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

In the Matter of

5 YOUNG'S 9W PLYMOUTH

10 PUBLIC HEARING - SITE PLAN

11 Date: April 16, 2018
12 Time: 7:30 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

21 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

23 MICHELLE L. G.
DNR #276

PMB #270
56 North Blank Road Suite 1

24 50 North Main Road, Suite
Newburgh, New York 12550

25 Newburgh, New York (845) 541-4163

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

5 (Pledge of Allegiance.)

6 MR. TRUNCALI: Agenda, Town of
7 Marlborough Planning Board, April 16, 2018.
8 Regular meeting 7:30 p.m. Approval of
9 stenographic minutes for 3/19. Young's 9W
10 Plymouth, public hearing, site plan; Hudson
11 Valley Tree House, decision, site plan;
12 Affuso/Noto Logging, sketch, site plan; Ridge
13 Road, sketch, subdivision. Next deadline:
14 Friday, April 20th. Next scheduled meeting:
15 Monday, May 7th.

16 CHAIRMAN BRAND: I would like to have a
17 motion for the approval of the stenographic
18 minutes for March 19th.

19 MR. LOFARO: I'll make that motion.

20 CHAIRMAN BRAND: Is there a second?

21 MR. TRUNCALI: I'll second.

22 CHAIRMAN BRAND: Any discussion?

23 (No response.)

24 CHAIRMAN BRAND: All those in favor,
25 say aye.

2 MR. CLARKE: Aye.

3 MR. TRAPANI: Aye.

4 MR. TRUNCALI: Aye.

5 MR. CAUCHI: Aye.

6 MR. LOFARO: Aye.

7 CHAIRMAN BRAND: Aye.

8 Any opposed?

9 (No response.)

10 CHAIRMAN BRAND: So carried.

11 Before I begin I would like to enter
12 into the minutes that Board Member Joel Truncali
13 did receive two hours of in-service credit for
14 attending the Ulster County Planning Department
15 Floodplain Management Considerations for
16 Community Planner.

17 Jen, can you keep that in the file.

18 Thank you.

19 First up, Young's 9W Plymouth, public
20 hearing.

21 Ron, we did leave it open last time.
22 Do I need to re-open it or restate it or we're
23 good to go?

24 MR. BLASS: You can just proceed.

25 CHAIRMAN BRAND: This is a public

2 hearing. I'd like to hear from the applicant
3 first.

4 MS. BROOKS: Again as we discussed at
5 the last meeting, this is an application for an
6 existing car facility located on 5.06 acres.

7 We did get the lot line revision maps
8 signed this evening, so they will be filed
9 tomorrow. We'll be able to make reference on the
10 map of the consolidation of the parcels. We
11 actually have a 6 acre parcel we're applying
12 under.

13 It was sent to the Ulster County
14 Planning Board. We did get comments back from
15 them as well as the comments from Pat.

16 I wasn't sure, was SEQRA circulated on
17 this? Did this go -- some of the comments were
18 with regard to Ulster County DPW and New York
19 State Department of Transportation. I had given
20 a copy of the map to John Riley, who is our
21 regional representative at the New York State
22 Department of Transportation, and told him just
23 to hang on to it until he got the SEQRA
24 circulation because I was assuming they were
25 going to be doing their reviews under that.

2 MR. HINES: I don't think it's been
3 done yet.

4 MS. BROOKS: So, you know, two of the
5 questions were with regard to the Ulster
6 Department of Public Works and the New York State
7 Department of Transportation. They'll be doing
8 their review under the SEQRA circulation. We're
9 going to have to wait until we're able to get
10 comments from them. That was Pat's number one
11 comment. We are waiting for comments from both
12 of those agencies.

13 The cross easements that were addressed
14 during the lot line revision process have been
15 referenced on the revised plans, and we also
16 submitted copies of the deed where those
17 easements were filed.

18 Pat noted that the parking lot has been
19 identified as new car inventory parking lot only
20 and not for the new car sales, so there will be
21 no customer traffic in that area.

22 CHAIRMAN BRAND: I did forward you the
23 Ulster County Planning Board recommendations.

24 MS. BROOKS: The comments.

25 CHAIRMAN BRAND: Right.

2 MS. BROOKS: So the Ulster County
3 Planning Board did have comments regarding the
4 Milton Turnpike definition. Again, we await the
5 comments from the Ulster County Planning Board.
6 Obviously they're the jurisdictional agency with
7 regard to that road frontage, so their comments
8 with regard to how they would like that to be
9 handled will rule.

