

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4

5 In the Matter of
6

7 - PUBLIC HEARING DOCUMENTATION
8 - VERIZON - MARLBORO HIGH SCHOOL
9 Project No. 21-5023PC
10

11 BOARD BUSINESS
12 Date: November 1, 2021
13 Time: 7:30 p.m.
14 Place: Town of Marlborough
15 Town Hall
16 21 Milton Turnpike
17 Milton, NY 12547
18

19 BOARD MEMBERS: CHRIS BRAND, Chairman
20 CINDY LANZETTA
21 JOSEPH LOFARO
22 MANNY CAUCHI
23 JAMES GAROFALO
24 STEVE CLARKE
25 ROBERT TRONCILLITO

26 ALSO PRESENT: GERARD J. COMATOS, JR., ESQ.
27 PATRICK HINES
28 VIRGINIA FLYNN
29

30 - MICHELLE L. CONERO
31 3 Francis Street
32 Newburgh, New York 12550
33 (845) 541-4163
34

2 CHAIRMAN BRAND: I would like to
3 call the meeting to order with the Pledge
4 of Allegiance.

5 (Pledge of Allegiance.)

6 CHAIRMAN BRAND: Agenda, Town of
7 Marlborough Planning Board, November 1,
8 2021. Regular meeting 7:30 p.m.

9 On the agenda tonight we have the
10 approval for the stenographic minutes for
11 October 4th. On tonight's agenda we also
12 have Taddeo Gielmetta at 14, 16 and 18
13 Riverwood Drive for a continuation of a
14 public hearing for their lot line, Henry's
15 Farm to Table at 220 North Road in Milton
16 for a continuation of their public hearing
17 for their site plan, Tara Ann Lordi at
18 11 Mt. Rose Road for a final of their lot
19 line, Frankos BnB at 387 Lattintown Road
20 in Marlboro for a sketch of their site
21 plan, the Qiang Subdivision at
22 24 Plattekill Road in Marlboro for a
23 sketch of their subdivision, and a
24 conceptual site plan discussion with the
25 engineer for Verizon - Marlboro High

1 BOARD BUSINESS

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4 The next deadline is Friday,
5 November 5, 2021. The next scheduled
6 meeting is Monday, November 15, 2021.

7 I would like to have a motion to
8 approve the stenographic minutes for 10/4,
9 please.

10 MR. CAUCHI: I'll make that
11 motion.

12 CHAIRMAN BRAND: Manny. Is there
13 a second?

14 MR. TRONCILLITO: I'll second it.

15 CHAIRMAN BRAND: Any discussion?

16 (No response.)

17 CHAIRMAN BRAND: Any objection?

18 (No response.)

19 CHAIRMAN BRAND: So carried.

20 First on the agenda, Taddeo

21 Giametta for --

22 MR. GAROFALO: Excuse me,

25 CHAIRMAN BRAND: Please.

2 MR. GAROFALO: One is Mr. Hines
3 at the last meeting suggested that we
4 include the 500 feet in the public hearing
5 documentation that's put out for the new
6 forms. That was already included. I just
7 wanted to let you know that was already
8 public.

9 CHAIRMAN BRAND: Okay.

10 MR. GAROFALO: The second thing I
11 want to mention is that when it comes to
12 the Verizon Marlboro High School
13 application I will be excusing myself and
14 leaving the room because they are renting
15 some of my property, therefore I do not
16 want it to appear that there is a conflict
17 of interest. Therefore, once that is
18 done, I'm going to be out of here.

19 If there are any comments on the
20 form itself, if there is any problem with
21 the form, please let me know because I
22 will not be here to hear it.

23 CHAIRMAN BRAND: Will do.

24 MR. CAUCHI: I'm not
25 understanding. What do you mean by the

2 rent? I thought this was at the high
3 school.

4 MR. GAROFALO: No. They have a
5 mini cell tower. One of the ones that was
6 approved by the Planning Board was placed
7 on my property.

8 MR. CAUCHI: The nodule?

9 MR. HINES: The small one.

10 MR. CAUCHI: So how is that
11 related to --

12 MR. GAROFALO: Because they are
13 paying me money and that could be
14 perceived by someone as a potential
15 conflict of interest.

16 MR. CAUCHI: Is what he's saying
17 correct?

18 MR. COMATOS: I agree that you
19 should recuse yourself because there is a
20 pecuniary benefit that you get from the
21 applicant if the application is granted.

