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MEETING HELD REMOTELY VIA ZOOM

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

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In the Matter of

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ALDEN & CAROL LINK

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Project No. 20-4014
36 Green Tree Lane, Milton
Section 102.4; Block 2; Lot 15.113

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PUBLIC HEARING - SUBDIVISION

12

Date: January 4, 2021
Time: 7:30 p.m.

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BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
JAMES GAROFALO
STEVE CLARKE
ROBERT TRONCILLITO

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

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APPLICANT'S REPRESENTATIVE: SPENCER HALL

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MICHELLE L. CONERO
3 Francis Street

24

Newburgh, New York 12550
(845) 541-4163

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2 CHAIRMAN BRAND: It is 7:30, so I'd
3 like to call the meeting to order.

4 Agenda, Town of Marlborough Planning
5 Board, January 4, 2021. Regular meeting at 7:30
6 p.m. We have the approval of the stenographic
7 minutes for 12/7/2020. On the agenda tonight we
8 have a public hearing for the subdivision of
9 Alden and Carol Link at 36 Green Tree Lane in
10 Milton. We have a public hearing for the
11 proposed Guarino Subdivision on Lattintown Road
12 in Marlboro. We have a preliminary look at a
13 subdivision on 89 Peach Lane in Marlboro for the
14 Nasons. After that we have a discussion without
15 the lawyer, engineer or stenographer for Kristie
16 Savage, 223 Plattekill Road in Marlboro for an
17 events business, and we have the site plan
18 checklist review. The next deadline is Friday,
19 January 8, 2021. The next scheduled meeting is
20 Monday, January 18th. Is that Monday?

21 MS. FLYNN: Yes, that is Monday.
22 That's also a holiday. Do you want to have it
23 that day also since it would be Zoom or did you
24 want to cancel that one?

25 CHAIRMAN BRAND: Let's talk about it at

2 the end.

3 MS. FLYNN: Okay.

4 CHAIRMAN BRAND: I'd like to have a
5 motion first for the approval of the stenographic
6 minutes for 12/7/2020.

7 MS. LANZETTA: I'll make that motion.

8 CHAIRMAN BRAND: Cindy makes the
9 motion. Is there a second?

10 MR. CLARKE: I'll second.

11 CHAIRMAN BRAND: Any discussion?

12 (No response.)

13 CHAIRMAN BRAND: Any opposed?

14 (No response.)

15 CHAIRMAN BRAND: So moved.

16 First up we have the public hearing for
17 Alden and Carol Link.

18 Their representatives are here;

19 correct? That's Spencer Hall; correct?

20 MR. LOFARO: He has to turn his mic on.

21 MR. HALL: Can you hear me now?

22 CHAIRMAN BRAND: I can hear you, yes.

23 MR. HALL: Okay.

24 CHAIRMAN BRAND: I have the legal
25 notice to be read and then we'll get started.

2 Legal notice, subdivision application.

3 Please take notice a public hearing will be held
4 remotely by the Marlborough Planning Board
5 pursuant to the State Environmental Quality
6 Review Act (SEQRA) and the Town of Marlborough
7 Town Code 134-9 on Monday, January 24, 2021, for
8 the following application, Alden and Carol Link,
9 at the Town Hall, 21 Milton Turnpike, Milton, New
10 York at 7:30 p.m. or as soon thereafter as may be
11 heard. The application is seeking a two-lot
12 subdivision for property located at 36 Green Tree
13 Lane, Milton, New York 12547, Section 102.4,
14 Block 2, Lot 15.113. Due to public health and
15 safety concerns related to COVID-19, and pursuant
16 to Executive Orders from the governor, this
17 meeting and public hearing will be held remotely
18 via Zoom. The meeting ID and password, as well
19 as all the information, is available on the Town
20 website or from the Planning Secretary. Any
21 interested parties either for or against this
22 proposal will have an opportunity to be heard at
23 this time. Chris Brand, Town of Marlborough
24 Planning Board.

25 Mr. Hall, how many legal notices did

2 you send out and how many were returned?

3 MR. HINES: Chris, it sounds like
4 someone has two devices working right now. I'm
5 getting feedback. There's a computer running or
6 something.