10 New York State Department of
11 Transportation, it's the same type of a
12 situation. We did show the New York State
13 Department right-of-way. There are no
14 encroachments of car parking. We'll make sure if
15 there are overhanging bumpers, if they have to be
16 pulled back then they can be pulled back.

17 With regard to the stormwater, we also
18 had a discussion about that at the last meeting.
19 The area which was regraded for the additional
20 parking, it has always been impervious rock.
21 Although there has been disturbance, there has
22 been no stormwater impact and no stormwater
23 control plans are required. I believe that the
24 Board concurred with that at the last meeting.

25 With regard to landscaping, the entire

2 site recently went through a renovation that
3 significantly enhanced the curb appeal of the
4 site. Again, it is all blacktop. I'm not sure
5 what we would be able to do as far as
6 landscaping. We did discuss that with the Board
7 last time. I mean the only potential is there is
8 an area in front of the showroom where in the
9 summertime, you know, barrels could be planted
10 with seasonal flowers. Other than that there
11 really is no -- there's no availability for
12 landscaping on this site.

13 With regard to the lighting, I thought
14 that the photographs that we had submitted showed
15 in pretty good detail that they were full cut-off
16 fixtures. The site lighting was upgraded in 2016
17 to LED full cut-off fixtures and the applicant
18 has provided the LED upgrade paperwork that was
19 done which I'll submit for the file. So the
20 lighting issue already has been addressed.

21 CHAIRMAN BRAND: Pat, did you have
22 anything else?

23 MR. HINES: She hit all of our
24 comments. The SEQRA lead agency has to be done.
25 I missed that between now and the last meeting.

2 We will do that, get the information to Ulster
3 County Planning and New York State DOT.

4 I would suggest some of the information
5 that was submitted to the County regarding the
6 County comments be submitted to them.

7 MS. BROOKS: To the County?

8 MR. HINES: Yeah. So they can weigh in
9 on the lighting and the landscaping. I think a
10 line-by-line address --

11 MS. BROOKS: Response.

12 MR. HINES: Otherwise you're going to
13 have to do a County override, which was kind of
14 suggested. I think if the County can weigh in,
15 state back they're okay with the discussion the
16 Board has had with the applicant with the
17 situation regarding stormwater and the
18 landscaping, those could be resolved without the
19 County override.

20 CHAIRMAN BRAND: Ron, did you have
21 anything?

22 MR. BLASS: The override would be by a
23 supermajority vote. If there's any issue that
24 the County has spotted that this Board disagrees
25 with, it's a majority plus one vote.

2 CHAIRMAN BRAND: Okay. This is a
3 public hearing also. Is there anyone from the
4 audience who would like to speak either for or
5 against this project? If so, stand and state
6 your name. Mr. Garofalo.

7 MR. GAROFALO: James Garofalo. I'm all
8 in favor of businesses dealing with cars, whether
9 they be new cars, old cars, repairs, et cetera.
10 That's good.

11 There are a few things that I would
12 like to point out with regard to talking to DOT.
13 I also would like the Board to make sure that
14 there is a resolution that -- at the very corner
15 of Route 9W it appears that the road is inside
16 the property line. I don't know if that's a
17 mistake, a mistake with the property line, maybe
18 a mistake somebody made doing the road, but if
19 they're going to clarify where the curb cuts are,
20 the parking, et cetera, maybe they can clarify
21 this one little area also at the same time.

22 MS. BROOKS: I can address that. The
23 highway bounds have been shown as per the New
24 York State DOT mapping. The DOT mapping just
25 goes straight up and down 9W. It doesn't relate

2 to Milton Turnpike at all. The County Highway
3 Department did not have any mapping at that
4 intersection and they had no highway takings.
5 They did have highway takings further up Milton
6 Turnpike where Old Milton Turnpike used to come
7 around and the roadway straightened out. We
8 computed the highway bounds at 25 feet off the
9 existing center line of Milton Turnpike where it
10 intersected with the highway bounds of New York
11 State Route 9W based on the highway taking maps.

12 MR. CLARKE: Back in the '70s the
13 County decided to take a 100 foot right-of-way.
14 I don't know at that point but further up the
15 road they surveyed and purchased land from all
16 the adjoining landowners to create a 100 foot
17 right-of-way. I don't know if it extended down
18 that far or not.

19 MS. BROOKS: It definitely didn't. We
20 always have to FOIL the maps from them to get
21 whatever highway takings. The only area they
22 had, even down in this area, was where the old
23 County road sweeps around by Rodelli's, in that
24 area there, which actually they still own the
25 property in between there.

2 CHAIRMAN BRAND: Mr. Garofalo.

3 MR. GAROFALO: I don't know if you
4 answered it, whether or not the road actually
5 extends onto the property according to the map
6 that's on the website.