22 MR. CAUCHI: Even though they're
23 different properties?

24 MR. HINES: Yes. They're not on
25 the same site.

2 MR. GAROFALO: They're not on the
3 same site, but I don't want to have the
4 appearance of there being a conflict.

5 MR. COMATOS: I think you're
6 doing the right thing.

7 MR. CAUCHI: I understand doing
8 the right thing. I'm just saying is he
9 right legally that he's doing this? I
10 mean if he wants to do it, that's fine,
11 but legally is he correct? That's my
12 question to you.

13 CHAIRMAN BRAND: Is he required
14 to is what you're asking?

15 MR. HINES: Is he required to is
16 what Manny is saying.

17 MR. CAUCHI: What's that?

18 CHAIRMAN BRAND: Is he required
19 to do so you're asking? Does he have to?

20 MR. CAUCHI: I want him to answer
21 it.

22 CHAIRMAN BRAND: Is that what
23 you're asking him, though?

24 MR. CAUCHI: What's that?

25 CHAIRMAN BRAND: Is that what

2 you're asking him, does he have to?

3 MR. CAUCHI: Yes.

4 MR. COMATOS: Well, from what I
5 just heard, you aren't going to directly
6 pecuniarily benefit if this application is
7 granted because you're involved with a
8 different property.

9 MR. GAROFALO: That is correct,
10 but I am receiving money from them for my
11 other property currently, therefore I want
12 to avoid any appearance that I may have
13 with regard to the company itself.

14 MR. COMATOS: I understand. It's
15 appropriate but not mandated that he do so
16 because if this application is granted,
17 somebody is going to be paid fees by
18 Verizon. It's not going to be this
19 gentleman. He's not compelled to, but to
20 avoid the appearance of impropriety it's
21 appropriate for him to take the position
22 that he's taking.

23 MR. CLARKE: Manny, it's not a
24 legal issue. It's an ethics issue.

25 MR. CAUCHI: Okay. I just wanted

2 to know if it's -- I understand that.

3 Thank you.

4 CHAIRMAN BRAND: All right.

5 Anything else?

6 MR. GAROFALO: That's it. Thank
7 you, Mr. Chairman.8 CHAIRMAN BRAND: Anything else
9 from anyone else?

10 (No response.)

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12 (Time noted: 7:35 p.m.)

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

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6 I, MICHELLE CONERO, a Notary

7 Public for and within the State of New York, do
8 hereby certify:

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

16 IN WITNESS WHEREOF, I have
17 hereunto set my hand this 18th day of November
18 2021.

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Michelle Conero

MICHELLE CONERO

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

X

4 In the Matter of

5 TADDEO/GIAMETTA

6 Project No. 21-5016
7 14, 16 & 18 Riverwood Drive
8 Section 103-3; Block 5; Lots 4, 12 & 13

X

9
10 PUBLIC HEARING
LOT LINE

11 Date: November 1, 2021
12 Time: 7:35 p.m.
13 Place: Town of Marlborough
14 Town Hall
21 Milton Turnpike
Milton, NY 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairman
16 CINDY LANZETTA
17 JOSEPH LOFARO
18 MANNY CAUCHI
19 JAMES GAROFALO
STEVE CLARKE
ROBERT TRONCILLITO

20 ALSO PRESENT: GERARD J. COMATOS, JR., ESQ.
PATRICK HINES
VIRGINIA FLYNN

21 APPLICANT'S REPRESENTATIVE: CARMEN MESSINA

22
23 MICHELLE L. CONERO
3 Francis Street
24 Newburgh, New York 12550
25 (845) 541-4163

X

2 CHAIRMAN BRAND: First up,
3 Taddeo/Giametta for a continuation of the
4 public hearing on their lot line.

5 Mr. Messina, did you want to move
6 up to the table?

7 MR. MESSINA: Okay.

8 CHAIRMAN BRAND: So the last time
9 we were here we did open a public hearing
10 but there were issues with the mailings.
11 I would like to have a motion to re-open
12 the public hearing on this matter.

13 MR. LOFARO: I'll make a motion
14 to re-open the public hearing.

15 CHAIRMAN BRAND: Joe. Is there a
16 second?

17 MR. CLARKE: I'll second it.

18 CHAIRMAN BRAND: Any discussion?
19 (No response.)

20 CHAIRMAN BRAND: So Mr. Messina,
21 how many mailings did we do, how many did
22 we get back?

23 MR. MESSINA: We sent out 31 and
24 we received 22 back.

25 CHAIRMAN BRAND: And you said 21

2 back?

