

1

1

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

In the Matter of

5 MILTON TURNPIKE SOLAR FARM

PUBLIC HEARING - SITE PLAN

12 Date: December 17, 2018
12 Time: 7:30 p.m.
13 Place: Town of Marlborough
13 Town Hall
13 21 Milton Turnpike
14 Milton, NY 12547

19 ALSO PRESENT: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
20 VIRGINIA FLYNN

21 ADDITIONAL REPRESENTATIVE: MICHAEL GUCCINARI

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

5 (Pledge of Allegiance.)

6 MR. TRUNCALI: Agenda, Town of
7 Marlborough Planning Board, December 17, 2018.
8 Regular meeting 7:30 p.m. Approval of
9 stenographic minutes for 11/5 and 11/19. Milton
10 Turnpike Solar Farm, public hearing, site plan;
11 Ridge Road, final, subdivision; Kevin and Kellie
12 Casey, sketch, lot line. Discussion without
13 lawyer, engineer and stenographer, Bob Pollock,
14 spa extension. Next deadline: Friday, December
15 21st. Next scheduled meeting: Monday,
16 January 7th.

17 CHAIRMAN BRAND: I'd like to have a
18 motion to approve the stenographic minutes for
19 November the 5th and November the 19th.

20 MR. CAUCHI: I'll make that motion to
21 approve the stenographic minutes for 11/5 and
22 11/19.

23 CHAIRMAN BRAND: Do I have a second?

24 MR. LOFARO: Second.

25 CHAIRMAN BRAND: Any discussion?

2 (No response.)

3 CHAIRMAN BRAND: All those in favor?

4 MR. CLARKE: Aye.

5 MR. TRAPANI: Aye.

6 MR. TRUNCALI: Aye.

7 MR. CAUCHI: Aye.

8 MR. LOFARO: Aye.

9 CHAIRMAN BRAND: Aye.

10 Any opposed?

11 (No response.)

12 CHAIRMAN BRAND: So moved.

13 I would like to just present, before we
14 get started, I did do two hours of training. I
15 have a one-hour self-study course in public
16 meetings and hearings. I'm very proud of myself
17 scoring 90 percent on that. I also have a
18 completion of the Department of States Planning
19 Board overview course.

20 Jen, I'll just give that to you.

21 First up, Milton Turnpike Solar Farm
22 public hearing.23 MR. TRUNCALI: Jen, do you have the
24 notice?

25 CHAIRMAN BRAND: The public hearing

2 notice.

3 MR. TRUNCALI: "Legal notice,
4 commercial site plan application and special use
5 permit application. Please take notice a public
6 hearing will be held by the Marlborough Planning
7 Board on Monday, December 17, 2018 for the
8 following application: Milton Turnpike Solar
9 Farm, at the Town Hall, 21 Milton Turnpike,
10 Milton, New York at 7:30 p.m. or as soon
11 thereafter as may be heard. The applicant is
12 asking for site plan approval and a special use
13 permit for a solar energy farm on lands located
14 at 132 Milton Turnpike, Milton, New York 12547,
15 Section 103.1, Block 1, Lot 33.1. Any interested
16 parties either for or against this proposal will
17 have an opportunity to be heard at this time.
18 Chris Brand, Chairman, Town of Marlborough
19 Planning Board."

20 CHAIRMAN BRAND: Excellent.

21 Did you send out the mailings?

22 MR. CUCCHIARA: Yes, I did.

23 CHAIRMAN BRAND: How many did you send
24 out and how many were returned?

25 MR. CUCCHIARA: So at the time of

2 Thursday last week when I was last in the office
3 -- I have the numbers. I sent out approximately
4 45. I believe 45 was the number using Ulster
5 County Mapper, using the 500-foot buffer. I have
6 all the receipts from the mailings. I believe
7 it's 45 or 46. At this time call it 20 responses
8 -- signatures.

9 CHAIRMAN BRAND: Okay. Can you just
10 give those to the secretary? That would be
11 great.

12 MR. CUCCHIARA: Yes. I'll send in the
13 remaining ones when I get back.

14 CHAIRMAN BRAND: Would you just give us
15 a brief overview of what it is you have planned
16 here?

17 MR. CUCCHIARA: Sure. So for the
18 community at large and the Planning Board, thanks
19 for being here. I know it's a busy time of the
20 year.

21 This project -- Jen, if you don't mind,
22 I think page 2 C-130 would be the best way to
23 display this. I'm sorry. Page 3. Thank you
24 very much.