7 MS. BROOKS: Again, that entire area
8 there is paved. There really is not a major
9 distinction. We showed a gray line in there
10 because we hooked up where the edge of the
11 curbing was to the edge of the shoulder here.
12 This entire area in here is blacktop. There is
13 no "edge of pavement" there.

14 MR. GAROFALO: In dealing with defining
15 where the accesses are and where they are not,
16 perhaps that could be better defined in that
17 particular area.

18 MS. BROOKS: We certainly will be
19 consulting with the Ulster County Department of
20 Public Works and DOT, and we will take all of
21 their comments under advisement.

22 MR. GAROFALO: I would certainly
23 suggest that for the access going up to the top
24 where there's not supposed to be any customers,
25 that there be a sign or something to tell

2 customers not to drive up there, or, if they
3 prefer, a gate. Something so the customers know
4 they are not supposed to drive up there.

5 I'm not sure you can do much
6 landscaping, as was mentioned here, but certainly
7 one of the comments I did receive from the County
8 was something you have to deal with which is
9 native species. I encourage you when ever there
10 is any landscaping, to have them define what's
11 native landscaping and what's not. It might
12 actually -- in this case landscaping might be
13 better defined over by their boulder wall. If
14 they have any more boulders that they could add
15 to the wall, that might be considered some
16 landscaping. I don't know if they're going to be
17 doing any digging or not.

18 One of the things that I did not see on
19 the plan was anything dealing with accessible
20 parking. Many of these site plans may have been
21 developed prior to the ADA regulations. I think
22 it behooves the Board to try to have these sites
23 brought into compliance with ADA regulations.

24 MS. BROOKS: The ADA parking space is
25 right here. They actually have proper striping

2 at this point.

3 MR. GAROFALO: Okay. I hope that if
4 there's a problem with that location because of
5 the access, that the Board will allow them to
6 move that, as well as the right-of-way for the
7 residential house. It may turn out that the
8 right-of-way is not where they're going to allow
9 a curb cut. Please be lenient in allowing them
10 to move that according to where the curb cut ends
11 up being.

12 There's clearly a path for residential
13 vehicles to enter from the County road. I'm not
14 sure if the intention is for them to turn around
15 and go back out that way or to go to turn where
16 it says do not enter and go to Route 9W. I'm not
17 really clear on that, where the curb cuts are. I
18 certainly would suggest that if there's do not
19 enter on the pavement, that there be a sign also
20 because there will be times when there's snow or
21 whatever and that will be covered up. They
22 should have at least one sign that says do not
23 enter.

24 I thank the Board for their time.

25 Thank you very much.

2 CHAIRMAN BRAND: Thank you, Mr.
3 Garofalo.

4 Anyone else for or against the project
5 has an opportunity to speak?

6 (No response.)

7 CHAIRMAN BRAND: No. So I think
8 what --

9 MR. CLARKE: Jeff, if you could join
10 with the folks down in the hamlet, across the way
11 there's a sign there. If you could do something
12 similar to that, a planting, even a small
13 planting, I think it would tie in with the whole
14 hamlet. I think that would be a great idea. I'm
15 not --

16 MR. ALDRICH: I can try a box.

17 MR. CLARKE: I'm not requiring it. I
18 would request you join with those and do some
19 planting there.

20 MR. ALDRICH: I've always thought about
21 a box between the poles.

22 MR. CLARKE: One of the things you
23 might do, go to the town, they still have the
24 paving stones that came out of the road down to
25 the river. Like the sign across from you, you

2 might be able to do a small thing there and plant
3 it and just help tie in to the community.

4 MR. ALDRICH: Okay. I'm good with
5 that.

6 CHAIRMAN BRAND: Anything else from the
7 Board?

8 (No response.)

9 CHAIRMAN BRAND: So then I would like
10 to have a motion to close the public hearing.

11 MR. CLARKE: So moved.

12 MR. TRAPANI: I'll second it.

13 CHAIRMAN BRAND: Any discussion?

14 MR. HINES: I would suggest you have
15 the applicant waive the 62 day timeframe for a
16 decision.

17 CHAIRMAN BRAND: Are you willing to
18 waive the 62 day timeframe?

19 MS. BROOKS: Say yes.

20 MR. ALDRICH: Yes.

21 MS. BROOKS: We're still waiting for
22 input from some other agencies and we don't know
23 how long it's going to take to resolve.

24 CHAIRMAN BRAND: All those in favor of
25 closing the public hearing?

2 MR. CLARKE: Aye.

3 MR. TRAPANI: Aye.

4 MR. TRUNCALI: Aye.

5 MR. CAUCHI: Aye.

6 MR. LOFARO: Aye.

7 CHAIRMAN BRAND: Aye.

8 Any opposed?

9 (No response.)