3 MR. MESSINA: 22.

4 CHAIRMAN BRAND: 22. Okay,
5 great.6 This is a public hearing. If
7 there are any interested parties that are
8 for or against this project, you have an
9 opportunity to be heard at this time. If
10 you could just please state your name for
11 the stenographer, that would be great. Is
12 there anyone here?

13 (No response.)

14 CHAIRMAN BRAND: Any additional
15 comments from the Board on this matter?16 MR. TRONCILLITO: No, I don't
17 have any.18 CHAIRMAN BRAND: Pat, you had
19 nothing for this?20 MR. HINES: We have nothing.
21 Last time we discussed that this is a Type
22 2 action under SEQRA for lot line changes.
23 I believe Jerry's office has prepared a
24 draft resolution for the Board.

25 CHAIRMAN BRAND: Is there

2 anything you wanted to go over as far as
3 that is concerned, Jerry?

4 MR. COMATOS: It speaks for
5 itself. I think the resolution is ready
6 for you to take action on.

7 CHAIRMAN BRAND: All right. So
8 you have before you for the application
9 of Frank Taddeo, Geraldine Taddeo, William
10 Giometta and Michelle Giometta the
11 resolution of approval by the Town of
12 Marlborough Board for the lot line
13 revision.

14 Jen, would you poll the Board?

15 MS. FLYNN: Chairman Brand?

16 CHAIRMAN BRAND: Yes.

17 MS. FLYNN: Member Lanzetta?

18 MS. LANZETTA: Yes.

19 MS. FLYNN: Member Troncillito?

20 MR. TRONCILLITO: Yes.

21 MS. FLYNN: Member Lofaro?

22 MR. LOFARO: Yes.

23 MS. FLYNN: Member Clarke?

24 MR. CLARKE: Yes.

25 MS. FLYNN: Member Cauchi?

2 MR. CAUCHI: Yes.

3 MS. FLYNN: Member Garofalo?

4 MR. GAROFALO: Yes.

5 CHAIRMAN BRAND: I would like a
6 motion to close the public hearing.

7 MR. LOFARO: I'll make a motion
8 to close the public hearing.

9 MR. TRONCILLITO: I'll second it.

10 CHAIRMAN BRAND: Any objection?

11 (No response.)

12 CHAIRMAN BRAND: So moved.

13 Sorry for the confusion last time
14 and for the delay on the matter, but we do
15 have to follow the rules.

16 MS. FLYNN: Mr. Messina, what is
17 the last revision date that's going to be
18 on the map?

19 MR. MESSINA: Well, there is
20 going to be another revision --

21 MS. FLYNN: Okay.

22 MR. MESSINA: -- Because in the
23 middle of this project the Giamettas have
24 put their property in the family trust.
25 We are going to put the trustees' names on

2 the map for them to sign it.

3 MS. FLYNN: Okay. Because we
4 need that for the resolution.

5 MR. MESSINA: Okay.

6 MR. COMATOS: Mr. Chairman, in
7 looking at the draft of the resolution
8 that's before you, it makes reference to
9 the public hearing having been held or
10 commenced on October 18th, but I'm going
11 to amend it to reflect that it was
12 continued and closed today.

13 CHAIRMAN BRAND: Great.

14 MS. FLYNN: I have that from Jen.

15 MR. COMATOS: Okay.

16 MS. FLYNN: Mine says November 1st.

17 MR. COMATOS: Okay. I'm looking
18 at a prior version.

19 CHAIRMAN BRAND: Mine says
20 November 1st as well.

21 MR. COMATOS: Okay, good. Then
22 it is fine.

23 CHAIRMAN BRAND: Great. Anything
24 else on that matter?

25 (No response.)

2 CHAIRMAN BRAND: All right.

3 Thank you, Mr. Messina.

4 MR. MESSINA: Thank you.

5 (Time noted: 7:38 p.m.)

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

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9 I, MICHELLE CONERO, a Notary
10 Public for and within the State of New York, do
11 hereby certify:12 That hereinbefore set forth is a
13 true record of the proceedings.14 I further certify that I am not
15 related to any of the parties to this
16 proceeding by blood or by marriage and that I
17 am in no way interested in the outcome of this
18 matter.19 IN WITNESS WHEREOF, I have
20 hereunto set my hand this 18th day of November
21 2021.