7 CHAIRMAN BRAND: Maybe if you're not
8 directly speaking, just put your camera on for us
9 there.

10 Mr. Hall, how many mailings went out
11 and how many did you get back?

12 MR. HALL: I have to count them.

13 CHAIRMAN BRAND: Okay.

14 MR. HALL: I've got 24 back. I think I
15 sent out --

16 CHAIRMAN BRAND: 24 back. How many
17 went out?

18 MR. HALL: I sent out 24 and I got 24
19 back.

20 CHAIRMAN BRAND: 24 out, 24 back. I'll
21 just need for you to drop those off with Jen at
22 the office at Town Hall.

23 MR. HINES: The reason for that is
24 right now the mailmen are not actually knocking
25 on doors, they're signing and delivering them --

2 CHAIRMAN BRAND: Okay.

3 MR. HINES: -- in the current
4 condition. So the post office signs them and
5 delivers them.

6 CHAIRMAN BRAND: That makes sense.

7 MR. HALL: So you wanted me to drop
8 these off?

9 CHAIRMAN BRAND: Yes, please. They go
10 in the file.

11 MR. HALL: I'll give you the receipts I
12 sent out and then the ones I got back?

13 MS. FLYNN: Yes. I get both.

14 MR. HALL: One letter came back
15 undeliverable. I don't know why. I put the
16 address that was in the database.

17 CHAIRMAN BRAND: Okay. Would you like
18 to just provide anybody that's here for this
19 public hearing a brief overview of the project
20 for me, please?

21 MR. HALL: Yes. These two lots that
22 are being created were previously created. At
23 one point in time Alden and Carol Link rejoined
24 them. Now that they're getting ready to move on,
25 they want to sell one so somebody can build a

2 house on it. It gives them a lot less land to
3 maintain. That's what they're in the process of
4 doing right now.

5 CHAIRMAN BRAND: Okay. Pat, I didn't
6 see anything from you on this one.

7 MR. HINES: I have no outstanding
8 comments. Mine have been addressed. They
9 submitted the Ulster County approved septic
10 system with the initial application.

11 The Board, I believe, did waive topo on
12 the existing lot where no improvements are
13 proposed. I think we had some Google Earth Maps
14 submitted that depicted the adjoining property
15 owners.

16 As the surveyor said, this was
17 previously an approved lot and consolidated into
18 the larger lot, and now they're looking to
19 separate it out again.

20 The access points are the same.

21 The lot lines are in the same location.
22 It's undoing the consolidation that was
23 done several years ago.

24 I don't have any comments on this.

25 CHAIRMAN BRAND: Thank you.

2 Jeff, did you have anything on this
3 one?

4 MR. BATTISTONI: No, I don't.

5 CHAIRMAN BRAND: Anything from the
6 Board on this?

7 MR. GAROFALO: I have one question.

8 There's, I guess, a lot line being removed to the
9 strip that goes to the cul-de-sac. I was
10 wondering what the status of that was as an
11 independent lot.

12 MR. HALL: What they were doing was
13 taking those two strips, one at the north end,
14 one at the south end, and they're becoming part
15 of the southern lot. The one on the north
16 becomes part of the northern lot.

17 CHAIRMAN BRAND: Does that answer your
18 question, Mr. Garofalo?

19 MR. GAROFALO: I understand that, and
20 that makes sense. Does that change the front
21 yard setback or anything else?

22 MR. HINES: No. It just becomes a flag
23 lot under the conditions that they were. It
24 actually improves the existing condition where
25 those two flag lots were somehow created as

2 independent lots. It will eliminate that. It's
3 a benefit for the subdivision.

4 CHAIRMAN BRAND: Anything else from the
5 Board on this one?

6 MR. HINES: Back to Jim. Jim, the
7 front yard setbacks are taken where the lot meets
8 lot width requirements. It does meet that, and
9 they were taken at that location.

10 CHAIRMAN BRAND: Anything else from the
11 Board on this? Do any Members of the Board have
12 any questions or concerns, comments?

13 (No response.)

14 CHAIRMAN BRAND: No. This is a public
15 hearing. At this time, if there's anyone here
16 for this public hearing, I would ask that you
17 turn your mic on, state your name for the
18 stenographer, and you will be heard at this time.