10 CHAIRMAN BRAND: So we will wait to
11 hear back once the SEQRA circulation process is
12 completed and we hear from DOT. Thank you.

13 MS. BROOKS: Thank you.

14

15 (Time noted: 7:46 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 20th day of April 2018.

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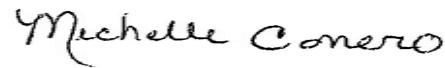
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MICHELLE CONERO

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

In the Matter of

5 HUDSON VALLEY TREE HOUSE

10 DECISION - SITE PLAN

11 Date: April 16, 2018
12 Time: 7:46 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

21 APPLICANT'S REPRESENTATIVE: LAUREN RACIUTO

2 CHAIRMAN BRAND: Next up, Hudson Valley
3 Tree House.

4 Just so the Board is aware, we did
5 receive another copy from the firehouse. That's
6 in all of your packets.

7 Did you get a copy of that as well?

8 MS. BAGLIO: Yes. I handed it in.

9 CHAIRMAN BRAND: So we do have two
10 things before you right now. First up, we have
11 the SEQRA and negative declaration and
12 determination of non-significance in addition to
13 the short environmental assessment form part 2
14 impact assessment.

15 Jen, would you please poll the Board?

16 MS. FLYNN: Chris Brand?

17 CHAIRMAN BRAND: Yes.

18 MS. FLYNN: Joel Truncali?

19 MR. TRUNCALI: Yes.

20 MS. FLYNN: Manny Cauchi?

21 MR. CAUCHI: Yes.

22 MS. FLYNN: Joe Lofaro?

23 MR. LOFARO: No.

24 MS. FLYNN: Steve Clarke?

25 MR. CLARKE: Yes.

2 MS. FLYNN: Ben Trapani?

3 MR. TRAPANI: Yes.

4 CHAIRMAN BRAND: Okay. You also have
5 before you from the Planning Board a resolution
6 of disapproval for this project. It's there. We
7 received it ahead of time. It lays out the
8 reasons why the Board is choosing to disapprove
9 or not the project.

10 Ron, did you want to run through
11 anything with that?

12 MR. BLASS: No. I think the resolution
13 speaks for itself. The Board was provided with
14 the resolutions.

15 CHAIRMAN BRAND: Just to be clear for
16 this, voting yes for this means you're saying no
17 to the project?

18 MR. BLASS: Correct.

19 CHAIRMAN BRAND: Jen, would you please
20 poll the Board?

21 MS. FLYNN: Chair Brand?

22 CHAIRMAN BRAND: Yes.

23 MS. FLYNN: Member Truncali?

24 MR. TRUNCALI: Yes.

25 MS. FLYNN: Member Trapani?

2 MR. TRAPANI: Yes.

3 MS. FLYNN: Member Lanzetta?

4 CHAIRMAN BRAND: Absent.

5 MS. FLYNN: Member Lofaro?

6 MR. LOFARO: Yes.

7 MS. FLYNN: Member Cauchi?

8 MR. CAUCHI: I'm going to abstain from
9 the vote. I wasn't here at the last meeting.

10 MS. FLYNN: Member Clarke?

11 MR. CLARKE: Yes.

12 CHAIRMAN BRAND: Do you have a copy of
13 the motion as well?

14 MS. BAGLIO: No. I asked for it.

15 CHAIRMAN BRAND: We'll provide that to
16 you tonight and you'll be able to see the reasons
17 why.

18 MS. BAGLIO: Do I grab it from Jen?

19 CHAIRMAN BRAND: Yes.

20 MS. BAGLIO: I have thirty days to
21 respond --

22 CHAIRMAN BRAND: Ron.

23 MS. BAGLIO: -- legally?

24 MR. BLASS: Respond to the content of
25 the resolution?

2 MS. BAGLIO: Yes.

3 MR. BLASS: That really wouldn't serve
4 any purpose.

5 MS. BAGLIO: Is there legally a thirty-
6 day window where I have to advise legal counsel?

7 MR. BLASS: If you want to consult with
8 counsel, you should take that.

9 MS. BAGLIO: Is there a time period in
10 which I have to address the decision?

11 MR. BLASS: Thirty days from filing
12 with the town clerk, which will probably occur
13 tomorrow.

14 MS. BAGLIO: Okay. Thank you.

15 CHAIRMAN BRAND: Thank you.

16

17 (Time noted: 7:50 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 20th day of April 2018.