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MICHELLE CONERO

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

4 - - - - - In the Matter of

5
6 HENRY'S FARM TO TABLE

7 Project No. 21-5015
8 220 North Road, Milton
9 Section 103.1; Block 2; Lots 13, 12.1 & 12.2

10 - - - - - PUBLIC HEARING
11 SITE PLAN

12 Date: November 1, 2021
13 Time: 7:38 p.m.
14 Place: Town of Marlborough
15 Town Hall
16 21 Milton Turnpike
17 Milton, NY 12547

18
19 BOARD MEMBERS: CHRIS BRAND, Chairman
20 CINDY LANZETTA
21 JOSEPH LOFARO
22 MANNY CAUCHI
23 JAMES GAROFALO
24 STEVE CLARKE
25 ROBERT TRONCILLITO

26
27 ALSO PRESENT: GERARD J. COMATOS, JR., ESQ.
28 PATRICK HINES
29 VIRGINIA FLYNN

30
31 APPLICANT'S REPRESENTATIVE: BARRY MEDENBACH

32 - - - - - MICHELLE L. CONERO
33 3 Francis Street
34 Newburgh, New York 12550
35 (845) 541-4163

2 CHAIRMAN BRAND: Next up is
3 Henry's Farm to Table for a public hearing
4 of their site plan. It's like Ground
5 Hog's Day. We did open this public
6 hearing. I would like a motion to re-open
7 this public hearing.

8 MR. CAUCHI: I'll make that
9 motion to re-open the public hearing.

10 CHAIRMAN BRAND: Manny. Is there
11 a second?

12 MR. LOFARO: I'll second it.

13 CHAIRMAN BRAND: Any discussion?
14 (No response.)

15 CHAIRMAN BRAND: Any objection?
16 (No response.)

17 CHAIRMAN BRAND: No. Pat, you
18 have nothing on this I'm assuming?

19 MR. HINES: Correct. We had
20 discussed all my previous comments. I
21 worked with Jerry's office on the
22 resolution of approval, but it is an open
23 public hearing. Let's close the public
24 hearing before we do the resolution next
25 time.

2 CHAIRMAN BRAND: All right.

3 MR. HINES: We did that a little
4 backwards, but I didn't catch it.

5 CHAIRMAN BRAND: All right. So
6 Jerry, did you have anything on the
7 resolution before I close the public
8 hearing?

9 MR. COMATOS: No. It recites the
10 history of all the prior approvals and
11 brings us to the current point in time.
12 It's ready for you to consider.

13 CHAIRMAN BRAND: All right. Do
14 you have the mailings that you sent out
15 this time?

16 MR. MEDENBACH: Yes.

17 CHAIRMAN BRAND: How many went
18 out and how many came back?

19 MR. MEDENBACH: I brought the
20 information this time.

21 MS. FLYNN: How many went out?

22 MR. MEDENBACH: How many? Oh, I
23 don't know the amount. The list is here.

24 MS. FLYNN: You don't know how
25 many went out and how many came back?

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MR. MEDENBACH: I think, you know, there were so many it seemed like we just did the whole Town. It seemed that way. I have this marked here and the ones are all checked off. There is a long list because it's a big piece of property. All of the receipts are here that went out and then the receipts that came back.

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MS. FLYNN: All right.

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MR. MEDENBACH: I didn't count those. I'm sorry about that. Here is the whole list.

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MS. FLYNN: Okay. Thank you.

I'll put that in your folder.

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CHAIRMAN BRAND: This is a public hearing for Henry's Farm to Table at 220 North Road, Milton. If there are any interested parties to speak either for or against this project or have questions, just state your name for the stenographer and you will be heard at this time.

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(No response.)

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CHAIRMAN BRAND: Anything from the Board on this one?

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MR. GAROFALO: Yes. I have some

comments.

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The new plan does show proposed

three spaces for valet parking which is

not what I asked for at the last meeting.

I asked for a detail showing the ADA

spaces where people who are mobility

challenged can exit and enter their

vehicles. I am looking for specifically

details on the signing, the striping and

the layout to make sure that the spaces

were the same. I have not seen that.

This does not, I think, fulfill that

Federal requirement. It's not something

we can waive. I think that we should

require that that be provided to us.

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I'm almost for holding the public

hearing open in case somebody has a

comment on that, but I am certainly

willing to consider agreeing to close it

if before we vote on this we get those

plans to make sure that this is done.

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MR. CAUCHI: So let me get this

straight. You're saying that where they

2 stop to get to the valet parking to go
3 into the restaurant, you want to know if
4 there is, at that stop point, that
5 check-in point, enough room for a person
6 to come out with a wheelchair to go into
7 the restaurant? Is that what you're
8 asking for?