19 MR. RICHARDSON: Hi. Bob and Sherry
20 Richardson.

21 CHAIRMAN BRAND: Hi. How are you?

22 MR. RICHARDSON: Pretty good. We're at
23 254 Ridge. We have no problems with it.

24 CHAIRMAN BRAND: Okay. Thank you.

25 MR. RICHARDSON: You're welcome.

2 CHAIRMAN BRAND: Anyone else?

3 (No response.)

4 CHAIRMAN BRAND: No. If there's
5 nothing else from the public or from the Board,
6 I'd like to have a motion to close the public
7 hearing.

8 MR. CAUCHI: I'll make that motion.

9 MR. GAROFALO: I'll second it.

10 CHAIRMAN BRAND: Any discussion?

11 (No response.)

12 CHAIRMAN BRAND: No. Any against
13 closing the hearing?

14 (No response.)

15 CHAIRMAN BRAND: No. We will say the
16 public hearing is closed.

17 Pat and Jeff, are we ready to pass the
18 resolution on this for the next meeting?

19 MR. HINES: I think so.

20 MR. BATTISTONI: I think so as well.

21 CHAIRMAN BRAND: Great. I think we can
22 take care of that at the next meeting. We'll
23 have everything set up for that to go forward.

24 I think that does it for this one.

25 Mr. Hall or Mr. Link, do you have

2 anything else for that?

3 MR. HALL: I have a question for the
4 Board. When I drop off the registered letters,
5 do I have to drop off the mylar then?6 MR. HINES: Not at this point. There's
7 one more meeting. The Board has authorized the
8 attorney to do the neg dec and resolution. At
9 the next appearance they will issue the approval.10 MR. HALL: Okay. So we have one more
11 meeting?

12 MR. HINES: Yes.

13 MR. HALL: Okay.

14 CHAIRMAN BRAND: As long as everything
15 is paid up to date, we can go ahead and sign it.

16 All right. Thank you.

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18 (Time noted: 7:40 p.m.)

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ALDEN & CAROL LINK

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

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I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby

certify:

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

12

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

16

IN WITNESS WHEREOF, I have hereunto

set my hand this 7th day of January 2021.

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19

Michele Conero

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MICHELLE CONERO

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MEETING HELD REMOTELY VIA ZOOM

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

4

In the Matter of

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GUARINO SUBDIVISION

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Project No. 20-4011

8

632 Lattintown road, Marlboro
Section 102.4; Block 3; Lot 13

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PUBLIC HEARING - SUBDIVISION

12

Date: January 4, 2021

13

Time: 7:40 p.m.

14

15

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
JAMES GAROFALO
STEVE CLARKE
ROBERT TRONCILLITO

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

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APPLICANT'S REPRESENTATIVE: CARMEN MESSINA

22

23

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

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2 CHAIRMAN BRAND: Next on the agenda is
3 the Guarino public hearing subdivision.

4 I do have the legal notice for that to
5 be read. Legal notice, subdivision application.
6 Please take notice a public hearing will be held
7 remotely by the Marlborough Planning Board
8 pursuant to the State Environmental Quality
9 Review Act (SEQRA) and the Town of Marlborough
10 Town Code Section 134-9 on Monday, January 4,
11 2021, for the following application, the Guarino
12 Subdivision on Lattintown Road, at the Town Hall,
13 21 Milton Turnpike, Milton, New York at 7:30 p.m.
14 or as soon thereafter as may be heard. The
15 applicant is seeking approval for a three-lot
16 subdivision of property located at 632 Lattintown
17 Road, Section 102.4, Block 3, Lot 13. Due to
18 public health and safety concerns related to
19 COVID-19, and pursuant to Executive Orders from
20 the governor, this meeting and public hearing
21 will be held remotely via Zoom. The meeting ID
22 and password as well as the information will be
23 available on the Town website or from the
24 Planning Secretary. Any interested parties
25 either for or against this proposal will have an

2 opportunity to be heard at this time. Chris
3 Brand, Town of Marlborough Planning Board.