25 MS. FLYNN: This one?

2 MR. CUCCHIARA: That one right there.

3 There you go. That's the one.

4 So this is a 2 megawatt community solar
5 farm sited at 132 Milton Turnpike. The view is a
6 little skew. North is on the left-hand side and
7 south being on Milton Turnpike. So you're really
8 looking north, south, east and west. It's
9 situated approximately 240 feet from Milton
10 Turnpike. It would be connected through a 20-
11 foot gravel path that would lead back to the back
12 end of that northwest corner of the lot. It's
13 approximately 114 feet from the New Road side to
14 any of the panels that are on the back end, 70
15 feet from the western parcel behind, and greater
16 than 400 or 500 feet from any lot lines going all
17 the way out to the east.

18 MR. HINES: I just want to clarify.

19 The roadway into the site is over 900 feet from
20 Milton Turnpike.

21 MR. CUCCHIARA: All the way to the
22 back?

23 MR. HINES: To the fence.

24 MR. CUCCHIARA: To the fence line?

25 MR. HINES: Yes.

2 MR. CUCCHIARA: Okay. I guess not as
3 the crow flies. I was doing a quick measurement.

4 MR. HINES: It's over 700 feet.

5 MR. CUCCHIARA: Okay.

6 MR. HINES: It's further back.

7 MR. CUCCHIARA: Further back. Thank
8 you for the correction. I apologize, my scale is
9 off.

10 So it's significantly set back from 132
11 Milton Turnpike, closer to New Road.

12 If you look at the sort of squiggly
13 lines encompassing the outer perimeter of the
14 site, it's approximately 17 acres of disturbance.
15 That squiggly line would be the remaining and
16 existing treeline that would be left in place,
17 leaving what we consider a pretty substantial
18 buffer to New Road as well as to the western
19 boundary, and as we're discussing, fairly set
20 back from Milton Turnpike. We also intend to
21 include in updated plans some screening that will
22 go in to where the treeline sort of breaks right
23 in the middle on the property itself to both
24 screen that from the home that's on the property
25 as well as potentially the road as well. So I

2 think that would also help. We will make sure we
3 update that as well.

4 Basically these are fixed tilt
5 mountings. They are screw-in type racks that get
6 screwed in the ground. Easy go in, easy go out.
7 The panels sit on them and will rise just under
8 10 feet -- between 9 and 10 feet at the highest
9 end and sit off the ground, about 2 to 3 feet off
10 the ground. They don't move. There's no moving
11 parts. All the wires will go underground. The
12 medium voltage line will follow the course of
13 that road out to Milton Turnpike where they will
14 come up on utility poles and then interconnect
15 with the existing utility poles on Milton
16 Turnpike.

17 The Planning Board has asked for an
18 access gate to be somewhat at the entrance to
19 avoid any trespassing or illegal access. The
20 project is fenced in by a 7-foot chain-link
21 fence. We have been asked to raise that chain-
22 link fence by approximately -- to allow for small
23 critters to move underneath if they got in there
24 and got trapped. We agreed to that. Once again,
25 that will be a follow-up submission. I have not

2 submitted new plans. I was just waiting for the
3 public comment before we submit our finalized
4 plan for the Board's approval and comments.

5 I think that pretty much gives a
6 general overview of the site itself.

7 This project does have permission to
8 interconnect from the utility. I shouldn't say
9 permission to operate because that's the final
10 definition. It has an interconnection report and
11 it is allowed to be put on. We get permission to
12 operate once it is finally tested. It is
13 approved and would travel back to a substation
14 near Highland. We also have an award from the
15 State which supports solar growth in the State
16 and supports renewable energy.

17 One more step back. The next thing, we
18 are a solar company. I think one thing that sets
19 us apart from other developers that work
20 throughout New York State is that we are
21 vertically integrated, meaning that we are not
22 only going to develop this project, build it but
23 long term own and asset manage this project,
24 which includes going out and finding customers
25 who would benefit from the electricity, the

2 discount to take electricity off the grid. So we
3 take this project from start to finish. We're
4 going to be ultimately responsible for it's
5 success and production of electricity to benefit
6 residents not only in Marlborough but Ulster
7 County and the Central Hudson utility.

8 CHAIRMAN BRAND: Thank you.

9 Pat, do you want to just run through
10 your comments?

11 MR. HINES: We have not received plans
12 since the last meeting so some of our comments
13 are a repeat.

14 The Planning Board had previously asked
15 for visual simulations from several scenic areas
16 across the river. We're awaiting submission of
17 those. I think there was a park or a location
18 across the river we discussed last time, Locust
19 Grove. We're looking for those visual
20 simulations.