9 MR. GAROFALO: It has to be
10 properly signed, striped. It has to be
11 the proper sizes to meet the ADA
12 requirements. I can't tell that looking
13 at this. It looks like three spaces. I
14 don't know if they're even spaces which we
15 are requiring.

16 MR. MEDENBACH: If I can comment
17 on that?

18 CHAIRMAN BRAND: Please.

19 MR. MEDENBACH: That was all
20 approved with the original approval of the
21 restaurant, the ADA approval, so I didn't
22 think it was a consideration at this point
23 since we're just adding on to the back of
24 the building.

25 When we were here at the last

2 meeting I thought you just wanted us to
3 show that the valet parking couldn't stop
4 in the driveway, they had to pull into a
5 spot, and so that's all I showed on the
6 revised plan.

7 If you want to add a conditional
8 approval that we show where all the
9 handicap accessibility is, we'll be more
10 than happy to do that.

11 CHAIRMAN BRAND: So you said you
12 had a couple of comments. Was there
13 another one as well?

14 MR. GAROFALO: No. That was my
15 main statement here. I wanted to see the
16 details to make sure that this was
17 adequate provisions for the ADA
18 requirements. Looking at this, I don't
19 see those details.

20 CHAIRMAN BRAND: Any other
21 additional comments from the Board?

22 (No response.)

23 CHAIRMAN BRAND: This is a public
24 hearing. If there is anyone from the
25 public that has a comment or a question

2 either for or against the project, please
3 state your name and be heard at this time.
4 Is there anyone here?

5 MR. MEDENBACH: I'm sorry. I
6 didn't hear the question.

7 CHAIRMAN BRAND: I asked if there
8 was anyone from the public who would like
9 to comment.

10 MR. MEDENBACH: I'm sorry.

11 CHAIRMAN BRAND: You're good.

12 So Pat?

13 MR. HINES: So what I was
14 speaking to the engineer about was I
15 believe there is an ADA accessible spot
16 delineated there in front of the building --

17 MR. MEDENBACH: Yes, there is.

18 MR. HINES: -- for an existing
19 condition.

20 MR. MEDENBACH: That's correct.

21 MR. HINES: Also, what I've heard
22 in the past is that they are going to
23 continue to valet park.

24 MR. MEDENBACH: That's correct.

25 MR. HINES: So a person who would

2 need an ADA requirement is going to pull
3 in there, they're going to valet park the
4 car, and they'll bring it back when that
5 person is done in the restaurant.

6 MR. MEDENBACH: They could park
7 in the ADA spot.

8 MR. CAUCHI: That's what I'm
9 trying to get at, too.

10 MR. MEDENBACH: Or they could --
11 I mean I go there to the restaurant quite
12 often. I use the valet parking. Usually
13 I just pull up to the front door in the
14 driveway and there is a kid standing
15 there. I jump out of the car and he jumps
16 in and goes away. So you don't
17 necessarily have to park for the valet
18 parking to --

19 MR. GAROFALO: We discussed that
20 at the last meeting, that that condition
21 does not fit the ADA requirement, that the
22 ADA requirement has -- it has to be out of
23 the travel way where they park.

24 MR. MEDENBACH: The valet parking
25 does? I'm not familiar with that in ADA.

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MR. GAROFALO: Where the people go and get out of the vehicle must be out of the travel way. That is a specific ADA requirement.

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MR. MEDENBACH: And that's what

they have there now.

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MR. HINES: There is a delineated ADA parking spot on the plan. It's marked on the plan.

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MR. MEDENBACH: I don't know if we delineated it because we weren't focused on the existing conditions there. We were really just focused on the details in the back of the building when we put the revision on there.

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MR. HINES: It looks like it has it.

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MR. MEDENBACH: It was on the original approved plan for the restaurant. All we're doing is adding space to the back. I mean the restaurant already is in compliance with ADA. I'm sure you can verify that with your building inspector. He has met all of the requirements all

2 along. That's an existing condition. All
3 we're doing now is adding more seats in
4 the back of the building.

5 If you want that information on
6 the plans, I have no problem doing that.
7 I can provide that.

8 MR. GAROFALO: If you have it
9 from the older plans, then I think that
10 would be perfectly acceptable.

11 MR. MEDENBACH: Yes.

12 MR. GAROFALO: But I would like
13 to see it in the record, in the plan --

14 MR. MEDENBACH: We would be quite
15 happy to do that.

16 MR. GAROFALO: -- that there is
17 an ADA signed, striped area that's
18 appropriate for people to get out of their
19 vehicles.

