

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

7 CHESTNUT PETROLEUM
8

9 Project No. 15-8001
10 1417 Route 9W
11 Section 109.1; Block 4; Lot 14
12 ----- X
13

14 SKETCH - SITE PLAN
15

16 Date: April 20, 2015
17 Time: 7:30 p.m.
18 Place: Town of Marlborough
19 Town Hall
20 21 Milton Turnpike
21 Milton, NY 12547
22

23 BOARD MEMBERS: MICHAEL LOGUE, Chairman
24 BEN TRAPANI
25 JOEL TRUNCALI
26 CINDY LANZETTA
27

28 ALSO PRESENT: RONALD BLASS, ESQ.
29 PATRICK HINES
30 KATHI NATLAND
31

32 APPLICANT'S REPRESENTATIVE: SCOTT PARKER
33
34 ----- X
35

36 MICHELLE L. CONERO
37 10 Westview Drive
38 Wallkill, New York 12589
39 (845) 895-3018
40

1 CHESTNUT PETROLEUM

2

2 CHAIRMAN LOGUE: All rise for the
3 Pledge.

4 (Pledge of Allegiance.)

5 MR. TRUNCALI: Agenda, Town of
6 Marlborough Planning Board, April 20, 2015.
7 Regular meeting 7:30 p.m. Approval of
8 stenographic minutes for 3/16/15. Chestnut
9 Petroleum, sketch, site plan. Next deadline:
10 Friday, April 24th. Next scheduled meeting:
11 Monday, May 4th.

12 CHAIRMAN LOGUE: Since we just received
13 the minutes for 3/16, we will table that until
14 the next time.

15 First up is Chestnut Petroleum.

16 MR. PARKER: Good evening. Scott
17 Parker, director of facilities for Chestnut
18 Petroleum.

19 MR. INTERRANTE: Ciro Interrante,
20 architect.

21 CHAIRMAN LOGUE: At this point we're
22 looking --

23 MR. BLASS: I think -- well, I think
24 the Planning Board has some SEQRA business to
25 attend to this evening. This is an application

2 for site plan approval from this Board which also
3 requires at least two variances from the Zoning
4 Board of Appeals. The first is a variance, a
5 small variance, from the minimum lot size of two
6 acres, and the other concerns front yard setback
7 variances.

8 Apparently this matter was in front of
9 the Zoning Board of Appeals recently. I was not
10 there. There was public comment in front of the
11 ZBA. In addition to that, the Zoning Board of
12 Appeals, consistent with statute, had referred
13 this matter to the Ulster County Planning Board
14 for comment and recommendation. The
15 recommendations came back from the Ulster County
16 Planning Board to the ZBA which were
17 fundamentally twofold. Firstly, there was a
18 recommendation that the Planning Board and the
19 Zoning Board of Appeals, and thus all other
20 agencies with approval power here, conduct a
21 coordinated review under SEQRA. There was also a
22 suggestion, backed up by twenty or thirty pages
23 of pictures, that the applicant consider altering
24 the site design to flip the relative location of
25 the gasoline pumps and the building.

With respect to the issue of SEQRA, the Board may recall that there was comment on the record to the effect that the environmental assessment form submitted by the applicant was not consistent with the current forms used by the Zoning Board of Appeals. And there was also a recommendation from Pat that the applicant consider using a full and up-to-date environmental assessment form given the various site impacts that are summarized in Pat's memorandum and were summarized on the record at the last Planning Board meeting.

17 So since I wasn't at the ZBA meeting
18 I'm not entirely sure that I'm an accurate
19 presenter of all that occurred, but what I think
20 arose out of that meeting was an issue as to who
21 was going to run the SEQRA review among -- as
22 between the Planning Board and the Zoning Board
23 of Appeals, or, alternatively, was there going to
24 be a separate SEQRA review, an overlapping and
25 independent SEQRA review done by each of the

2 Planning Board and the Zoning Board of Appeals.

3 Contrary to that, it was inconsistent with the
4 recommendation of the Ulster County Planning
5 Board.

6 So I think one order of business that
7 the Planning Board might take up this evening is
8 whether or not the applicant has an environmental
9 assessment form for this agency consistent with
10 current requirements of the DEC, and whether or
11 not it's a full EAF. And then, if so --
12 apparently yes -- we can chart a course from that
13 point if the Board wishes.