21 Ulster County Planning Board, I think
22 you received those comments.

23 CHAIRMAN BRAND: We did. Did you get
24 that copy?

25 MR. HINES: Yes.

2 CHAIRMAN BRAND: Did you receive a copy
3 of that as well?

4 MR. CUCCHIARA: I have not received it.
5 I only saw it this afternoon as I was looking at
6 the agenda. I have it now.

7 CHAIRMAN BRAND: Okay.

8 MR. CUCCHIARA: I have to discuss some
9 of the comments.

10 MR. HINES: Coordination with the
11 jurisdictional fire department. We want them to
12 review it, make sure they don't have any
13 questions, comments or concerns.

14 Status of the PILOT agreement. It's
15 just a follow-up comment, whether the Town is
16 going to enter into a PILOT agreement or has some
17 other legal mechanism for taxing purposes.

18 We have reviewed the stormwater
19 pollution prevention plan. Based on the lack of
20 impervious surfaces and the change in the
21 vegetation cover from trees to grass, there's no
22 significant drainage impacts post construction.
23 They will require a stormwater permit and we will
24 draft a municipal authorization that they'll
25 require prior to approval.

2 We do need some new plans submitted for
3 the screening, modifications of the fencing and I
4 think those visual assessments.

5 CHAIRMAN BRAND: Great. Thank you.

6 This is a public hearing. At this time
7 any comments from the public will be heard either
8 for or against the project. I would just ask
9 that you state your name for the stenographer
10 clearly before you start.

11 Sir, go right ahead.

12 MR. OLSON: My name is Mike Olson, I
13 live on Milton Turnpike. My only question is is
14 this a typo that says it's going to be
15 103.1-1-33.1, because your letter says it's going
16 to be 103.1, block 1, lot 33.2?

17 MR. CUCCHIARA: .2 I believe is the
18 correct lot number as sent out. I believe we may
19 have read off the first letter. I did ask Ms.
20 Flynn to update that. There was a change in the
21 lot lines or the parcel number. This property I
22 believe had two lot numbers. There was a
23 subdivision off of it or something like that. .2
24 is the correct one. Yes, this was by the Town of
25 Marlborough and County of Ulster Real Property

2 Tax Service.

3 MR. OLSON: Thank you.

4 CHAIRMAN BRAND: Thank you.

5 Any other comments or questions? Mr.
6 Garofalo.7 MR. GAROFALO: James Garofalo. I was
8 wondering with regard to the property itself, is
9 it going to be mowed? Are you going to use
10 pesticides? What exactly is going to be the
11 methodology of keeping the grass down? Obviously
12 you don't want weeds growing up and trees growing
13 up.14 MR. CUCCHIARA: Sure. Great question.
15 These projects, what would happen after site work
16 is completed, we would hydro seed or basically
17 spray what we call a solar seed mix that is a
18 seed and grass mix that doesn't grow above the
19 bottom edge of the panels. However, there will
20 be weeds and things that pop up. All of it will
21 go through mechanical mowing basically.22 So that's one other thing I wanted to
23 mention earlier too is that these projects,
24 really after they're up and constructed are
25 really quiet neighbors. We will be on site two,

2 maybe three times a year for maintenance on the
3 actual equipment and things like you were
4 mentioning, just weed clearing and mowing and
5 things like that. Other than that, no one is
6 going to be going in and out of this road except
7 for a light bodied pick-up truck, mowing, maybe
8 snow plowing and/or maintenance on the roadway.

9 MR. GAROFALO: Do they clear it from
10 snow or does it just melt off? How is that
11 handled?

12 MR. CUCCHIARA: Typically we let it
13 just melt off. The lack of production in the
14 winter months is modeled into our sort of
15 feasibility analysis. We assume a certain level
16 of loss of production. If we thought that we had
17 got a lot of snow, we had a melt and it all slid
18 off, maybe we expected more, there may be an
19 opportunity to go out and clear so that the snow
20 that does melt off can not keep piling up. That
21 would be an extreme weather event. Otherwise we
22 just let nature take it's course.

23 MR. GAROFALO: One other comment. I
24 want to thank you for coming to Marlborough.

25 MR. CUCCHIARA: Thank you. Thanks for

2 having us.

3 CHAIRMAN BRAND: Any other questions or
4 comments?

5 MS. BORGERSSEN: My name is Ann
6 Borgersen, I live on 152 Milton Turnpike which is
7 I guess just to the west of -- can you put that
8 further up a little so I can see the driveway
9 going in on Milton Turnpike? So I'm just to the
10 bottom of that on that map.

11 What's the distance from that driveway
12 coming up Milton Turnpike to my property line? I
13 think it's substantial but it doesn't look so
14 over there.