20 MR. MEDENBACH: Right.

21 CHAIRMAN BRAND: And Pat, this
22 change or expansion of the restaurant
23 wouldn't trigger any additional parking
24 spaces to be needed. Correct?

25 MR. HINES: No. It doesn't have

2 enough to trigger additional. I think
3 there are three shown in the front there
4 that could be delineated as --

5 MR. MEDENBACH: I think it's
6 three, maybe even more, because you have
7 like a spot -- I would have to go count
8 them.

9 MR. HINES: The ADA spaces are
10 actually smaller, maybe 8, 8 and 8 rather
11 than the 10.

12 MR. MEDENBACH: I think just the
13 aisle is 8.

14 MR. HINES: Well, the space is 8
15 as well with an 8-foot aisle.

16 MR. MEDENBACH: Okay.

17 CHAIRMAN BRAND: So are we
18 comfortable at this time, as long as the
19 map that's presented to us meets the
20 approvals, we could move forward with this
21 resolution this evening?

22 MR. TRONCILLITO: Yes.

23 MR. CLARKE: Yes.

24 CHAIRMAN BRAND: Okay.

25 MR. CLARKE: Is this a

2 conditional approval?

3 MR. HINES: Yes. It will be
4 signed off by my office.

5 CHAIRMAN BRAND: So then I would
6 like a motion to close the public hearing.

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

9 MR. CLARKE: I'll second it.

10 CHAIRMAN BRAND: Any discussion?
11 (No response.)

12 CHAIRMAN BRAND: Any objection?
13 (No response.)

14 CHAIRMAN BRAND: So then you have
15 before you the Planning Board of the Town
16 of Marlborough resolution for the
17 application at 220 North Road for the
18 amended site plan approval dated November 1,
19 2021.

20 Jen, would you poll the Board?

21 MS. FLYNN: Chairman Brand?

22 CHAIRMAN BRAND: Yes.

23 MS. FLYNN: Member Lanzetta?

24 MS. LANZETTA: Yes.

25 MS. FLYNN: Member Troncillito?

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MR. TRONCILLITO: Yes.

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MS. FLYNN: Member Lofaro?

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MR. LOFARO: Yes.

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MS. FLYNN: Member Clarke?

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MR. CLARKE: Yes.

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MS. FLYNN: Member Cauchi?

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MR. CAUCHI: Yes.

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MS. FLYNN: Member Garofalo?

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MR. GAROFALO: Yes.

11

CHAIRMAN BRAND: So moved. Thank
you. You guys are all set.

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Pat will review the final maps
and then we can get them signed. Thank
you.

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MR. MEDENBACH: Thank you very
much.

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

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CERTIFICATION

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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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11

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

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16

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.

17

18

19

IN WITNESS WHEREOF, I have

hereunto set my hand this 18th day of November
2021.

20

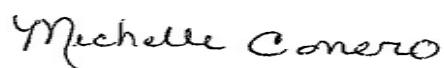
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MICHELLE CONERO

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

In the Matter of

5 TARA ANN LORDE

7 Project No. 21-5021
11 Mt. Rose Road
Section 109.1; Block 4; Lots 55 & 56

FINAL - LOT LINE

FINAL - LOT LINE

11 Date: November 1, 2021
12 Time: 7:48 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairman
16 CINDY LANZETTA
17 JOSEPH LOFARO
18 MANNY CAUCHI
19 JAMES GAROFALO
20 STEVE CLARKE
21 ROBERT TRONCILLITO

19 ALSO PRESENT: GERARD J. COMATOS, JR., ESQ.
20 PATRICK HINES
21 VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

2 CHAIRMAN BRAND: Next on the
3 agenda we have the Tara Ann Lordi final
4 for the lot line at 11 Mt. Rose Road.

5 Pat, you have nothing on this
6 one. Right?

7 MR. HINES: No. This has been
8 changed to just be a lot line change at
9 this point. It meets the requirements of
10 your streamlined lot line process with no
11 public hearing.

12 CHAIRMAN BRAND: Any questions or
13 comments from the Board?

14 MR. HINES: We just have to get
15 the resolution done.

16 CHAIRMAN BRAND: Any questions or
17 comments from the Board?

18 MR. GAROFALO: I still have the
19 concern about that ramp being indicated.

20 MS. BROOKS: Yes. I apologize.
21 I said that I was going to note that's to
22 be removed. I did.

23 And the changes to the bulk
24 requirement and the setbacks that you had
25 requested. The final plan will say that

2 the loading ramp is to be removed again.

