'll go ahead and put
24 you on for a public hearing on October 16th.
25 Just get the information from Jen. Hopefully

2 we'll be good on that date. Thank you.

3 MR. DUBOIS: Thank you.

4

5 (Time noted: 7:55 p.m.)

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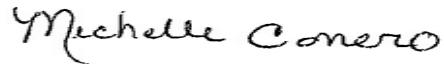
8 C E R T I F I C A T I O N

9

10 I, MICHELLE CONERO, a Notary Public
11 for and within the State of New York, do hereby
12 certify:13 That hereinbefore set forth is a
14 true record of the proceedings.15 I further certify that I am not
16 related to any of the parties to this proceeding by
17 blood or by marriage and that I am in no way
18 interested in the outcome of this matter.19 IN WITNESS WHEREOF, I have hereunto
20 set my hand this 1st day of October 2017.

21

22



23

MICHELLE CONERO

24

25

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

In the Matter of

SMITH SUBDIVISION

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

SKETCH - SUBDIVISION

Date: September 18, 2017
Time: 7:55 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: MICHAEL LYNCH

MICHÉLLE L. CONERO

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

2 CHAIRMAN BRAND: Next up, Smith
3 Subdivision, First Street, Marlboro.

4 MR. LYNCH: My name is Mike Lynch, I'm
5 representing the applicant, Smith. I'm from
6 Engineering & Surveying Properties.

7 What we have here is a five-lot
8 proposed subdivision. As part of the subdivision
9 we'll have individual wells and septic on each
10 lot. I understand that there is a water district
11 boundary that does cross through the lots. Two
12 of the proposed lots would fall in that boundary.
13 We did hear from someone at the water district
14 that said there's no law requiring that we have
15 to tie in, so we are going to propose wells at
16 this time.

17 CHAIRMAN BRAND: Did you receive a
18 letter from --

19 MR. LYNCH: No. If you need something
20 in writing we can --

21 MR. HINES: We're going to need that.

22 MR. LYNCH: We have it verbal. We'll
23 get something in writing.

24 Another aspect is we are providing a
25 right-of-way dedication with a T turnaround here.

2 The T turnaround will also provide access to the
3 first three lots in the proposed subdivision.

4 CHAIRMAN BRAND: Pat, did you want to
5 run through your multiple comments?

6 MR. HINES: The applicants have
7 apparently met with the highway superintendent
8 regarding the T turnaround. I saw some comments
9 that he has. We'll need the highway
10 superintendent to weigh in on the proposed T
11 turnaround and offer of dedication.

12 Following that, offers of dedication
13 will need to be submitted to Ron Blass's office
14 for review.

15 There's a note on the wall. Lot 2 has
16 a retaining wall proposed. That note should be
17 modified to require a building permit for walls
18 over four feet in height.

19 This project was before Ulster County
20 as I think an eight-lot subdivision at one point.
21 They did review some wells and septic but I
22 believe they want to re-review based on the
23 modified lot lines and the change from town water
24 to wells. That needs to go back to Ulster County
25 Health Department to confirm the septic systems

2 and wells.

2 Board is willing to waive that.

3 Details of the septic system need to be
4 added, which I just discussed.

5 A survey sheet should be provided.

6 There's no metes and bounds.

7 MR. LYNCH: We'll provide a survey
8 sheet. That will also include the dedications of
9 the roadway.

10 MR. HINES: We're looking for
11 correspondence from the water department. That
12 was just mentioned. There is a reference to a
13 conversation with the water department and a
14 cover letter but we're going to need
15 documentation.

16 There's a small what they're calling a
17 turnoff area located at the driveway for lot 4
18 along First Street. I think there's a little
19 road widening proposed there. We need details
20 for that. Also to have Gail confirm that he's
21 okay with that to be accomplished there. I think
22 it's to allow emergency vehicles to pull off and
23 pass each other should there be an incident on
24 First Street with any of these new houses. The
25 jurisdictional fire department can weigh on that

2 as well.

17 I do recall being out on the site many
18 years ago. I think there's a ditch or a stream
19 on the adjoining property.