15 MR. HINES: Probably 80 feet. 80, 90
16 feet.

17 MS. BORGERSSEN: 80 or 90 feet?

18 MR. HINES: Yeah.

19 MR. TRAPANI: It's going to be right
20 down where the old barn was down there that they
21 knocked down just below you?

22 MS. BORGERSSEN: I can't hear you.

23 MR. TRAPANI: Right down below you
24 where they knocked the -- where the old barn was,
25 the hay barn?

2 MS. BORGERSSEN: Yeah.

3 MR. TRAPANI: That's I think basically
4 what's --

5 MS. BORGERSSEN: No, that's not it.

6 It's going to be above Walnut Lane.

7 MR. BORGERSSEN: It's right next to my
8 driveway.

9 MS. BORGERSSEN: The start of it is
10 right across from Walnut but above Walnut.

11 There's another map I just saw as I was walking
12 out. When I looked at the agenda it showed the
13 driveway really well. I don't know if you guys
14 have it but it's on the Town's website.

15 MR. CUCCHIARA: The one on the website
16 with the extent of the driveway we submitted to
17 the DPW. Correct. I don't know if we have that
18 available. It was online.

19 MS. BORGERSSEN: You're telling me -- so
20 as it's going in from above Walnut Lane to my
21 property line, that's 80 or 90 foot in there?

22 MR. CUCCHIARA: Approximately, yup.
23 What I would say also is that, you know, we don't
24 have any need for clearing or any shading except
25 for the strip of the driveway itself. That

2 remaining vegetation is going to remain.

3 MS. BORGERSSEN: Good. And then the
4 field in the back, like so that's coming in and
5 going across the field; right? On this map it
6 goes up --

7 MR. CUCCHIARA: Yup.

8 MS. BORGERSSEN: -- and it loops back?
9 Is there a treeline? I don't think it needs one.
10 I'm just wondering what your plans are.

11 MR. CUCCHIARA: That field is going to
12 be left open for the owner to use as they wish.
13 We're just crossing it, like I said, just a
14 gravel path.

15 MS. BORGERSSEN: Okay. I was hoping not
16 to see a treeline.

17 MR. CUCCHIARA: Okay.

18 MS. BORGERSSEN: It was a nice view.

19 MR. CUCCHIARA: I don't believe we're
20 doing any clearing in that area. It will remain
21 as is, just us kind of --

22 MR. HINES: There are some proposed
23 plantings in the center where you see that
24 treeline.

25 MS. BORGERSSEN: That's what I thought I

2 saw on something actually Jeff had shown me. I
3 don't know that it's necessary to put trees
4 there. I'm talking about the open field.

5 MR. CUCCHIARA: I see. No, I don't
6 think so. Not in that --

7 MR. HINES: Where it says 2.3, there's
8 a proposed treeline there to screen from the
9 road.

10 MR. CUCCHIARA: That's the area I was
11 speaking of screening. I think you're talking
12 about the open field closer to the western side.

13 MS. BORGERSSEN: I am, yeah. Like below
14 my property in the back.

15 MR. CUCCHIARA: Exactly. There I
16 believe we -- we will not be doing anything
17 there. I mean that's going to be left existing.
18 To the extent that we have to cut through some of
19 it to get into the back of the property --

20 MS. BORGERSSEN: Okay.

21 MR. CUCCHIARA: I don't anticipate
22 needing additional screening there.

23 CHAIRMAN BRAND: Any other questions or
24 comments?

25 Were you finished? I'm sorry.

2 MS. BORGERSSEN: Just a thought. I
3 don't think it would affect me but in another --
4 in Rhode Island I have some friends and somebody
5 had some solar panels on the other side of the
6 lake and it's like right in their windows. If
7 somebody had an issue with that. I mean I don't
8 know --

9 UNIDENTIFIED SPEAKER: The glare?

10 MS. BORGERSSEN: The glare. It's really
11 unbelievably strong and it blinds them.

12 MR. CUCCHIARA: Sure. We do not expect
13 that type of glare. I don't know how this would
14 impact your home. I think being set back so
15 far --

16 MS. BORGERSSEN: I can't imagine with
17 the trees. Hopefully I won't have that.

18 MR. CUCCHIARA: Sure. I'm not exactly
19 sure in that situation how that was set up. I
20 think if the amount of screening -- also, these
21 panels are meant to absorb incoming solar
22 radiation, not reflect back. We expect any of
23 that to be little to none. No impact.

24 MS. BORGERSSEN: Good. Thank you.

25 CHAIRMAN BRAND: Any other comments or

2 questions from the public?

3 (No response.)