4 Who is the representative for this one?
5 Is that you, Jonathan?

6 MR. MESSINA: Carmen Messina.

7 CHAIRMAN BRAND: Mr. Messina, let's
8 talk about the mailings first. How many went
9 out?

10 MR. MESSINA: I sent out 5 and received
11 3 back.

12 CHAIRMAN BRAND: 5 out, 3 back. Just
13 as with the other applicant, if you can drop
14 those off for Jen, that would be great.

15 Could you just provide us with a brief
16 overview of the project for those attending the
17 public hearing?

18 MR. MESSINA: Yes. This project
19 proposes a three-lot subdivision of a 5-acre
20 parcel with an existing house located on
21 Lattintown Road, County Road 11, just south of
22 Penny Lane. Lot number 1 will be a 1-acre lot
23 with the existing house. Lot number 2 will be a
24 2-acre lot that will encompass all of the pond
25 that's on the property. Lot number 3 will be a

2 flag shaped lot containing 2 acres.

3 CHAIRMAN BRAND: Great. Thank you.

4 Pat, I did notice that you had some
5 comments for this one.

6 MR. HINES: A lot of them are just
7 procedural.

8 We did circulate the notice of intent
9 for lead agency as there was DEC wetlands and
10 wetland buffers fairly close to the proposed
11 development, as well as the road access point.
12 The timeframe has now lapsed and this Board can
13 now declare itself lead agency.

14 We requested previously a note of the
15 staking of the foundation. That has been added
16 to the plans. Based on the lot geometry, it has
17 created a rather small building envelop where a
18 house can be sited on one of the lots. That note
19 has been added.

20 Just procedurally, County approval for
21 the driveway is required.

22 County Health Department approval for
23 the two new septic is required.

24 I don't know if we heard back from
25 County Planning. It's located along the County

2 highway.

3 I'm not sure if this is covered by the
4 waiver agreement for the three-lot residential
5 subdivision.

6 CHAIRMAN BRAND: Could you clarify that
7 for me, Pat? What do you mean by --

8 MR. HINES: Sure. Projects that meet
9 the requirements for a 239 submittal require
10 County Planning approval. I know that the Town
11 has an agreement with County Planning, and Cindy
12 may be able to speak best to this, for smaller
13 projects that don't have to go to them. I think
14 residential subdivisions, minor subdivisions
15 don't have to go.

16 MS. LANZETTA: They don't.

17 MR. HINES: Okay. So County Planning
18 isn't required. Just the County driveway
19 approval and the County Health Department for the
20 septic are the two outstanding items.

21 CHAIRMAN BRAND: Okay. Jeff, did you
22 have anything on this one?

23 MR. BATTISTONI: No, I don't.

24 CHAIRMAN BRAND: Comments from the
25 Board? Questions from the Board?

2 (No response.)

3 CHAIRMAN BRAND: Nothing. We are
4 moving right along this evening.5 MR. CLARKE: I've got a question,
6 Chris. In the proposed SES, it looks kind of
7 small. I just wondered if that's primary and
8 reserve or just primary?9 MR. MESSINA: Steve, which lot are you
10 talking about?11 MR. CLARKE: Either one. Looking at
12 it, I just see one SES. I don't see a reserve.13 MR. MESSINA: They're both there
14 together.

15 MR. CLARKE: All right. That's fine.

16 MR. HINES: Again Steve, that will need
17 County Health Department approval that we don't
18 have yet.19 CHAIRMAN BRAND: Any other questions or
20 comments from the Board?21 MS. LANZETTA: I know we talked about
22 this before, and I'm sorry to ask it again. Is
23 there a reason that for lot 2 we don't put the
24 driveway to the north as opposed to the south,
25 right alongside the existing farm lane that will

2 be the driveway to the other lot?

3 MR. MESSINA: Are you talking about the
4 driveways for lots 2 and 3 are close together?

5 MS. LANZETTA: Yeah. I know we talked
6 about that. Did we ever talk about possibly
7 putting it on the north side?

8 MR. MESSINA: I spoke with the
9 representative from the County Highway
10 Department. He thought putting them together
11 would create sort of like one entrance point as
12 opposed to having one at the existing farm lane
13 and then another 100 feet have another driveway.

