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

In the Matter of

5 NICHOLAS GALELLA

7 Project No. 14-7001
Ridge Road
8 Section 102.4; Block 2; Lots 32.1/2/3/8

PUBLIC HEARING
LOT LINE REVISION

Date: February 3, 2014
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
1650 Route 9W
Milton, NY 12547

6 BOARD MEMBERS: JOSEPH PORCO, Chairman
7 CHRISTOPHER BRAND
 FRANK RICCIARDONE
 MICHAEL LOGUE
 WALT FALKENBERG

9 ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: NICHOLAS GALELLA

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845) 895-3018

2 CHAIRMAN PORCO: I'd like to call the
3 meeting to order with the Pledge to the flag,
4 please.

5 (Pledge of Allegiance.)

6 CHAIRMAN PORCO: Thank you. Agenda,
7 Town of Marlborough Planning Board, February 3,
8 2014. Regular meeting, 7:30 p.m. Approval of
9 stenographic minutes for December 16th and
10 January 6th. Nicholas Galella, Ridge Road,
11 public hearing on a lot line revision; E. Roger
12 Brown, sketch on a lot line revision; and Wenz
13 Consolidation, Plattekill Road, sketch, and that
14 would also be a lot line revision. The next
15 deadline is Friday, February 7, 2014. The next
16 scheduled meeting is Tuesday, February 18, 2014,
17 because President's Day I guess is Monday.

18 First is Galella, a public hearing on a
19 lot line revision.

20 MR. TRAPANI: I have to excuse myself.

21 CHAIRMAN PORCO: For the record, Ben
22 recuses himself from this application.

23 Legal notice, lot line revision
24 application. Please take notice a public hearing
25 will be held by the Town of Marlborough Planning

2 Board pursuant to State Environmental Quality
3 Review Act and the Town of Marlborough Code on
4 Monday February 3, 2014 for the following
5 application: N&A Development Corp/N. Galella, at
6 the Town Hall, 1650 Route 9W, Milton, New York at
7 7:30 p.m. or as soon thereafter as may be heard.
8 The applicant is seeking approval of a lot line
9 revision for lands located at Ridge Road, Milton,
10 New York, Section 102.4, Block 2, Lot 32.1/2/3/8.
11 All interested parties either for or against this
12 proposal will have an opportunity to be heard at
13 this time. Joseph Porco, Chairman.

14 How many were sent out and how many
15 were returned?

16 MR. GALELLA: Thirteen went out, eight
17 returned, and one was not --

18 CHAIRMAN PORCO: Thirteen were sent
19 out, eight returned.

20 Okay. This is a public hearing. If
21 anyone has any questions on this application,
22 just give your name to the Stenographer and
23 address the Board. Yes, sir.

24 MR. GERVAIS: My name is Jerry Gervais.
25 I'm just wondering what's happening.

2 MR. HINES: There was an existing --
3 previously approved eight-lot subdivision. The
4 applicant is now proposing to take four of those
5 lots and combine them back into one large parent
6 parcel. So four lots are becoming one lot under
7 this proposal. Kind of a reverse subdivision.

8 CHAIRMAN PORCO: If you'd like to come
9 up and take a look at the map, that might make it
10 clearer.

11 MR. GALELLA: This is Ridge Road. We
12 subdivided lots and we're going to take them back
13 and make them into the parent parcel.

14 CHAIRMAN PORCO: So one, two, three
15 that were previously subdivided out will go back
16 to the large lot.

17 MR. GERVAIS: This is where the new
18 house is now?

19 MR. GALELLA: Yes.

20 MR. GERVAIS: So these are going to
21 become all part of yours?

22 MR. GALELLA: Right. Growing some
23 apples.

24 MR. GERVAIS: Well good.

25 CHAIRMAN PORCO: It's a lot line

2 revision but it's a lot consolidation. Since lot
3 lines are changing, that's why they call it a
4 revision. It has to go through the same --

5 MR. GERVAIS: So where are the woods?

6 The woods is this area in here? Is this where
7 the new house is or that's where it is?

8 MR. GALELLA: That's it. That's the
9 lot.

10 MR. GERVAIS: So it isn't then part of
11 the woods?

12 MR. GALELLA: Some of it is. It's
13 actually here.

14 CHAIRMAN PORCO: I don't know if the
15 site map is any easier. It's those three that
16 come out.

17 MR. GERVAIS: Okay.

18 CHAIRMAN PORCO: Thank you. Pat, did
19 you have anything?

20 MR. HINES: The other comment is this
21 had a drainage district that was established
22 during the original subdivision. It's
23 questionable whether that needs to remain or if
24 he can convince the assessor to assess it at
25 zero, which would be appropriate.