4 CHAIRMAN BRAND: No.

5 Anything from the Board?

6 MR. CAUCHI: Yeah. The duration of
7 this project again, how long will it take from
8 start to finish?9 MR. CUCCHIARA: Construction should be
10 approximately four to five months. I'd say four
11 months certainly on our end. There might be a
12 month or two where we wait for the utilities to
13 come out and actually link it up. That would
14 just kind of be at the road itself. So about
15 four months.16 MR. CAUCHI: You're saying you'll start
17 in the spring, four months later it should be --18 MR. CUCCHIARA: That would be ideal. I
19 believe, yeah. If we were able to start in the
20 April timeframe we should be done by the end of
21 the summer, late August, September. Hopefully
22 we'll be able to connect soon after that and be
23 operating.24 MR. CAUCHI: Okay. Also, are there any
25 other requirements from Central Hudson that are

2 going to be needed for regulations that they're
3 going to require from you that we should know
4 about?

5 MR. CUCCHIARA: So they have -- as I
6 was saying before, they have fully studied the
7 project. We have a study that shows that we can
8 connect this size system to the grid. They have
9 given us a construction schedule, a tentative
10 one. At this point right now I think with us
11 giving notice once we begin, they should be ready
12 within a relatively short timeframe to link up
13 with us. No other requirements from them except
14 for what they do with all projects which is
15 called a witness test. Basically they go out and
16 make sure that all the system safety closures and
17 things that shut the project on and off in an
18 emergency or if they don't need the power are
19 working. So they do something like that which
20 takes, you know, usually like a month to schedule
21 and complete. It's like a day that they do it.
22 Once we pass that then we're good to go. That's
23 the typical kind of permission test that we have
24 to pass. That would be done after the project is
25 built and ready to go.

2 CHAIRMAN BRAND: Anything else from the
3 Board?

4 Yes. Please state your name.

5 MR. BORGERSSEN: This may be not a
6 question --

7 MS. FLYNN: State your name.

8 MR. BORGERSSEN: Tom Borgersen. This
9 may not be a question specifically for you
10 because it's a crystal ball question. Ten years,
11 twenty years down the line, all installed,
12 lovely. Somebody comes up with new technology.
13 Now the question is this to the Board: Can they
14 augment this and change it into other things?

15 MR. HINES: Not without coming to the
16 Board for approval.

17 MR. BORGERSSEN: It happened next door
18 to me on the left. It didn't matter.

19 MR. HINES: The answer is --

20 MR. BORGERSSEN: They start grinding
21 stumps when they only have permits to do leaves.
22 So things change. They're only supposed to have
23 tractor trailers between 8 in the morning and 5
24 at night and we get them at 5:30 in the morning.
25 They come in, go out. Nobody cares. Nobody

2 changes anything.

3 My concern here is we approve something
4 today and ten, fifteen, twenty years down the
5 line what can happen?6 CHAIRMAN BRAND: I think any change of
7 use would require a review by the Planning Board.
8 There are what's considered similar uses that
9 would not necessarily require that. I think if
10 they were changing the intent of this project
11 they would certainly have to come before the
12 Planning Board for review to change their site
13 plan.

14 Correct.

15 MR. BORGERSSEN: So the Planning Board
16 has to approve future changes based on this
17 engineering now?

18 MR. HINES: Yes.

19 CHAIRMAN BRAND: Correct.

20 Any other questions or comments from
21 the Board?

22 (No response.)

23 CHAIRMAN BRAND: No.

24 I'd like a motion to close the public
25 hearing.

2 MR. CAUCHI: I'll make that motion to
3 close the public hearing.

4 CHAIRMAN BRAND: A second?

5 MR. HINES: We just want a condition
6 that the applicant waived the 62-day timeframe
7 for approval.

8 MR. CUCCHIARA: I'm sorry?

9 MR. HINES: If the Board closes the
10 public hearing they have to make a decision
11 within 62 days. You may or may not be ready. If
12 you consent to waiving that timeframe --

13 MR. CUCCHIARA: What would I not be
14 ready for? I mean --

15 MR. HINES: We're waiting for visual
16 simulations, we're waiting for some other
17 things --

18 MR. CUCCHIARA: Sure.

19 MR. HINES: -- so we can close the
20 project out and issue findings under SEQRA.

21 MR. CUCCHIARA: Is it possible as far
22 as the visibility analysis to put it as a
23 condition of approval or would that be something
24 we'd have to get done in the 62 days?