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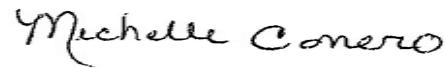
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MICHELLE CONERO

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

In the Matter of

AFFUSO/NOTO LOGGING

Project No. 18-2003
Mt. Zion/Reservoir Road

Section 108.1; Block 1; Lots 6, 20, 23, 24 & 25

SKETCH - SITE PLAN

11 Date: April 16, 2018
12 Time: 7:50 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

21 APPLICANT'S REPRESENTATIVE: JORDAN HELLER

22 www.ijerph.com International Journal of Environmental Research and Public Health

MICHELLE L. CONERO
PMB #276

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Newburgh, New York 12550
(845)541-4163

2 CHAIRMAN BRAND: Next up, Affuso/Noto
3 Logging.

4 Do you want to give us a quick overview
5 of what it is you have for us this evening?

6 MR. HELLER: My name is Jordan Heller,
7 I'm a forester for Green Lumber Company.

8 Basically we have a timber harvest up
9 on the mountain there. Basically we have three
10 parcels that have been put together for one big
11 timber harvest to make it worthwhile.

12 All the trees are marked. There are
13 different colors for different landowners.

14 We're pulling all the wood to the
15 Curial property which is on the southwest side of
16 the map and also in the Town of Plattekill. I've
17 been in contact with the highway super for the
18 Town of Plattekill. It's an abandoned road and
19 the landing is on the neighboring landowner.

20 CHAIRMAN BRAND: You have to get
21 approval from them as well?

22 MR. HELLER: Yup. We follow New York
23 State Best Management Practices for logging. I
24 laid that out in my document here. We use that
25 in other towns.

5 All the trails will be graded. We'll
6 have skid trails. We'll stabilize the soil, if
7 we can get any sunlight in there.

11 CHAIRMAN BRAND: Pat?

12 MR. HINES: We just noted that it's a
13 timber harvest of approximately 580 trees on a
14 58-acre parcel. Part of the parcel is in the
15 Town of Plattekill. It's about 10 trees per
16 acre. It's not a substantive harvest.

21 Typically you would have some bonding and
22 requirements for access to your roads, but in
23 this case no Marlborough access is proposed.

24 It's all coming off of New Unionville Road in the
25 Town of Plattekill. I'm not familiar with that

2 road.

3 Basically this is here for your timber
4 harvest ordinance. The only thing it needs is a
5 public hearing. You need to have that. I would
6 recommend that the public hearing be scheduled to
7 see if there's any input from the neighbors.

8 They did provide a map showing the
9 proposed skid roads and the haul out location in
10 the Town of Plattekill. They have a map showing
11 the adjoining landowners as well.

12 According to your code, it does need a
13 public hearing. We would recommend that be
14 scheduled.

15 CHAIRMAN BRAND: Can I just ask
16 procedurally, because of the two towns, he will
17 need approval in both towns?

18 MR. HINES: Yes.

19 CHAIRMAN BRAND: Does the order matter?
20 When they are both completed he can begin if he's
21 approved in both towns?

22 MR. BLASS: Any approval from this
23 Board will be subject to any and all approvals
24 required from Plattekill. The same would be true
25 of Plattekill's approval. The order doesn't

2 matter.

3 CHAIRMAN BRAND: Okay. That was my
4 only question.5 Any comments or questions from the
6 Board?7 MR. CLARKE: To have a public hearing,
8 how are people notified of this?9 MR. HINES: Similar to any other site
10 plan, they'll have a certified mailing.

11 MR. CLARKE: A certified mailing?

12 MR. HINES: Yes.

13 MR. CLARKE: I'd like to direct my
14 comments to you. I was very impressed. You have
15 identified each individual tree, and I was very
16 impressed with that. It sounds pretty much like,
17 you know, the species that are there. You know,
18 this is just so much better than it was thirty
19 years ago. Somebody wants to cut 10 acres, they
20 cut 500 acres, what happened to all my trees.
21 This is the way it should be done and I applaud
22 you for it.23 MR. HINES: I've had experience with
24 this forester in other towns as well.

25 MR. TRUNCALI: I would like to know how

2 do you know where the property lines are?

3 MR. HELLER: We just use a compass and
4 flagging and deeds.

5 MR. TRUNCALI: I'm an adjoining
6 property owner on the east side.

7 MR. HELLER: Yeah.

8 MR. TRUNCALI: I'm not even sure where
9 my property line is.

10 MR. HELLER: Okay.

11 MR. TRUNCALI: I'd like to see it. I
12 did put some flagging up out there awhile ago. I
13 don't know if it's still there or not. I'm not
14 sure where my property line is. I'd like to know
15 where it is.