14 MS. LANZETTA: Okay.

15 CHAIRMAN BRAND: Any other questions or
16 comments?

17 MR. GAROFALO: I just have one comment.
18 That is; Cindy, I kind of agree with you on that
19 point, that I'd prefer to see them separated. I
20 think this is a situation where we have to yield
21 to the County. Thank you.

22 CHAIRMAN BRAND: Thank you. If there
23 is anyone here tonight from the public that would
24 like to have an opportunity to speak either for
25 or against this project or has a question, now is

2 your opportunity to do so. Just turn on your mic
3 and state your name for the stenographer, please,
4 if you would.

5 (No response.)

6 CHAIRMAN BRAND: Okay. That being
7 done, I guess I would like a motion to close the
8 public hearing.

9 MR. LOFARO: I'll make that motion, to
10 close the public hearing.

11 CHAIRMAN BRAND: Is there a second?

12 MR. TRONCILLITO: I'll second.

13 CHAIRMAN BRAND: Any discussion?

14 (No response.)

15 CHAIRMAN BRAND: Any nos to closing the
16 public hearing?

17 (No response.)

18 CHAIRMAN BRAND: No. All right. At
19 the recommendation of Pat, it looks as though we
20 are now in a position to declare ourselves lead
21 agency for review. I'd like to have that motion
22 made as well.

23 MR. GAROFALO: I'll so move.

24 CHAIRMAN BRAND: Thank you, James. Is
25 there a second?

2 MS. LANZETTA: I'll make that motion.

3 CHAIRMAN BRAND: A second, Cindy.

4 Thank you. Any discussion on that?

5 (No response.)

6 CHAIRMAN BRAND: No discussion. Any
7 nos against having the Town of Marlborough
8 Planning Board declare itself lead agency for
9 review?

10 (No response.)

11 CHAIRMAN BRAND: No. So moved.

12 All right. I think that one is all set
13 then, too. We just need to hear back from County
14 and some other technical stuff. Right?

15 MR. HINES: Yeah. I --

16 MR. MESSINA: I'm sorry, Pat. Go
17 ahead.18 MR. HINES: Those are procedural. I
19 think the Board could authorize Jeff to draft a
20 neg dec and a conditional approval resolution
21 contingent on those two items.22 CHAIRMAN BRAND: Is everybody in
23 agreement?24 MR. HINES: County DPW will not issue
25 their approval until you issue yours.

2 CHAIRMAN BRAND: Are there any
3 objections to having the attorney prepare that
4 for the following meeting?

5 (No response.)

6 CHAIRMAN BRAND: All right. Jeff --
7 MR. BATTISTONI: That's fine. I'll
8 prepare both resolutions.

9 CHAIRMAN BRAND: Excellent. Thank you.
10 Thank you, Mr. Messina.

11 MR. MESSINA: Thank you.

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13 (Time noted: 7:48 p.m.)

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4 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.

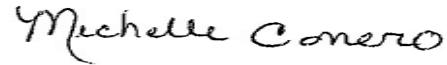
12 I further certify that I am not
13 related to any of the parties to this proceeding by
14 blood or by marriage and that I am in no way
15 interested in the outcome of this matter.

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 7th day of January 2021.

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MICHELLE CONERO

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MEETING HELD REMOTELY VIA ZOOM

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

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In the Matter of

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6

NASON SUBDIVISION

7

Project No. 20-4005
89 Peach Lane, Marlboro
Section 95.4; Block 3; Lot 13.200

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PRELIMINARY - SUBDIVISION

12

Date: January 4, 2021
Time: 7:48 p.m.

14

15

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
JAMES GAROFALO
STEVE CLARKE
ROBERT TRONCILLITO

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

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APPLICANT'S REPRESENTATIVE: JONATHAN CELLA &
JONATHAN MILLEN

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

2 CHAIRMAN BRAND: Next on the agenda we
3 have the Nason Subdivision located on 89 Peach
4 Lane in Marlboro.

5 Pat, I did see you had some comments
6 for this one as well.

7 MR. HINES: Some of them were follow-
8 ups on the previous ones.

9 This is a residential subdivision that
10 disturbs between 1 and 5 acres. The Town of
11 Marlborough is a traditional land use regulated
12 MS-4 community for the DEC for the stormwater.
13 This required the preparation of a stormwater
14 pollution prevention plan. For residential, less
15 than 5 acres, it's just a soil erosion and
16 sediment control. We received that. They
17 provided an erosion and sediment control plan.