25 MR. HINES: I don't think the Planning

2 Board would issue a negative dec without those
3 outstanding comments.

4 MR. CUCCHIARA: Sure.

5 MR. HINES: The ball is in your court
6 to get that to them.

7 MR. CUCCHIARA: Of course. Of course.
8 I guess my concern is to waive it, I just don't
9 want to open up --

10 MR. HINES: You can always rescind it.

11 MR. CUCCHIARA: -- and have it open
12 ended. You know, like I mean I'd like to have a
13 finite time when we have to make a decision,
14 although I'm hoping to extend it until we've met
15 all the standards. Would it be better to
16 postpone the public hearing or the closing until
17 we can produce that? Is that a better way so we
18 have the 62-day clock?

19 CHAIRMAN BRAND: We can adjourn it
20 briefly. Correct?

21 MR. HINES: To a date certain so it
22 doesn't have to be re-noticed.

23 CHAIRMAN BRAND: So let's go with the
24 60-day notice. 60 days from today would bring us
25 to about where, Jen?

2 MR. HINES: I don't think your
3 applicant is looking to go that far out.

4 MR. CUCCHIARA: No, we're definitely
5 not. I guess just my concern is waiving that.
6 Maybe not put any pressure on the Planning Board
7 to complete. I'm not saying that you wouldn't, I
8 just want to make sure I protect our interest on
9 that. I'd prefer if you postpone it, we have the
10 ability to get in our visibility analysis and any
11 other outstanding items to you, then we know we
12 have a --

13 CHAIRMAN BRAND: Right.

14 MR. CUCCHIARA: -- final approval.

15 MS. FLYNN: So we have January 7th,
16 January 22nd, February 4th or February 18th.

17 CHAIRMAN BRAND: When do you think
18 you'd be ready?

19 MR. CUCCHIARA: I think January 22nd
20 would give us enough time to get everything in.
21 I know we couldn't make the January 7th meeting.
22 We'd need a little more time than that. If
23 January 22nd is possible, we can meet that.

24 CHAIRMAN BRAND: I guess I'd like to
25 have a motion to amend the previous motion to

2 adjourn the public hearing until January 22nd.

3 MS. FLYNN: That is a Tuesday, not a
4 Monday.

5 CHAIRMAN BRAND: Because of the
6 holiday.

7 MR. HINES: Martin Luther King.

8 CHAIRMAN BRAND: Adjourn it to Tuesday,
9 January 22nd.

10 MR. TRUNCALI: I'll make that motion.

11 CHAIRMAN BRAND: Is there a second?

12 MR. LOFARO: I'll second it.

13 CHAIRMAN BRAND: Any discussion?

14 (No response.)

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: All right. We will
25 see you on January 22nd.

2 MR. CUCCHIARA: Thank you very much.

3

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

5

6

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

8

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 3rd day of January 2019.

21

22

Michele Conero

23

MICHELLE CONERO

24

25

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

In the Matter of

RIDGE ROAD

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

FINAL - SUBDIVISION

Date: December 17, 2018
Time: 8:00 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

ALSO PRESENT: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: NICHOLAS GALLELA

MICHELLE L. CONERO

PMB #276

56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

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

4 How are you tonight?

5 Ron, you have nothing for this one?

6 Sorry. Pat, you have nothing on this one; right?

7 MR. HINES: I have nothing outstanding
8 on this. The resolutions for approvals were
9 prepared by Jeff's office.

10 CHAIRMAN BRAND: Yes. Do you just want
11 to run through the declaration and the covenant
12 at all? Do you think that's necessary?

13 MR. BATTISTONI: I'll mention just a
14 couple things.

15 CHAIRMAN BRAND: Okay.

16 MR. BATTISTONI: The application is in
17 the name of Nema Contracting, Inc. The deed to
18 the property was still in individual names. We
19 amended the declaration for the covenant to
20 include both the individuals and the corporation
21 as the parties making the covenant.

22 We also referred back to the map plan
23 and report. It wasn't clear when that was filed
24 with the Town Board. We also cited the Town
25 Board resolution and adopted that map plan and

2 report. We just kind of cleaned it up a bit.

3 I did speak with the applicant's
4 attorney about that and he was fine with those
5 changes. I sent those to him.

6 CHAIRMAN BRAND: Just to be clear,
7 we're going with the eight unit --

8 MR. BATTISTONI: Eight units. Correct.

9 CHAIRMAN BRAND: And the larger is
10 paying two out of eight?

11 MR. BATTISTONI: That's correct.

12 CHAIRMAN BRAND: Okay. So you have
13 before you a SEQRA negative declaration and
14 notice of determination of non-significance in
15 regards to the application of Nicholas Gallela,
16 Anna Gallela and Nema Contracting.