14 CHAIRMAN LOGUE: So do you have that
15 now?

16 MR. PARKER: We were at the Zoning
17 Board -- I was at the Zoning Board on Thursday
18 night for a few hours, and one of the things that
19 did come up was the EAF. We have completed the
20 long form here, and I have copies of it if you
21 want it right now.

22 CHAIRMAN LOGUE: Yeah. We'll pass them
23 around.

24 MR. PARKER: I have seven.

25 One thing that was mentioned that I

2 don't really -- we didn't get into much with the
3 ZBA was talking about positioning of the
4 building. We talked a lot about the EAF and some
5 other things, but we didn't get into the
6 positioning of the building at that meeting. I
7 don't know, you know, what memo and pictures
8 you're referring to, but --

9 MR. BLASS: So there is a statutory
10 report and recommendation from the Ulster County
11 Planning Board.

12 MR. PARKER: That's right.

13 MR. BLASS: Have you seen that?

14 MR. INTERRANTE: No, I didn't see it.
15 Is it possible for me to get a copy of it?

16 MR. BLASS: I don't have it with me.
17 It's certainly available to everyone.

18 MR. INTERRANTE: Do you have a copy?

19 MS. LANZETTA: I have it.

20 MR. BLASS: So my reference was to the
21 fact that there were numerous attachments to
22 that.

23 MR. PARKER: Yeah. I didn't see the
24 attachments.

25 MS. LANZETTA: I have a question, Ron

2 and Pat. Well first of all, I'm a little
3 concerned that we're receiving this at the
4 meeting, the information that I think should have
5 been given to us ahead of the meeting so we could
6 properly review it and be sure that it's
7 complete.

8 That being said, I also am concerned
9 about the completeness of the preliminary site
10 plan because I know Pat had given a number of
11 items that he was concerned about being
12 addressed. Before we begin our actual SEQRA
13 review, we have to be assured that we have, you
14 know, a complete -- an idea of what it is that
15 we're actually looking at.

16 Being that -- first of all, let me back
17 up. I do like the idea of a coordinated review
18 since, if things do change and additional area
19 variances are needed, we could be working side by
20 side with the ZBA to facilitate it to go along
21 quicker in that respect. So I think that that's
22 a good idea. But at the same time, if we do
23 request that an alternate site plan be produced,
24 I just don't want to begin the SEQRA process
25 before we're sure that we have everything in

2 place, that we're actually going to be looking at
3 what it is that we want to review. So, you know,
4 it just seems to me at this point that we need
5 more interaction with the ZBA itself so we can
6 get an idea of what they really want to do, and
7 preferably everybody work together so that we can
8 move this thing along as expeditiously as
9 possible and make sure that everybody is on the
10 same page.

11 I'm just thinking that tonight -- I'm
12 just not sure what it is that we're doing
13 tonight. That's my question.

14 MR. INTERRANTE: This Board can declare
15 itself lead agency and then it becomes a
16 coordinated review with the Zoning Board, and
17 that would help move things along. We're working
18 on the items that were in Pat's letter. We're
19 working with the DOT, the Health Department and
20 so on.

21 MS. LANZETTA: Once we declare
22 ourselves lead agency, then the time clock starts
23 ticking. I don't really want to start that clock
24 until we're sure that this site plan is the one
25 that we're going to be reviewing.

2 MR. PARKER: I think our problem is
3 that without somebody kind of taking the lead we
4 can go back and forth forever on this thing.

5 MR. HINES: There's no time clock on
6 the SEQRA.

7 MS. LANZETTA: There isn't?

8 MR. HINES: No. The only time clock is
9 if you declare yourself lead agency, there is a
10 required circulation of your notice of intent and
11 then the other involved agencies have thirty days
12 in which to contest that or consent to it. So
13 there's a thirty-day time period where nothing
14 can happen unless you hear from each of the
15 involved agencies.