18 The grading on lots 3 and 4 cross each
19 lot, so the development of the lots depends on
20 the grading to be the same to meet the plan
21 requirements in order to provide the access for
22 both driveways. We're suggesting a grading
23 easement provided such that each of the lots is
24 able to grade per the plan.

25 The status of the Ulster County Health

2 Department for septic should be reviewed with
3 the applicant.

4 I haven't heard back from the highway
5 superintendent yet, I don't if the Board has, for
6 the driveway locations. That was requested.

7 The DEC wetland certification block was
8 on the plan but not signed by the DEC.

9 On the survey plan, sheet 6 just has
10 the shortened hamlet version of Marlboro and
11 needs to be spelled the certification to the Town
12 of Marlborough with the O-U-G-H.

13 We did review the SWPPP and found that
14 acceptable for the residential project.

15 We previously requested sight distance
16 at both driveways be shown on the plans.

17 I feel that the project has enough
18 information, if the Board so desires, to set a
19 public hearing while they address these comments.

20 CHAIRMAN BRAND: Thank you, Pat.

21 Jeff, did you have anything for this
22 one?

23 MR. BATTISTONI: No, I don't.

24 CHAIRMAN BRAND: Excellent. Comments,
25 questions from the Board?

2 MR. CLARKE: Just for my information,
3 the SWPPP plan is just for construction? There's
4 no permanent sediment basins or anything; right?

5 MR. HINES: There is not. They're not
6 required because of the residential nature of the
7 project. The 1 to 5 acres disturbance doesn't
8 require long-term improvements. Once it's been
9 revegetated, the SWPPP will be terminated.

10 CHAIRMAN BRAND: Any other questions or
11 comments?

12 MR. GAROFALO: I have one question. I
13 think it would be a good idea if the highway
14 superintendent got the information on the sight
15 distances for the driveways prior to making a
16 recommendation. Thank you.

17 MS. LANZETTA: I have a question for
18 Pat. For the driveway, where they have like the
19 turn out, is that covered by prior codes? Is
20 that why that's required or is that just -- what
21 law is responsible for saying that you have to
22 have that?

23 MR. HINES: For the residential
24 driveway there is not. I believe in this case
25 the jurisdictional fire department did require

2 that. I spoke to them and they requested that.
3 It was in our early comments. Just to have the
4 space for the vehicles to pass makes sense. They
5 carry a large volume of hose but that driveway is
6 I think 1,500 feet or so, plus or minus. I don't
7 remember exactly. We recommended that early on.
8 I think we requested the fire department to weigh
9 in on that. There's no code requiring that on a
10 residential driveway.

11 CHAIRMAN BRAND: It's good to have it,
12 though.

13 MR. HINES: Yes. Even for them
14 passing. You know, when there are visitors and
15 their own family members are trying to pass. You
16 wouldn't want to back down that 1,500 feet.

17 CHAIRMAN BRAND: All right. Anything
18 else from the Board on this?

19 (No response.)

20 CHAIRMAN BRAND: So are we comfortable
21 scheduling a public hearing for the next meeting?
22 Any objection to doing that?

23 MR. HINES: I think it would be a month
24 from now because the next meeting is coming up
25 quick and we don't know when that is yet.

2 CHAIRMAN BRAND: Right. So we will do
3 it for the first meeting in February.

4 MS. FLYNN: Which is February 1st.

5 CHAIRMAN BRAND: February 1st. Okay.

6 So let's go ahead and schedule that public
7 hearing for February 1st. They'll do the
8 mailings and you'll be in touch with them; right,
9 Jen?

10 MS. FLYNN: Yes.

11 CHAIRMAN BRAND: Excellent.

12 MR. HINES: I know the applicant's rep
13 is on, too. I don't know if we want to hear from
14 him, if he has anything to add.