17 Jen, would you poll the Board?

18 MS. FLYNN: Chair Brand?

19 CHAIRMAN BRAND: Yes.

20 MS. FLYNN: Member Truncali?

21 MR. TRUNCALI: Yes.

22 MS. FLYNN: Member Trapani?

23 MR. TRAPANI: Yes.

24 MS. FLYNN: Member Lanzetta?

25 CHAIRMAN BRAND: Absent.

2 MS. FLYNN: Member Lofaro?

3 MR. LOFARO: Yes.

4 MS. FLYNN: Member Cauchi?

5 MR. CAUCHI: Yes.

6 MS. FLYNN: Member Clarke?

7 MR. CLARKE: Yes.

8 CHAIRMAN BRAND: You also have before
9 you tonight a resolution of approval by the Town
10 of Marlborough Planning Board for a three-lot
11 subdivision for the application of Nicholas
12 Gallela, Anna Gallela and Nema Contracting,
13 Incorporated.

14 Jen, would you poll the Board?

15 MS. FLYNN: Chair Brand?

16 CHAIRMAN BRAND: Yes.

17 MS. FLYNN: Member Lanzetta?

18 CHAIRMAN BRAND: Absent.

19 MS. FLYNN: Member Truncali?

20 MR. TRUNCALI: Yes.

21 MS. FLYNN: Member Trapani?

22 MR. TRAPANI: Yes.

23 MS. FLYNN: Member Lofaro?

24 MR. LOFARO: Yes.

25 MS. FLYNN: Member Clarke?

2 MR. CLARKE: Yes.

3 MS. FLYNN: Member Cauchi?

4 MR. CAUCHI: Yes.

5 MR. TRUNCALI: "Recreation fee
6 findings, Town of Marlborough Planning Board.

7 Whereas the Planning Board has received a
8 subdivision application known as Nick Gallela
9 with respect to real property located at Ridge
10 Road, Milton, in the Town of Marlborough, Member
11 Chris Brand offered the following resolution
12 which was seconded by Member Joe Lofaro: It is
13 hereby resolved the Planning Board makes the
14 following findings pursuant to Section 277 of the
15 Town Law: Based on present and anticipated future
16 need for park and recreation opportunities in the
17 Town of Marlborough and to which the future
18 population of the subdivision will contribute,
19 parklands should be created as a condition of
20 approval of the subdivision. However, a suitable
21 park of adequate size to meet the above
22 requirement can not be properly located within
23 the proposed project site. Accordingly, it is
24 appropriate that in lieu of providing parkland
25 the project sponsors render the Town payment of a

2 recreation fee to be determined in accordance
3 with the prevailing schedule established for the
4 purpose of the Town of Marlborough. The approved
5 subdivision known as Ridge Road resulted in three
6 lots for a total of \$3,000 in recreation fees,
7 parent parcel excluded." That's all.

8 CHAIRMAN BRAND: Jen, would you poll
9 the Board?

10 MS. FLYNN: Chair Brand?

11 CHAIRMAN BRAND: Yes.

12 MS. FLYNN: Member Lanzetta?

13 CHAIRMAN BRAND: Absent.

14 MS. FLYNN: Member Truncali?

15 MR. TRUNCALI: Yes.

16 MS. FLYNN: Member Trapani?

17 MR. TRAPANI: Yes.

18 MS. FLYNN: Member Lofaro?

19 MR. LOFARO: Yes.

20 MS. FLYNN: Member Clarke?

21 MR. CLARKE: Yes.

22 MS. FLYNN: Member Cauchi?

23 MR. CAUCHI: Yes.

24 CHAIRMAN BRAND: Okay. I think you're
25 all set then.

2 I was just asked to remind you to make
3 sure that you bring your escrow account up to
4 date, and just to remind you that needs to be
5 paid in full before I sign the maps.

6 (Time noted: 8:05 p.m.)

7

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

9

10

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

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

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

20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 3rd day of January 2019.

22

23

Michele Conero

24

25

MICHELLE CONERO

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

In the Matter of

KEVIN & KELLIE CASEY

Project No. 18-2011
134 Idlewild Road, Marlboro
Section 108.3; Block 1; Lots 4.11 & 4.12

SKETCH - LOT LINE

Date: December 17, 2018
Time: 8:05 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

ALSO PRESENT: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATTI BROOKS

MICHELLE L. CONERO

PMB #276

56 North Plank Road, Suite 1
Newburgh, New York 12550
(845)541-4163

2 CHAIRMAN BRAND: Next up, Kevin and
3 Kellie Casey, sketch, lot line.

4 How are you tonight?

5 MS. BROOKS: Good evening.

6 CHAIRMAN BRAND: I think we're
7 relatively familiar with this one. Do you want
8 to just run through it very briefly?

9 MS. BROOKS: We recently received
10 approval for this subdivision a couple of months
11 ago. When we went out to do the foundation
12 location on lot number 1 we determined that the
13 foundation had been built too close to the rear
14 line. I guess the excavator when he was out
15 there thought it would look better further back.
16 That's what happened. Luckily because Mr. Casey
17 owns the rear lot, he was able to give his
18 daughter and son-in-law a little extra parcel to
19 make it conforming.