16 CHAIRMAN LOGUE: Any other comments
17 from the Board?

18 MR. TRUNCALI: Ron, is it just the
19 ZBA's job to either give or deny the variance?
20 Is that their only job?

21 MR. BLASS: That's their jurisdiction.
22 That's their jurisdiction.

23 MR. TRUNCALI: Why would they get
24 involved in any review?

25 MR. BLASS: Of the SEQRA?

2 MR. TRUNCALI: Yeah.

3 MR. BLASS: Under SEQRA every
4 governmental approval is subject to SEQRA unless
5 there's a specific exemption spelled out in the
6 State DEC regulations. So I do not believe that
7 the reduction of the minimum lot size below two
8 acres is one of those exemptions. Consequently,
9 the ZBA is legally obligated to go through a
10 SEQRA review with respect to the variances, just
11 as the Planning Board is obligated to engage in a
12 SEQRA review with respect to site plan, just as
13 the DOT is obligated to go through a SEQRA review
14 with respect to the access -- means of access.

15 So, you know, one of the first things
16 we should do with an application once it receives
17 an environmental assessment form that's worthy of
18 review is to decide what type of action this is
19 under the SEQRA regulations. There are three
20 types of actions; one is Exempt, which this is
21 not. Another one is called Type I which is
22 typically a larger project that is more likely to
23 require an environmental impact statement
24 according to the regulations. The third is
25 Unlisted. It's called Unlisted basically because

2 it's neither Type II Exempt or Type I. So it's
3 called Unlisted. I think Pat and I discussed
4 this and he would agree that this is an Unlisted
5 action under the SEQRA regulations. So why do I
6 go into this? I go into this because the rule
7 with respect to Unlisted actions is that
8 coordinated review, which is where one of the
9 agencies with approval power runs the SEQRA
10 review for all of the others and all of the
11 others are bound by it, is optional with respect
12 to Unlisted actions, whereas coordinated review,
13 as I just defined it, is mandatory with respect
14 to Type I actions. If this was a Type I action,
15 larger, bigger, next to a park, there would be a
16 mandatory coordinated review. Since this is a
17 smaller project, it's an Unlisted action and a
18 coordinated review is optional. If a coordinated
19 review occurs, that means that one of the
20 agencies with approval power can step up and say,
21 you know, I think it's a good idea that I be the
22 lead agency, meaning that I run the SEQRA review
23 for all the other agencies. You would do that by
24 basically declaring your intention to be that
25 lead agency. You would circulate a notice to all

2 of the other agencies asking for their consent or
3 their objection. Typically they all consent. If
4 you don't go down the optional path of having a
5 coordinated review as I just described it with
6 one agency running the SEQRA for all the others,
7 then each of the agencies separately and
8 independently is obligated to run their own SEQRA
9 review, which could be inconsistent or consistent
10 with the findings and processes of every other
11 agency. It is my feel -- although I wasn't at
12 the meeting, it's my feel that the Zoning Board
13 of Appeals doesn't really view itself as equipped
14 to run SEQRA reviews as compared to the Planning
15 Board. I think there's a desire at that agency,
16 or perhaps a leaning at that agency, I'm
17 speculating, to have the Planning Board run the
18 SEQRA review process in lieu of the ZBA.

19 Now having said that, and of course
20 it's up to this agency, this Board, to determine
21 on it's own whether it thinks that's a good idea
22 or not a good idea in terms of how it does it's
23 own business aside from how the ZBA does it's
24 business.