10 MR. GALELLA: I see it on my bill.

11 MR. HINES: Otherwise we don't have
12 anything outstanding.

13 CHAIRMAN PORCO: Okay. Any questions
14 from the Board?

15 (No response.)

16 CHAIRMAN PORCO: At this point, if
17 there are no further questions from the audience,
18 we can have a motion to close the public hearing.

19 MR. RICCIARDONE: I'll make that
20 motion.

21 MR. LOGUE: I'll second that.

22 CHAIRMAN PORCO: Frank and Mike. All
23 those in favor, say aye.

24 MR. BRAND: Aye.

25 MR. RICCIARDONE: Aye.

2 MR. LOGUE: Aye.

3 MR. FALKENBERG: Aye.

4 CHAIRMAN PORCO: Aye.

5 Any opposed?

6 (No response.)

7 CHAIRMAN PORCO: A SEQRA determination?

8 MR. HINES: We would recommend a
9 negative dec for the consolidation.10 CHAIRMAN PORCO: The engineer is
11 recommending a negative declaration, so we can
12 have a motion on that.

13 MR. FALKENBERG: I'll make that motion.

14 MR. RICCIARDONE: I'll make a motion on
15 the negative dec.16 CHAIRMAN PORCO: Walt, then Frank
17 seconds it. All those in favor, say aye.

18 MR. BRAND: Aye.

19 MR. RICCIARDONE: Aye.

20 MR. LOGUE: Aye.

21 MR. FALKENBERG: Aye.

22 CHAIRMAN PORCO: Aye.

23 Any opposed?

24 (No response.)

25 CHAIRMAN PORCO: Approval for the lot

2 line revision?

3 MR. RICCIARDONE: I'll make the motion.

4 MR. LOGUE: I'll second it.

5 CHAIRMAN PORCO: Frank and Mike. All
6 those in favor, say aye.

7 MR. BRAND: Aye.

8 MR. RICCIARDONE: Aye.

9 MR. LOGUE: Aye.

10 MR. FALKENBERG: Aye.

11 CHAIRMAN PORCO: Aye.

12 Any opposed?

13 (No response.)

14 CHAIRMAN PORCO: The motion is carried.

15 I guess you would be all set. If you
16 want, I can take them to Kathi tomorrow. I have
17 to bring her back all this other stuff.

18 MR. GALELLA: These have to get signed.

19 CHAIRMAN PORCO: Yes.

20 MR. GALELLA: The mylars and the other
21 ones, give them to you?22 CHAIRMAN PORCO: Sure. I have to bring
23 this stuff to her.

24 MR. GALELLA: I'll drop them off

25 tomorrow.

2 CHAIRMAN PORCO: Either way. If you
3 don't trust me you can drop them off.

4 MR. GALELLA: Is there a comment I can
5 take to the assessor's office as far as the
6 drainage district? Do they make a recommendation
7 upon --

8 MR. HINES: You have to go to the Town
9 Board for that process. That's something we just
10 talked about.

11

12 (Time noted: 7:38 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: February 17, 2014

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

In the Matter of

5 E. ROGER BROWN

7 Project No. 13-6010
94 Bailey's Gap Road
8 Section 95.4; Block 1; Lots 11, 12 & 13

SKETCH
LOT LINE REVISION

Date: February 3, 2014
Time: 7:38 p.m.
Place: Town of Marlborough
Town Hall
1650 Route 9W
Milton, NY 12547

6 BOARD MEMBERS: JOSEPH PORCO, Chairman
7 CHRISTOPHER BRAND
8 BEN TRAPANI
9 FRANK RICCIARDONE
10 MICHAEL LOGUE
11 WALT FALKENBERG

9 ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845) 895-3018

2 CHAIRMAN PORCO: Next is E. Roger
3 Brown, sketch on a lot line revision.

4 MS. BROOKS: So, we've been going
5 around and around with Mr. Brown. At this point
6 you will see that we have revised maps. Mr.
7 Brown has agreed that the best way to settle this
8 issue is to remove the mobile home on proposed
9 lot number 1. So we're back to the original
10 proposal that we presented to the Board to create
11 -- to combine tax map lot 13 and tax map lot 12,
12 both of which are pre-existing nonconforming
13 lots, to combine them together and add additional
14 acreage, parcel A of 0.27 acres, to make lot
15 number 1 totally in conformance with 1.26 acres
16 in size and meeting all the setback requirements
17 of the current district, and removing the mobile
18 home so there will be only be one dwelling on
19 that lot.