3 This is not a feature.

4 MR. GAROFALO: Thank you.

5 MS. BROOKS: You're welcome.

6 CHAIRMAN BRAND: Anything else?

7 (No response.)

8 CHAIRMAN BRAND: No. So you have
9 before you the application of Tara Ann
10 Lordi, the resolution of approval by the
11 Town of Marlborough Planning Board for the
12 lot line revision.

13 Jen, would you poll the Board?

14 MS. FLYNN: Chairman Brand?

15 CHAIRMAN BRAND: Yes.

16 MS. FLYNN: Member Lanzetta?

17 MS. LANZETTA: Yes.

18 MS. FLYNN: Member Troncillito?

19 MR. TRONCILLITO: 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 MS. FLYNN: Member Garofalo?

3 MR. GAROFALO: Yes.

4 CHAIRMAN BRAND: All right.

5 MS. BROOKS: I have not seen the
6 resolution yet, but I'm assuming it will
7 be amended to note that the final map will
8 have those loading ramps to be removed.
9 If I could get a copy of that.10 CHAIRMAN BRAND: You can get
11 that.

12 MS. FLYNN: I'll give it to her.

13 CHAIRMAN BRAND: All right. We
14 should be all set then.15 MS. BROOKS: Is that a copy for
16 me, Jen?

17 MS. FLYNN: Yes.

18 CHAIRMAN BRAND: Yes. You can
19 have that.20 MS. BROOKS: Great. Thank you
21 very much.

22 MS. FLYNN: You're welcome.

23 CHAIRMAN BRAND: You're welcome.
24 Thank you.

25 (Time noted: 7:50 p.m.)

2

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

4

5

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

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

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

16 IN WITNESS WHEREOF, I have
17 hereunto set my hand this 18th day of November
18 2021.

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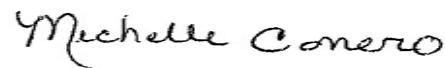
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MICHELLE CONERO

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4 - X

5 In the Matter of
6

7 FRANKOS BnB
8

9 Project No. 21-5024
10 387 Lattintown Road, Marlboro
11 Section 108.2; Block 9; Lot 30
12 - X
13

14 SKETCH - SITE PLAN

15 Date: November 1, 2021
16 Time: 7:50 p.m.
17 Place: Town of Marlborough
18 Town Hall
19 21 Milton Turnpike
20 Milton, NY 12547
21

22 BOARD MEMBERS: CHRIS BRAND, Chairman
23 CINDY LANZETTA
24 JOSEPH LOFARO
25 MANNY CAUCHI
26 JAMES GAROFALO
27 STEVE CLARKE
28 ROBERT TRONCILLITO
29

30 ALSO PRESENT: GERARD J. COMATOS, JR., ESQ.
31 PATRICK HINES
32 VIRGINIA FLYNN
33

34 APPLICANT'S REPRESENTATIVE: MARK FRANKOS
35

36 - X
37 MICHELLE L. CONERO
38 3 Francis Street
39 Newburgh, New York 12550
40 (845) 541-4163
41

2 CHAIRMAN BRAND: Next up is
3 Frankos BnB at 387 Lattintown Road for a
4 sketch of their site plan.

5 Is their representative here this
6 evening?

7 MR. FRANKOS: Yes, indeed.

8 CHAIRMAN BRAND: Come on up to
9 the table. If you could, just state your
10 name for the stenographer, please.

11 MR. FRANKOS: Mark Frankos,
12 F-R-A-N-K-O-S.

13 CHAIRMAN BRAND: And would you
14 just like to give us a brief overview of
15 what it is you have proposed here?

16 MR. FRANKOS: An Airbnb of the
17 home. We've actually been operating for
18 the last three years and are just looking
19 to get under the compliance that the Town
20 has decided to support for the parameters.

21 We initially got a notification
22 last October of all of the BnBs that had
23 been reported by the County. As the Town
24 was getting their organization and
25 framework and application all ironed out,

2 we met with Tom Corcoran and started to
3 finalize that, and then the application
4 was revised I think in May. So we're
5 looking to operate legally in the Town of
6 Marlborough.