25 I should go one step further probably

2 for the applicant's sake and/or the Board's sake
3 and lay out the scenario that will occur in the
4 event there's a coordinated review, meaning that
5 this Board steps forward and says I want to be
6 the lead agency, I want to run the SEQRA review
7 for all the others. That would typically mean in
8 terms of batting order and potential approval
9 processes as follows: That one, no agency can
10 issue any of it's approvals or make any of it's
11 decisions until the SEQRA process is complete.
12 The SEQRA process could potentially become
13 complete by the issuance of a negative
14 declaration and the finding of the lead agency
15 that no environmental impact statement is
16 required. But until that hypothetical negative
17 declaration occurs, if it is to occur in this
18 case, then no agency can issue a decision. So
19 the ZBA couldn't issue a decision, nor of course
20 could the Planning Board issue a decision on the
21 site plan, nor could the DOT issue a decision on
22 curb cuts, et cetera. So in a situation like
23 this when you have both a site plan in front of
24 the Planning Board and variances in front of the
25 ZBA, and where the Planning Board steps up to be

2 the SEQRA agency, the typical batting order
3 scenario in terms of approvals rolling out, if
4 they do, is the lead agency does a negative
5 declaration first, that frees up, in this case
6 probably the ZBA to go next and make a decision
7 on the variances, and if the variances are
8 granted then it frees up the Planning Board to
9 take the matter back and to make a decision on
10 site plan approval. So I think that would be the
11 batting order as it rolls out with respect to
12 coordinated review with this Board being the
13 SEQRA agency.

14 In the event that for some reason
15 there's an uncoordinated review and every agency
16 here is left to pursue the option of doing their
17 own independent SEQRA review, then theoretically
18 the Zoning Board of Appeals could take the matter
19 in and could do it's own SEQRA determination and
20 it's own determination on the variances, and the
21 Planning Board could do it's own SEQRA
22 determination, consistent or inconsistent with
23 the ZBA's.

24 There is probably, from a planning
25 perspective or from a planner's perspective, a

2 theoretical preference for coordinated review to
3 avoid inconsistency and inefficiency. I think
4 that planner's perspective is reflected in the
5 County Planning Board's comments when they
6 recommend a coordinated review take place.

7 And then with respect to Cindy's point,
8 I think that the order of business is the fact
9 that the Ulster County Planning Board has already
10 told the ZBA, and predictably it will tell this
11 Board when it gets a referral from this Board and
12 answers this Board's referral, that a required
13 modification would be at least consideration, if
14 not implementation, of a flip flop of the gas
15 pumps and building relative to Route 9W. I think
16 that that was probably on the mind of the Zoning
17 Board of Appeals as well because it had that
18 recommendation. It had a recommendation that
19 maybe the project should be altered in that
20 significant way and maybe there should be a
21 coordinated review. I think faced with those two
22 things and other public comment, the ZBA did not
23 move forward and that's why it's back in front of
24 this Board.

25 It's in front of this Board I think

2 fundamentally to decide whether the Board thinks
3 a coordinated review is a good idea and to step
4 up and declare intent to be lead agency if you
5 do, and then to circulate the environmental
6 assessment form and application to the other
7 agencies for consent. That process of obtaining
8 consent can be accelerated by an applicant by
9 driving the consent form around to the various
10 agencies and asking for, you know, a sign off, if
11 you will, to get things moving. But I think
12 that's the primary order of business this
13 evening.

14 And I think -- to go to Cindy's very
15 good point that the EAF just came in, this EAF is
16 going to have to be reviewed by Pat, and it may
17 be great or it may not be that great. We don't
18 even know yet. Maybe Pat already knows. It has
19 to be circulated to the other agencies. So one
20 of the ways to go about moving forward is to have
21 the Board consider declaring it's intent to be
22 lead agency and then to circulate the
23 environmental assessment form, once it is
24 approved in terms of it's content by Pat,
25 hypothetically, or once any of Pat's comments

2 about incompleteness are addressed by the
3 applicant, and only then would it go forward.
4 That's another way to deal with the late arrival
5 of the environmental assessment form.

6 MS. LANZETTA: Do you know what the
7 coordinated review -- would you invite members of
8 the ZBA to attend sessions where discussions on
9 the site plan are happening so that --

10 MR. BLASS: Sure.

11 MS. LANZETTA: -- everybody knows and
12 any other concerns that the ZBA might have could
13 be raised at that time?

14 MR. BLASS: Sure. There's a section in
15 the SEQRA regulations that encourages all
16 agencies to comment and participate in the lead
17 agency's deliberations.