16 MR. HELLER: Let me see.

17 MR. HINES: Truncali.

18 MR. HELLER: That was all flagged in
19 pink or orange flagging. This was a bid sale.
20 This was actually marked by a different forester.
21 We were the high bidder. Chris marked all those
22 lines with pink or orange flagging.

23 Actually, I was on this property about
24 two years ago. We walked away from it because we
25 couldn't get any other landowners, and then Chris

2 got them all together and bid it out. I know
3 there's orange flagging on the east side, parcel
4 108.1 --

5 MR. CLARKE: You know Joel, GPS is
6 good.

7 MR. HELLER: We don't have that type of
8 stuff. All the corners are flagged. There's
9 either drops or pins. Ulster County is pretty
10 horrible with deed descriptions. There are a lot
11 of ledges, so the ledge is the line.

12 MR. TRUNCALI: Why is there no harvest
13 in the cross hatched area?

14 MR. HELLER: That's because we don't
15 want the timber in there, plus we don't want to
16 clean it up. It doesn't look good. It's not
17 good for what the species are.

18 CHAIRMAN BRAND: Anything else from the
19 Board?

20 (No response.)

21 CHAIRMAN BRAND: So we can go ahead and
22 schedule a public hearing.

23 Jen, when would that be?

24 MS. FLYNN: 5/7.

25 CHAIRMAN BRAND: Does that work for

2 you?

3 MR. HELLER: Yeah.

4 CHAIRMAN BRAND: May 7th. Just get the
5 mailings out.6 MR. HELLER: Just to maybe put Mr.
7 Truncali at ease, if you want to go for a walk, I
8 can certainly take some time to go for a walk. I
9 can try to get Chris out there.

10 MR. TRUNCALI: If you have a card.

11 MR. HELLER: I'll run out to the truck.
12 I don't have any on me. I'll drop it off to you.

13 MR. TRUNCALI: Thank you.

14 CHAIRMAN BRAND: Thank you.

15

16 (Time noted: 7:57 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 20th day of April 2018.

18

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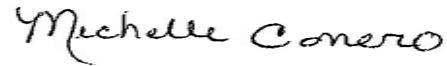
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MICHELLE CONERO

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

In the Matter of

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5

RIDGE ROAD

6

7 Project No. 18-2004
8 Ridge Road, Milton
Section 102.4; Block 2; Lot 32.810

9

10 SKETCH - SUBDIVISION

11 Date: April 16, 2018
12 Time: 7:58 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

21 APPLICANT'S REPRESENTATIVE: ROBERT JAMES

22

23 MICHELLE L. CONERO

23 MICHELLE L. CONERO
RMR #276

PMB #276
56 North Plaza Road, Suite 1

24 56 North Plank Road, Suite
Newburgh, New York 12550

35 Newburgh, New York (845) 541-4163

2 CHAIRMAN BRAND: Next up, Ridge Road,
3 sketch, subdivision.

4 Just give us a brief overview.

5 MR. JAMES: I'm Bob James, Diachishin.
6 The applicant is Nick Galella.

7 What he's proposing is two new vacant
8 lots and the remainder lot where he has his
9 house. The two new lots are a little over an
10 acre fronting on Ridge Road. Single-family lot.
11 Town water and septic systems. That's about it.

12 CHAIRMAN BRAND: This was originally
13 one large lot?

14 MR. JAMES: Yes.

15 CHAIRMAN BRAND: You're proposing to
16 break it into three?

17 MR. HINES: This was previously
18 subdivided into multiple lots in 2014. I believe
19 it was consolidated into --

20 MR. JAMES: There was a consolidation.

21 MR. HINES: -- this larger lot again.
22 Now I guess they're looking to subdivide some
23 parcels out of it again.

24 CHAIRMAN BRAND: Did you want to run
25 through your comments, Pat?

2 MR. HINES: Sure. Rob, did you get
3 these?

4 MR. JAMES: No, I didn't. Do you have
5 a copy?

6 MR. HINES: The first comment just has
7 to do with the history in 2010. It was subject
8 to a subdivision, I believe it was eight lots.
9 At that time a drainage district was formed.
10 There were drainage improvements that were
11 required for that subdivision.

12 In 2014 several of the lots that had
13 not been constructed on previously were combined,
14 I believe for tax purposes of not being able to
15 market the lots and not wanting to pay taxes on
16 the individual residential lots. They went back
17 to what's identified as lot A on the plan.

18 We're looking for confirmation that
19 these lots are in that drainage district. There
20 will need to be notes on the map that they are
21 part of that drainage district. The fact that
22 they're consolidated didn't make them go away.
23 As they come back again, to make sure they're
24 part of that original drainage district.