15 CHAIRMAN BRAND: Is he here? Yes.

16 MR. CELLA: Thank you for scheduling
17 the public hearing.

18 CHAIRMAN BRAND: You're welcome.

19 Anything to add to that or not? Your mic is off
20 again, Jonathan.

21 MR. MILLEN: I want to thank the Board
22 for the hard work.

23 I just want to confirm that we are
24 going to create an easement, a grading easement
25 between lots 3 and 4.

2 MR. HINES: I'm suggesting that.

3 We have dueling Jonathans on this project.

4 Jonathan Cella's plan shows grading that crosses
5 lots 3 and 4. It looks like that grading depends
6 on which ever lot builds first, the other lot has
7 to comply with that grading because of the
8 proximity of the driveways. I think the grading
9 easement would be appropriate to handle that so
10 that when the lots do transfer ownership, someone
11 can construct their driveway as shown on Jonathan
12 Cella's plan.

13 MR. MILLEN: Okay. Just to confirm, I
14 created the grading plan.

15 Moving the house on lot 4, would that
16 eliminate the need for the grading easement if we
17 had -- all of the grading for lot 4 would be
18 wholly contained within lot 4?

19 MR. HINES: Yes. Right now the grading
20 doesn't show that. If you can revise the
21 grading, the driveway locations or the house to
22 stand alone, that would be fine. I think the
23 driveways are the controlling factor for the
24 grading.

25 MR. MILLEN: Right. I'm just trying to

2 come up with what would be the most effectively
3 -- time effective maneuver, creating the easement
4 or creating the -- changing the grading for the
5 driveway. That would be something that would be
6 up to us?

7 MR. HINES: I think it's between
8 Jonathan and Jonathan to figure that out. Yup.

9 MR. MILLEN: Okay. In terms of
10 submitting anything else with respect to this, I
11 understand I have a typo and the correct spelling
12 of the word.

13 MR. HINES: Yes.

14 MR. MILLEN: Do we have to submit
15 twelve copies of these all over again for the
16 next meeting?

17 MR. HINES: Not if it's going to be the
18 public hearing. You're not changing anything. I
19 wouldn't want to see anything until that point.

20 MR. MILLEN: I'm going to just create
21 the driveway easement. That will be the simpler
22 thing to do.

23 I understand that we'll schedule a
24 final hearing for the first week in February.

25 CHAIRMAN BRAND: The public hearing.

2 MR. MILLEN: The public hearing.

3 MR. HINES: Just for the Board's sake,
4 this was the first we saw the grading of that
5 driveway, when Jonathan Cella did the SWPPP.
6 That's why it came this late in the game.

7 MR. MILLEN: Okay. The grading plan
8 for the driveway was in the last meeting for
9 sure.

10 MR. HINES: It was on Jonathan's
11 erosion plan when I picked it up. Okay.

12 MR. MILLEN: Very good. Well I thank
13 the Board.

14 CHAIRMAN BRAND: Thank you.

15 I think if there's nothing else from
16 the Board that requires the stenographer,
17 attorney or engineer, I think we completed all
18 those items on the agenda.

19 Is there anything else that we need to
20 have them here for?

21 MR. HINES: I didn't receive -- I guess
22 you're continuing to discuss the site plan
23 checklist. I didn't get that.

24 CHAIRMAN BRAND: I think we're going to
25 be circulating it to you very shortly.

2 MR. HINES: Great. Happy new year.

3 MR. CAUCHI: Pat, you haven't seen it
4 then?

5 MR. HINES: I have not received it, no.

6 MR. CAUCHI: Okay. That was one of my
7 questions. I wanted to know if you happened to
8 look at it.

9 MR. HINES: As soon as I get it I will.
10 I know Jeff hasn't gotten it either.

11 CHAIRMAN BRAND: Great. Thanks, guys.
12 Happy new year.

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14 (Time noted: 7:58 p.m.)

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

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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.

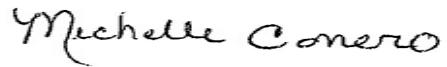
12 I further certify that I am not
13 related to any of the parties to this proceeding by
14 blood or by marriage and that I am in no way
15 interested in the outcome of this matter.

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 7th day of January 2021.

18

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MICHELLE CONERO

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