18 I think the biggest issue in front of
19 the ZBA, if I can read their minds, is that there
20 is at least the potential that there will be
21 significant discussion back and forth, or maybe
22 not, between the applicant and this Board
23 relative to alternative designs, and I think the
24 ZBA was considering how do I move forward, I'm
25 not sure, what ultimate design is going to result

2 from those discussions.

3 CHAIRMAN LOGUE: Do you gentlemen have
4 any comments?

5 MR. INTERRANTE: Not at this point.

6 MR. PARKER: No. Just that, you know,
7 one thing to think about on the flip flop of the
8 site here is, you know, there's residential
9 behind the property. There's not really --
10 there's a farm across the street, but the houses
11 are closer behind the property than they are in
12 front of.

13 We are familiar with one of the
14 examples that was given, and the other one is in
15 Milwaukee, Wisconsin.

16 CHAIRMAN LOGUE: That was just the
17 recommendations of the County Planning Board.

18 MR. PARKER: I know. There's a lot of
19 discussion it seems to me. It wasn't necessarily
20 something that came up at the Zoning Board but
21 there's a lot of discussion about this alternate
22 site design.

23 MS. LANZETTA: I think when you first
24 came to us I gave you guys the information from
25 the County about having the pre --

2

MR. PARKER: Mm'hm'.

3

MS. LANZETTA: -- meeting. I don't know if you guys have scheduled that with the County and sat down with the --

6

MR. INTERRANTE: I think that was referred by the building department if I'm not mistaken. Wasn't that set up with the County for that pre-meeting? From what I read in their instructions, it's supposed to be generated from the Town, not the applicant. The request for the meeting is supposed to come from the Town, not the applicant.

14

MS. LANZETTA: I gave you the information on that. I can look it up. I think the applicant can make arrangements, too. I'm sure Town members would be willing to go with you and attend that meeting because, you know, the more people we have on board. I keep reiterating, the County isn't insignificant. We can't just -- as a Planning Board we can't just say ahh, we don't have to pay attention to their recommendations.

24

MR. INTERRANTE: We'll take the recommendations under consideration. We'll look

2 at the option and see if there's benefits to it.

3 MS. LANZETTA: We have to see their
4 recommendations.

5 MR. INTERRANTE: You have to do what?

6 MS. LANZETTA: We have to see their
7 recommendations because it's up to us to explain
8 to the County why we have decided not to take
9 into account their recommendations.

10 MR. BLASS: I think it's a fair bet,
11 having only seen the County's initial response to
12 the ZBA, the same response will come to this
13 Board in the form of a "required modification" in
14 the eyes of the County Planning Board, that there
15 be a reversal of the configuration of the site.
16 That means if that required modification stays in
17 place because no one can convince the County to
18 retract it, that means that the only way to get
19 an approval in front of this Board is by a four
20 out of five-member vote with an accompanying
21 statement of the disagreement with the County.
22 Supermajority in other words. And the same with
23 the ZBA. To get a variance -- variances at the
24 ZBA you would need a four out of five-member
25 vote. That would be the right to override the

2 recommendation of the County.

3 MS. LANZETTA: That's why for the
4 project to move forward as quickly as possible,
5 the quicker that you're able to bring all the
6 different agencies that are involved with this
7 into the fold so to speak, the better the project
8 will move forward. So that's why I would highly
9 recommend that you look into having one of those
10 meetings with them. It would really help your
11 project.

12 MR. INTERRANTE: Okay.

13 CHAIRMAN LOGUE: So at this point we
14 need to move forward with who is leading this.

15 MR. BLASS: Lead agency.

16 CHAIRMAN LOGUE: Lead agency.

17 MR. TRAPANI: The ZBA can not give us
18 variances before somebody declares lead agency.
19 I mean that's the first thing. If they say no,
20 you're not going to get the variances, then where
21 do you go?

22 MR. BLASS: That's an interesting
23 point. Let me go back to that batting order I
24 laid out.

25 MR. TRAPANI: I listened to the batting

2 order, but commonsense says if they say no to the
3 variances, we don't have spot to go by, what do
4 we do? That's the thing.