20 MR. LYNCH: Yes. On the adjoining
21 property there's a pretty large defined swale.

22 MR. HINES: Just show that.

23 MR. LYNCH: We can increase the
24 existing topography.

25 MR. HINES: I think when we walked it

2 there's --

3 MR. SMITH: There's a big swale and it
4 ends up heading to the street eventually.5 MR. HINES: Ron handed me a note from
6 Gael dated September 8th. The proposed driveways
7 on First Street have adequate sight distance. As
8 the subdivision moves forward I need to see a
9 drainage proposal, which we were just discussing,
10 as the building sites are elevated off the
11 roadway. Also the applicant's hammerhead
12 turnaround and traffic pull off has to be shown.
13 It looks like Gail is okay with the hammerhead
14 and pull off. He's looking to see the same
15 drainage comments.16 The amount of disturbance to make sure
17 you're in compliance with the Town's and DEC's
18 stormwater regs. The Town has a smaller limit of
19 disturbance for implementation of stormwater
20 management. We'll need that addressed as well.

21 MR. LYNCH: Okay.

22 CHAIRMAN BRAND: Are you comfortable
23 with the no further subdivision note added to the
24 lot?

25 MS. SMITH: Yes. There's a 100 foot

2 right-of-way through there, Central Hudson power
3 lines on the back side of the property. You
4 couldn't do anything anyway.

5 In meeting with Charlie McJay, he
6 called Ross and said there's no law requiring the
7 hook up even if you're in the district. He said
8 he has no problem with those two lots on the
9 bottom side that are close to the hydrant. He
10 has no problem if they hook up or don't hook up.

11 In meeting Gael on the site, he liked
12 the idea of the pull off. The roads are narrow
13 and it's like predating zoning type subdivision
14 from the '50s. He said anything that widens the
15 street and makes it easier.

16 Once again, the hammerhead topo --
17 cul-de-sac was because of topo reasons. First
18 Street does continue on paper back up to Sherman
19 Drive.

20 MR. HINES: It physically does.

21 CHAIRMAN BRAND: Ron?

22 MR. BLASS: You might want to get a
23 start on title work because there's a dedication
24 of public roads. Hopefully there's clear title,
25 no mortgages, et cetera.

2 MS. SMITH: No.

3 MR. BLASS: Even if the two parcels are
4 not hooked up to public water they still have to
5 pay the benefit assessments.6 MR. SMITH: The one that's completely
7 in?8 MR. BLASS: Yeah. Well the one that's
9 completely in should be paying a benefit
10 assessment. The one that's partially in should
11 be paying a portion. The tax assessments don't
12 go away if you don't connect. That's the point.13 MR. SMITH: I guess it would be up to
14 the homeowner.15 CHAIRMAN BRAND: Would that also put
16 them in that tax district and they pay for the
17 services?18 MR. BLASS: They're in a taxing
19 district now, the water district. There should
20 be a line item on the tax bill now for benefit
21 assessment, water assessment. So that keeps
22 going forever until the debt is paid.23 CHAIRMAN BRAND: Regardless of whether
24 they're hooked in or not?

25 MR. BLASS: Regardless.

2 CHAIRMAN BRAND: Just for my own
3 personal inquiry, is there a way if you sign off
4 that you're not going on to that, can they get
5 out of that somehow?

6 MR. BLASS: No.

7 CHAIRMAN BRAND: Anything from the
8 Board?

9 MS. LANZETTA: There is no -- where is
10 the closest hydrant?

11 MR. SMITH: Directly --

12 MR. HINES: Right on the corner.

13 MR. SMITH: -- right across the street.
14 It's very close.

15 MR. HINES: Across from lot 5's
16 driveway.

17 MS. LANZETTA: Is there an actual line
18 that runs --

19 MR. SMITH: The line is on the other
20 side of the street. It runs to that fire
21 hydrant. I'm not sure if it loops back down
22 First Street. I'm not sure where the line goes
23 from the hydrant. It's directly across from the
24 property there.

25 MS. LANZETTA: Okay.

2 MR. HINES: The subdivision over the
3 last decade has been before the Board with Town
4 water.

5 MR. SMITH: We initially proposed Town
6 water but they wanted it looped through the
7 thing. The cost was astronomical so we went back
8 to wells before our conditional approval but we
9 never filed that.

10 MR. HINES: They lost three lots in the
11 process.

12 MR. SMITH: Yeah. This is a much
13 better subdivision anyway.

14 CHAIRMAN BRAND: Anything else from the
15 Board?

16 (No response.)

17 CHAIRMAN BRAND: It sounds as though
18 you have some work to do and you can come back,
19 hopefully for the second meeting.

20 MR. LYNCH: Okay. We'll respond to the
21 comments and see you at the next meeting.

22 CHAIRMAN BRAND: Great.

23

24 (Time noted: 8:04 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
13 related to any of the parties to this proceeding by
14 blood or by marriage and that I am in no way
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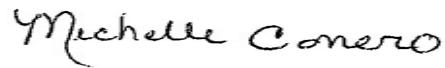
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MICHELLE CONERO