20 I don't think I got comments.

21 MR. RICCIARDONE: Where is he putting
22 the mobile home?

23 MR. HINES: 12:13, that's the time I
24 e-mailed them to you.

25 MS. BROOKS: I'll have to check.

2 MR. HINES: Darren didn't get his
3 either.

4 We don't have any comments. This is
5 what we talked about last time. That was the
6 cleanest method of resolving this issue.

7 CHAIRMAN PORCO: Pat, your comments?

8 MR. HINES: This is --

9 MS. BROOKS: What the Board requested.

10 MR. HINES: -- the easiest method of
11 cleaning up the situation and moving it forward.

12 The mobile home has to be removed
13 before the map is signed is the only condition.

14 This should be scheduled for a public
15 hearing.

16 CHAIRMAN PORCO: Okay. Unless there's
17 any questions from the Board, we can have a
18 motion to schedule this for a public hearing.

19 MR. RICCIARDONE: I just want to know
20 where he's going with the mobile home?

21 MS. BROOKS: He needs to get a
22 demolition permit I guess and then put it into a
23 little square metal box I understand is what they
24 do with it.

25 MR. RICCIARDONE: I'll make that motion

2 for a public hearing.

3 MR. LOGUE: I'll second it.

4 CHAIRMAN PORCO: Frank and Mike. All
5 those in favor, say aye.

6 MR. BRAND: Aye.

7 MR. TRAPANI: Aye.

8 MR. RICCIARDONE: Aye.

9 MR. LOGUE: Aye.

10 MR. FALKENBERG: Aye.

11 CHAIRMAN PORCO: Aye.

12 Any opposed?

13 (No response.)

14 CHAIRMAN PORCO: The motion is carried.

15 That will be the first Monday in March.

16 MR. TRAPANI: Is that going to be gone
17 by then?

18 MS. BROOKS: No, it will not be. He
19 and I had a discussion about it and I told him
20 what his options were. He wants to get
21 conditional final approval because he doesn't
22 want to start removing a mobile home and then
23 have something happen and he doesn't get final
24 approval. He understands that the approval will
25 be conditional upon him removing the mobile home,

2 and that that will have to be removed, the
3 demolition permit signed off by the zoning code
4 officer/department and then we remove it from the
5 map prior to it being signed off. Again, for him
6 to remove it and then hope that he gets the --

7 MR. TRAPANI: And we say no or somebody
8 says no.

9 MS. BROOKS: Correct. If something
10 should happen. Understandably so.

11 MR. RICCIARDONE: We're doing this in
12 March; right?

13 MS. BROOKS: March.

14 CHAIRMAN PORCO: The first one in
15 March.

16 MS. BROOKS: I'll get with Kathi and do
17 what we've got to do.

18 Thank you.

19

20 (Time noted: 7:44 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: February 17, 2014

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

In the Matter of

WENZ CONSOLIDATION

Project No. 14-7003
Plattekill Road
Section 108.2; Block 0; Lots 33.1/3/4/5

SKETCH
LOT LINE REVISION

Date: February 3, 2014
Time: 7:45 p.m.
Place: Town of Marlborough
Town Hall
1650 Route 9W
Milton, NY 12547

BOARD MEMBERS: JOSEPH PORCO, Chairman
CHRISTOPHER BRAND
BEN TRAPANI
FRANK RICCIARDONE
MICHAEL LOGUE
WALT FALKENBERG

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: DABRTN SCATZO

MICHÉLLE L. CONERO

10 Westview Drive

Wallkill, New York 12589

(845) 895-3018

2 CHAIRMAN PORCO: Next is Wenz, also
3 a lot revision.

4 Do you want to tell us what you're
5 doing?

6 MR. SCALZO: Absolutely. About seven,
7 eight years ago I was in here and performed a
8 subdivision for Richard Wenz. We created five
9 lots at the time. Since then one lot has been
10 sold. The plan is to combine the remaining four
11 lots. We will be creating one lot of 10.97 acres
12 from four lots varying in size from 1.45 acres to
13 5.61 acres.