5 MR. BLASS: It's really an issue of
6 time and money, like everything is. Under the
7 coordinated review scenario, this Board, if it
8 becomes lead agency, will have to run the SEQRA
9 process and complete the SEQRA process. If it
10 issues a negative declaration, i.e. no
11 environmental impact statement needed, only then
12 can the Zoning Board of Appeals make a decision
13 on the variances. That's fairly -- I don't know
14 how much input this Board will receive once the
15 SEQRA process gets rolling. There may be people
16 who are interested in the subject who surface and
17 submit materials, et cetera. So there is an
18 element of time and money that attaches to the
19 coordinated review process which defers, if you
20 will, or suspends the right of the ZBA to decide
21 thumbs up or thumbs down with the variances. So
22 that's the price of the consistency that's a part
23 of the coordinated review.

24 The only other option, I'm not too sure
25 if the ZBA is interested in this option or not, I

2 don't know, is that this Board basically says no,
3 let's not do a coordinated review, let's have
4 everybody do their own independent SEQRA review,
5 which is an option under SEQRA given the Unlisted
6 action nature here. Under that time and money
7 scenario the matter will go back to the ZBA, the
8 ZBA would have to have somebody advising them
9 with respect to running it's own independent
10 SEQRA review based on this type of full
11 environmental assessment form. People of
12 interest, adverse or in favor, may or may not
13 surface at the Zoning Board of Appeals.
14 Submissions may be given to the Zoning Board of
15 Appeals. The Zoning Board of Appeals, which is
16 not typically used to running a SEQRA review
17 process, will now be burdened, if you will, or
18 obligated to run the very same sort of SEQRA
19 process duplicative that this Board would be
20 running. If that SEQRA -- if that SEQRA process
21 came to a close quickly, then arguably -- and if
22 it issued a negative declaration, then arguably
23 the ZBA could go thumbs up or thumbs down on the
24 variance, but I really don't think that's how
25 that agency sees the process turning out. Of

2 course that invites inconsistency of result, and
3 duplication of effort, and duplication of
4 expenditures by the applicant, and duplication of
5 consultant expenditure on behalf of the Town,
6 defrayed by the applicant. And so, you know,
7 maybe we should ask the applicant what it's
8 position is on that scenario.

9 MR. HINES: Maybe you can explain a lot
10 of the ZBA work is often Type II SEQRA exempt,
11 but because with one of the variances they need
12 is why you don't run into this very often but you
13 need to for this project. It's not typical.

14 MR. BLASS: Individual lot line
15 setbacks are typically Type II exempt, but this
16 is a minimum lot size variance which is not
17 exempt. Height variances, for instance, would
18 not be exempt. So anyway --

19 MR. PARKER: We would prefer that the
20 Planning Board declare themselves lead agency
21 just so we're not dealing with multiple boards.
22 You know, my understanding, we're not looking for
23 approval of the site plan before we can get to
24 the variances, we're just looking for a negative
25 declaration on the SEQRA before they can give us

2 the variances. You guys will have plenty of
3 opportunity after we get the variances.

4 MR. HINES: I do caution that if the
5 building flips after the variance, you're back to
6 square one, if that County approval or the County
7 -- if they don't override the County's approval
8 and require them to do that. It would change the
9 nature of the variance that you're receiving
10 potentially.

11 MR. INTERRANTE: Pat, the County made
12 this recommendation or is it a requirement?

13 MR. HINES: It's not a recommendation
14 because they made it a mandatory -- it wasn't an
15 advisory comment, it was a mandatory comment. It
16 would take a supermajority vote to override that
17 or a meeting with them to convince them why they
18 want to issue another set of comments.

19 MR. INTERRANTE: Okay.

20 MR. PARKER: I'm always curious why on
21 the cover page it says recommendation.

22 MR. BLASS: It's always a
23 recommendation by statute.

24 MR. PARKER: Right.

25 MR. BLASS: Usually in the simplest

2 sense, if they were to say it was a matter of
3 local concern, then there wouldn't be a
4 supermajority outcome trigger. Here, the way the
5 Ulster County Planning Board writes it's
6 recommendations by statute, they will say the
7 required modifications.