20 So the proposal is to add an additional
21 0.17 acres to lot number 1 so that the rear yard
22 setback will be 87.6 feet. The required setback
23 is 75 but I figured just to be on the safe side.
24 If they want to put a deck or something else on
25 the back, we better give them a little bit of

2 extra.

3 CHAIRMAN BRAND: Okay. Pat?

4 MR. HINES: My first comment just
5 explains what Patti just said.

6 The only thing, when you look at the
7 maps it looks like the septic system was moved.
8 I didn't know why that occurred. I looked at the
9 previous map and this map. You see on the newest
10 map they're touching the former rear property
11 line and that wasn't the case.

12 MS. BROOKS: Well because the concrete
13 foundation moved back, in order to keep it 20
14 feet off the foundation --

15 MR. HINES: We're just going to look
16 for a condition that Ulster County Health
17 Department sign off on that as well.

18 MS. BROOKS: Okay.

19 MR. HINES: Our next comment just was
20 to review the house location.

21 This project most likely fits in the
22 streamlined lot line revision regulations that
23 were adopted about eight months ago. It's only
24 two lots so I think you can do it without a
25 public hearing.

2 Our only condition would be to have
3 Ulster County Health Department sign off on the
4 revised septic locations.

5 CHAIRMAN BRAND: We can add that to the
6 resolution; correct?

7 MR. BATTISTONI: Yes, you can.

8 CHAIRMAN BRAND: Excellent. So you
9 have before you the SEQRA negative declaration
10 and notice of determination of non-significance
11 for the application of Kevin J. Casey and Kellie
12 Casey.

13 Jen, would you poll the Board?

14 MS. FLYNN: Chair Brand?

15 CHAIRMAN BRAND: Yes.

16 MS. FLYNN: Member Truncali?

17 MR. TRUNCALI: Yes.

18 MS. FLYNN: Member Trapani?

19 MR. TRAPANI: Yes.

20 MS. FLYNN: Member Lanzetta?

21 CHAIRMAN BRAND: Absent.

22 MS. FLYNN: Member Lofaro?

23 MR. LOFARO: Yes.

24 MS. FLYNN: Member Cauchi?

25 MR. CAUCHI: Yes.

2 MS. FLYNN: Member Clarke?

3 MR. CLARKE: Yes.

4 CHAIRMAN BRAND: You also have before
5 you the resolution of approval by the Town of
6 Marlborough Planning Board for a lot line
7 revision of the application of Kevin J. Casey and
8 Kellie Casey. We will be adding the condition of
9 Ulster County approval for the proposed septic
10 and reserve areas on the map.

11 Jen, would you poll the Board?

12 MS. FLYNN: Chairman Brand?

13 CHAIRMAN BRAND: Yes.

14 MS. FLYNN: Member Lanzetta?

15 CHAIRMAN BRAND: Absent.

16 MS. FLYNN: Member Truncali?

17 MR. TRUNCALI: Yes.

18 MS. FLYNN: Member Trapani?

19 MR. TRAPANI: Yes.

20 MS. FLYNN: Member Lofaro?

21 MR. LOFARO: Yes.

22 MS. FLYNN: Member Clarke?

23 MR. CLARKE: Yes.

24 MS. FLYNN: Member Cauchi?

25 MR. CAUCHI: Yes.

2 CHAIRMAN BRAND: Okay.

3 MS. BROOKS: Thank you very much.

4 CHAIRMAN BRAND: Thank you. You should
5 be all set.6 CHAIRMAN BRAND: Just a reminder
7 before we adjourn without the lawyer and engineer
8 and stenographer, that if you haven't completed
9 your training hours for 2018 you should try to do
10 so as soon as possible.11 I'd like to thank everybody for another
12 great year on the Planning Board. Nice job,
13 everybody.14 You guys are free. We don't adjourn
15 until afterwards.16 Have a great holiday. Thank you for
17 coming.

18

19 (Time noted: 8:10 p.m.)

20

21

22

23

24

25

2

3

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

5

6

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

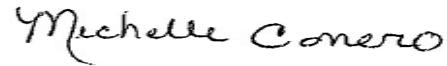
10 That hereinbefore set forth is a
11 true record of the proceedings.

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

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 3rd day of January 2019.

18

19



20

MICHELLE CONERO

21

22

23

24

25