14 Currently the existing home is serviced
15 by a driveway. The driveway pre-existed the
16 subdivision back in 2006. The subdivider -- the
17 applicant/subdivider is proposing to allow that
18 dwelling to be serviced by the right-of-way which
19 is over -- if I could call your attention,
20 there's still a lot that's contained by the
21 family Wenz -- either through that or through the
22 existing shale driveway which comes in off
23 Plattekill Road parallel with the northwesterly
24 property line. It's pretty straightforward.

25 Taxes are -- lots are not selling.

2 Consolidation is to ease the tax burden on my
3 client.

4 CHAIRMAN PORCO: Pat, you had some
5 comments?

6 MR. HINES: Our only comment is what we
7 were just talking about, this access to the
8 Bucino lot which needs to get resolved. That's
9 for Ron and the applicant's attorney.

10 It needs a public hearing based on our
11 previous project. It needs a hearing for the lot
12 line change.

13 That's all we have.

14 CHAIRMAN PORCO: So you're proposing a
15 right-of-way or easement or --

16 MR. BLASS: It's hard to say. It looks
17 like there's two alternatives on the map, one
18 long existing driveway to the left -- running
19 from the left of the map to the house, and then
20 there's a potential alternative to go out a
21 different way.

22 MR. SCALZO: That existing driveway
23 actually loops completely around.

24 MR. HINES: It's not going to go --
25 that would involve another neighbor.

2 MR. SCALZO: Actually, no. That's
3 Weiss. The name is Weiss on the other side.
4 They have an access also to that dirt/shale
5 driveway. So it actually is owned in fee by
6 Wenz, however Weiss has access to use it as well,
7 however that's not part of this action. This is
8 over here.

9 MR. BLASS: So if there was an
10 agreement between two parties, it would cover
11 this section here? That's part of what it would
12 cover?

13 MR. SCALZO: Yes.

14 MR. BLASS: Would it cover -- this is
15 now new lot 1 -- appendage to lot 1?

16 MR. SCALZO: That's correct.

17 MR. BLASS: It would go across here and
18 then enters the Bucino parcel right here?

19 MR. SCALZO: That's correct.

20 MR. BLASS: Would it be a shared
21 driveway?

22 MR. HINES: Yes.

23 MR. SCALZO: Yes.

24 MR. BLASS: Between this new lot 1 and
25 -- is there an existing driveway agreement? No.

2 It was all one subdivision?

3 MR. SCALZO: That's correct.

4 MR. HINES: It was going to have a
5 private road.6 MR. SCALZO: It was going to have a
7 proposed road which follows this property line
8 here. Once that road was constructed, one of the
9 notes on the original filed map was to have this
10 be amended at that time. They were just going to
11 access off the private road.12 MR. HINES: There was a cul-de-sac
13 where all those lots come together up top.14 MR. BLASS: It's no longer a private
15 road?

16 MR. SCALZO: That's correct.

17 MR. BLASS: So you need a driveway
18 easement over this parcel?

19 MR. HINES: And the other one.

20 MR. SCALZO: That's how it used to
21 appear.

22 MR. BLASS: Got it. Okay.

23 MR. SCALZO: I know you have to act on
24 what you see in front of you today, however I am
25 in contract with the other lot to do a lot line

2 change to address this driveway issue that we're
3 discussing right now. However, I'm here now with
4 this and this only.

5 MR. HINES: That would be cleaner.

6 There would only be two lots.

7 MR. SCALZO: We tried to combine the
8 two actions but the timing just didn't work.

9 MR. BRAND: This lot here will be
10 combined with this eventually as well?

11 MR. SCALZO: No. That's for another
12 day. What's happening is there's going to be --
13 what we're looking to do here is this is going to
14 be given to this lot and then we're going to give
15 more back here to this lot, and that will take
16 care of the driveway issue here.