8 MR. PARKER: Recommendation by statute.

9 MR. BLASS: Recommendation for a
10 required modification is really what the sentence
11 would be in full.

12 MR. PARKER: Okay.

13 MR. BLASS: The effect of it is the
14 same. The effect of it --

15 MR. INTERRANTE: The supermajority is
16 required by the Planning Board and Zoning Board
17 to pass anything?

18 MR. BLASS: Yeah.

19 MR. INTERRANTE: Okay.

20 MS. LANZETTA: You know, under the
21 SEQRA process there's a good likelihood that
22 further along in the process, through public
23 comment or what not, it could come up that you
24 would have to show what it would look like
25 reversed anyway. In a sense it's kind of like

2 just jumping right to the issue, get it out of
3 the way. It has to be considered. It's not
4 saying that that's the preferred way but you have
5 to offer, you know, some alternatives as you go
6 through.

7 MR. INTERRANTE: If we resolve this
8 with the Ulster County Planning Board and it
9 turns out the design does not change, we don't
10 need to show an alternative design to the
11 Planning Board or Zoning Board. Is that true?

12 MS. LANZETTA: Again, it's going to go
13 through the SEQRA process regardless. With the
14 County's approval you're certainly in a better
15 place.

16 MR. INTERRANTE: Okay.

17 CHAIRMAN LOGUE: At this point I'm
18 looking for a motion to declare the Planning
19 Board as lead agency on this.

20 MR. HINES: Declare your intent for
21 lead agency.

22 CHAIRMAN LOGUE: Declare our intent.

23 MR. TRUNCALI: I'll make a motion the
24 Planning Board become lead agency on this
25 project.

2 MR. TRAPANI: I'll second.

3 CHAIRMAN LOGUE: All in favor?

4 MR. TRAPANI: Aye.

5 MR. TRUNCALI: Aye.

6 MS. LANZETTA: Aye.

7 CHAIRMAN LOGUE: Aye.

8 So carried.

9 MR. HINES: Knowing the project was
10 coming tonight, I ran the project through the
11 DEC's database. This one is manually filled out
12 but the DEC's website will now fill out a long
13 form or short form interactively on their
14 website.15 MR. INTERRANTE: I tried that, Pat. It
16 didn't work.17 MR. HINES: You have to turn your
18 pop-ups off. There's some computer restrictions.
19 I ran it through there. There are some changes
20 that will need to be made to the form before we
21 -- it identifies particular archeological sites,
22 and it just does it based on -- you select your
23 project site, it checks their databases. It
24 identifies threatened and endangered species
25 potentially and also has a potential remediation

2 site. That added step, if you do it
3 interactively, it gives you a connection to the
4 database. The threatened or endangered species
5 could potentially be sturgeon in the river. They
6 were within that check area so now that requires
7 you to write to the National Heritage Foundation
8 and get the information for the site. With the
9 new forms and the way the process works, it
10 populates the information in the long form. I
11 did it the other day, just knowing this was
12 coming, and those did pop up. It's some
13 additional information that will need to be
14 required. I'll provide the information to the
15 applicant, they can change the form and we can
16 circulate to the interested and involved
17 agencies, which would be the ZBA, Health
18 Department, DOT, because of the archeological New
19 York State Parks and Recreation, and Ulster
20 County Planning, as well as your Board as lead
21 agency.

22 CHAIRMAN LOGUE: Okay. If there's
23 nothing further, we're good.

24 MR. PARKER: Thank you.

25 MR. INTERRANTE: Thank you.

2

CHAIRMAN LOGUE: Motion to close the

3

meeting.

4

MR. TRUNCALI: I'll make a motion.

5

CHAIRMAN LOGUE: A second?

6

MR. TRAPANI: I'll second.

7

CHAIRMAN LOGUE: All in favor?

8

MR. TRAPANI: Aye.

9

MR. TRUNCALI: Aye.

10

MS. LANZETTA: Aye.

11

CHAIRMAN LOGUE: Aye.

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(Time noted: 8:04 p.m.)

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: May 7, 2015