25 The bulk table lot numbers refer to

2 lots 1, 2 3 and the plans are 1, 2 and 8-A. That
3 needs to be cleaned up.

4 Ulster County Health Department
5 approval for the septic systems will be required.
6 I just noted that the septic on lot 2 is located
7 upgradient of the house and may need a pump
8 system. I don't know why that's there.

11 MR. HINES: Details for connection to
12 the Town's water system. The two proposed lots
13 are located within the Town's water district so
14 we'll need approval from the water superintendent
15 as well as details depicting how they're going to
16 connect to the system.

10 We note that there is no surveyor
11 stamped on the plan. We'll need a surveyor to
12 stamp the plan.

13 MR. JAMES: On the stormwater pollution
14 prevention are you looking for basically erosion
15 control?

16 MR. HINES: Yes. For residential 1 acre
17 to the west and 5 acre disturbance. The important
18 part there is not the plan but the coverage under
19 the SPDES permit program. The Town is a
20 regulated MS-4.

21 Ron was just mentioning the drainage
22 district had improvements, some of which were
23 constructed and some of which were not
24 previously. You need to take a look at that
25 approved subdivision map. It may be that these

2 lots have tributary portions that weren't
3 constructed. If you can get the 2010 map and see
4 what improvements were there versus what are
5 proposed now.

6 MR. JAMES: Okay.

7 CHAIRMAN BRAND: Is that it, Pat?

8 MR. HINES: That's all I have.

9 CHAIRMAN BRAND: Ron, did you have
10 anything?

11 MR. BLASS: No. There is a pattern
12 developing on this project, which is subdivision,
13 lot consolidation, subdivision. It raises a
14 question of how many segments are we dealing with
15 under SEQRA. So a full build-out plan should --
16 you might want to ask for a full build-out plan.
17 Basically you're having a series of subdivisions,
18 consolidations followed by subdivisions, which
19 is, you know, inconsistent with the concept of a
20 segmentation.

21 CHAIRMAN BRAND: We would just ask for
22 a full build-out plan?

23 MR. BLASS: You could.

24 CHAIRMAN BRAND: How does the Board
25 feel?

2 MR. CLARKE: I thought there were some
3 regulations on how many times you can come back
4 for a piece of property and subdivide that piece
5 of property. The second time --

6 MR. HINES: It's been three years.

7 MR. BLASS: It might be. It might be
8 in the new amendment to the SEQRA regulations as
9 well.

10 MR. CLARKE: In my mind you can do a
11 single, the next time you go back to do a
12 subdivision you had to show full build out.

13 MR. BLASS: I think there is something
14 like that.

15 MR. CLARKE: That might be.

16 MR. BLASS: I think you're right.

17 CHAIRMAN BRAND: When you're referring
18 to the full build out you're just not referring
19 to these lots in particular, you're referring
20 to --

21 MR. CLARKE: Build out. If he has
22 intentions to subdivide further, we want to know
23 about it now.

24 CHAIRMAN BRAND: Does he own additional
25 property?

2 MR. HINES: Yes.

3 MR. TRAPANI: It's up on the top. This
4 was brought up here. You couldn't develop this,
5 right across from Morris. So that's the only
6 place that they can come in or out is up on the
7 top.

8 CHAIRMAN BRAND: Does the owner own lot
9 8-A?

10 MR. JAMES: Yes. He lives on that lot.

11 MR. HINES: There are still two pieces
12 of frontage on Ridge Road. Originally I believe
13 this was an eight-lot subdivision with portions
14 somewhere else.

15 MR. CLARKE: Further down. I think
16 there were three or four lots subdivided.

17 MR. TRUNCALI: I would just like to say
18 when I did my subdivision on Mt. Zion I was asked
19 by the Town to do a full layout of the whole
20 parcel which resulted in a lawsuit and we lost
21 for segmentation because we didn't consider
22 drainage for that whole layout that was there. I
23 don't think that's --

24 MR. BLASS: So maybe the full build-out
25 plan may be the 2010 subdivision map. It appears

2 that there was a 2010 eight-lot subdivision, then
3 there was a consolidation of X number of those
4 lots, and now we're seeing a subdivision off of
5 what was consolidated. If the full build-out
6 plan is the 2010 subdivision map, fine, that's
7 all you can review. It probably got a negative
8 declaration.