17 MR. RICCIARDONE: Okay.

18 MR. SCALZO: As I say, you can't -- we
19 can't discuss that at this point. You know, I'm
20 here for one thing.

21 CHAIRMAN PORCO: Okay.

22 MR. HINES: You need an easement for
23 this action.

24 MR. BLASS: Off site meaning outside of
25 these two parcels.

2 MR. HINES: It's the same owner,
3 though. Or relatives.

4 MR. SCALZO: They are relatives, yes.
5 There is actually three owners of this other lot.
6 It was an estate, so the three remaining children
7 I suppose.

8 MR. BLASS: So you need two things. You
9 need a shared driveway and maintenance agreement
10 for what will be now lot 1 and lot 2.

11 MR. SCALZO: Old lot -- yes. Yes.

12 MR. BLASS: Lot 2 and new consolidated
13 lot 1 plus an off-site easement -- temporary off-
14 site easement to use this until there's a lot
15 line realignment to bring this within lot 1.

16 Make sense?

17 MR. HINES: Yes.

18 MR. SCALZO: Yes.

19 MR. BLASS: Okay.

20 MR. SCALZO: My client's attorney will
21 work that out with --

22 MR. BLASS: I think I sent him an
23 instrument to look at.

24 MR. SCALZO: Okay.

25 CHAIRMAN PORCO: Any other questions

2 from the Board?

3 (No response.)

4 CHAIRMAN PORCO: In that case, we can
5 make a motion to schedule this for a public
6 hearing also.7 MR. LOGUE: I'll make that motion for a
8 public hearing.

9 CHAIRMAN PORCO: Mike. A second?

10 MR. BRAND: I'll second it.

11 CHAIRMAN PORCO: Chris. All those in
12 favor, say aye.

13 MR. BRAND: Aye.

14 MR. TRAPANI: Aye.

15 MR. RICCIARDONE: Aye.

16 MR. LOGUE: Aye.

17 MR. FALKENBERG: Aye.

18 CHAIRMAN PORCO: Aye.

19 Any opposed?

20 (No response.)

21 CHAIRMAN PORCO: The motion is carried.

22 At this point is there anything else --
23 we forgot to approve the minutes.

24 MR. SCALZO: Thank you very much.

25 CHAIRMAN PORCO: The minutes for

2 December 16th, by now everyone should have had
3 time to review them. Are there any changes to
4 those?

5 (No response.)

6 CHAIRMAN PORCO: If there is none, then
7 a motion to approve those minutes.

8 MR. LOGUE: I'll make that motion to
9 approve the December 16th minutes.

10 CHAIRMAN PORCO: Mike. A second?

11 MR. BRAND: I'll second it.

12 MR. TRAPANI: I have to abstain, I
13 wasn't here that day.

14 CHAIRMAN PORCO: Ben wasn't here so
15 he'll abstain. All those in favor, say aye.

16 MR. BRAND: Aye.

17 MR. RICCIARDONE: Aye.

18 MR. LOGUE: Aye.

19 MR. FALKENBERG: Aye.

20 CHAIRMAN PORCO: Aye.

21 Any opposed?

22 (No response.)

23 CHAIRMAN PORCO: The minutes from
24 December 6th, any questions or changes on those?

25 MR. TRAPANI: January 6th?

2

CHAIRMAN PORCO: January 6th.

3

If there are none, then I can have a motion to approve those.

5

MR. TRAPANI: I'll make that motion.

6

CHAIRMAN PORCO: Ben. And a second?

7

MR. RICCIARDONE: I'll second that.

8

CHAIRMAN PORCO: Frank. All those in favor, say aye.

10

MR. BRAND: Aye.

11

MR. TRAPANI: Aye.

12

MR. RICCIARDONE: Aye.

13

MR. LOGUE: Aye.

14

MR. FALKENBERG: Aye.

15

CHAIRMAN PORCO: Aye.

16

Any opposed?

17

(No response.)

18

CHAIRMAN PORCO: The motion is carried.

19

A motion to adjourn?

20

MR. LOGUE: I'll make that motion.

21

MR. RICCIARDONE: I'll second it.

22

CHAIRMAN PORCO: All in favor.

23

MR. BRAND: Aye.

24

MR. TRAPANI: Aye.

25

MR. RICCIARDONE: Aye.

2 MR. LOGUE: Aye.

3 MR. FALKENBERG: Aye.

4 CHAIRMAN PORCO: Aye.

5 We're adjourned.

6

7 (Time noted: 7:56 p.m.)

8

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

10

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

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25 DATED: February 17, 2014