9 MR. TRUNCALI: He's not requesting
10 anything more than he did originally on the
11 original subdivision.

12 MR. BLASS: That's possible. You won't
13 know without a full build-out plan.

14 MR. TRUNCALI: I mean as far as these
15 two more lots. There are not any new lots that
16 were on the original plan.

17 MR. BLASS: I wouldn't be surprised.

18 MR. HINES: They may be identical. I
19 didn't pull up the 2010 plan. It may be. As Ron
20 said, the 2010 plan may stand as their maximum
21 potential build out. You'll see in the corner of
22 lot 8-A, the lower corner they're showing some of
23 the drainage improvements to the district that
24 shows connectivity to the lots further down
25 towards the title block.

2 CHAIRMAN BRAND: Do these lots match up
3 with 2010?

4 MR. JAMES: I don't know that. I don't
5 have my file.

6 CHAIRMAN BRAND: So are we in agreement
7 that we're going to require a full build out for
8 this?

9 MR. CLARKE: Yes.

10 MR. HINES: I think what you're looking
11 for is that concept plan. It will show the
12 ultimate intention of the owner.

13 CHAIRMAN BRAND: Okay. So just yes on
14 the build out?

15 MR. CLARKE: Yes.

16 MR. TRAPANI: Yes.

17 MR. TRUNCALI: No.

18 MR. CAUCHI: Yes.

19 MR. LOFARO: Yes.

20 CHAIRMAN BRAND: Yes.

21 Everybody is yes, Joel is no.

22 CHAIRMAN BRAND: We're going to require
23 you to have a full build out.

24 MR. JAMES: Okay.

25 MR. HINES: Conceptual.

2 CHAIRMAN BRAND: Conceptual.

3 MR. TRAPANI: What if he says I'm not
4 going to do a full thing, build-out plan, and
5 then five years from now he wants to change his
6 mind?

7 MR. BLASS: Well that's the reason for
8 the rule Mr. Clarke was mentioning. You can only
9 slice the bologna so many times the same way. I
10 think that full build-out plan now is what we
11 need for environmental review because of the back
12 and forth. In fact, a full build-out plan should
13 probably be required all the time. If somebody
14 comes in with a very large parcel and wants to
15 create a small lot out by the street, you might
16 ask for a full build-out plan. That will be by
17 the applicant's statement that I have no
18 intentions --

19 MR. CLARKE: The problem with that is a
20 lot of farmers, all of a sudden his kids want a
21 couple lots so you create a couple lots but your
22 intent is not to do a full build out. Twenty
23 years later, you know, things might change. So I
24 don't know if I agree with you on that.

25 MR. BLASS: I think I've got to find

2 the regulation you're speaking of.

3 MR. CLARKE: Okay. If it's by
4 regulation, then so be it.

5 MR. BLASS: Yeah.

6 MR. CLARKE: You either tell us now or
7 you're done.

8 MR. BLASS: Right.

9 MR. CLARKE: Great.

10 CHAIRMAN BRAND: Any other questions?

11 MR. JAMES: No.

12 CHAIRMAN BRAND: So you have your
13 homework to do. We'll see you at another time.

14 MR. JAMES: Yes.

15 CHAIRMAN BRAND: Anything from the
16 Board for before we adjourn?

17 MR. CLARKE: Yes. I didn't state I was
18 at that meeting and so was Manny.

19 CHAIRMAN BRAND: Manny and Joel were
20 both there.

21 MR. CLARKE: We were both there. Joel
22 is obviously a little more in control of things.

23 CHAIRMAN BRAND: I certainly believe
24 you were there. We can contact them.

25 MR. CLARKE: Jen will take care of that

2 for me.

3 MS. FLYNN: What?

4 CHAIRMAN BRAND: The certificate.

5 MR. CLARKE: Call the Ulster County
6 Planning Board and see if my name was on there.
7 I signed in for that meeting the other night.

8 CHAIRMAN BRAND: Steve and Manny.

9 MS. FLYNN: Okay. We'll check.

10 CHAIRMAN BRAND: Anything else?

11 (No response.)

12 CHAIRMAN BRAND: Motion to adjourn?

13 MR. LOFARO: So moved.

14 MR. TRUNCALI: Second.

15 CHAIRMAN BRAND: All those in favor?

16 MR. CLARKE: Aye.

17 MR. TRAPANI: Aye.

18 MR. TRUNCALI: Aye.

19 MR. CAUCHI: Aye.

20 MR. LOFARO: Aye.

21 CHAIRMAN BRAND: Aye.

22 Any opposed?

23 (No response.)

24 CHAIRMAN BRAND: Carried.

25 (Time noted: 8:11 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
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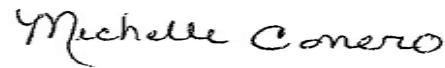
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MICHELLE CONERO