7 We've been renting since December
8 of 2017. I think we're the highest rated
9 Airbnb in the 20-mile radius. We're
10 really proud to offer a place for people
11 to come in and experience what Marlborough
12 is. I think we're probably benefitting in
13 proximity to Beacon and then people see
14 our listing and decide well, wait a
15 minute. This is on the other side of the
16 river but it's close enough between here
17 and New Paltz.

18 MR. CLARKE: So this is an
19 Airbnb, not a bed and breakfast?

20 MR. FRANKOS: It is an Airbnb,
21 yes.

22 MR. CLARKE: Okay. Thank you.

23 MS. LANZETTA: Did you ask for
24 any additional help from anybody as to
25 what type of an application you should be

2 putting in?

3 MR. FRANKOS: Yes. I was just
4 confused with the way that -- we're listed
5 on Vacation Rentals by Owner and Airbnb.
6 We were told that we had to operate as a
7 bed and breakfast instead of an Airbnb.

8 MS. LANZETTA: Who told you that?

9 MR. FRANKOS: Jen Flynn. So Tom
10 really wasn't fully clear, either. He was
11 more under the understanding that a
12 short-term rental is actually probably
13 what we're operating as. I was very
14 confused by the whole thing.

15 CHAIRMAN BRAND: Is it owner
16 occupied?

17 MR. FRANKOS: Yes.

18 MR. HINES: So there is a
19 difference in the 50 percent requirement.

20 MS. LANZETTA: Yes. So it seems
21 to me that you probably are more in line
22 with a short-term rental, --

23 MR. FRANKOS: Okay.

24 MS. LANZETTA: -- because a bed
25 and breakfast puts additional requirements

2 on you. You can only utilize like up to
3 50 percent.

4 MR. FRANKOS: It's a two-family
5 home. It's a huge, huge home.

6 MS. LANZETTA: But you're renting
7 a lot of it out.

8 MR. FRANKOS: You have to operate
9 less than 50 percent, as I understand.

10 MR. LOFARO: Of the total square
11 footage.

12 CHAIRMAN BRAND: For bed and
13 breakfast, but not for short-term rental.

14 MR. LOFARO: Right. That's why
15 we're saying short term might be the way
16 to go.

17 MR. FRANKOS: Then that's the way
18 to go.

19 MR. HINES: That was the gist of
20 most of my comments, that you apply for a
21 bed and breakfast which kicks in a
22 different section of the code and has that
23 50 percent limitation and owner occupancy.
24 The short-term rental the Town just
25 approved has a little more leeway for you

2 to operate.

3 MR. FRANKOS: Yes.

4 MR. GAROFALO: What it doesn't
5 allow you to do is rent for more than 30
6 days.

7 MR. FRANKOS: We're more than
8 fine with that.

9 We actually -- of the, let's say,
10 300 total renting experiences, the only
11 questionable people we've ever had have
12 been people staying for about 28 to 33
13 days. We're not really in favor of that.
14 It changes the nature and dynamic of
15 somebody staying in your home. If they're
16 there for 4 to 10 days, especially if
17 we're staying upstairs, they know they're
18 staying in our home.

19 We really came to a point where
20 we didn't want to rent it for more than 3
21 weeks because then people are swaggering
22 in there, having dropped a good amount of
23 money. There is a weird energy. We're
24 more than happy not to rent it for more
25 than 30 days.

2 MS. LANZETTA: If you do apply
3 for this, then you would also be working
4 with the Building Department to get your
5 permits. If you would rent over 30 days,
6 then you would negate your permit and you
7 would have to start the process all over
8 again.

9 MR. FRANKOS: We're more than
10 fine with that.

11 CHAIRMAN BRAND: Would you say at
12 the present time that less than 50 percent
13 is being rented of the space?

14 MR. FRANKOS: Yes.

15 CHAIRMAN BRAND: So I mean if
16 that's the case, I wouldn't --

17 MR. FRANKOS: But the difference
18 is with the first floor and the second
19 floor combined we're at about 50 percent.
20 There is a third floor. There is the
21 finished basement. Those are both off
22 limits to any guest, anyway.

23 So there is about 3,100 square
24 feet of rentable space if it's under the
25 50 percent number because no guests are

2 allowed in either the finished basement
3 spaces or the third floor that we reserve
4 for ourselves so that we're not scrambling
5 trying to, --

6 CHAIRMAN BRAND: Sure.

7 MR. FRANKOS: -- you know, manage
8 cleaning. That's more than anything. I
9 spend more hours vacuuming than anybody
10 should.

11 CHAIRMAN BRAND: The 50 percent
12 rule, Pat, is 50 percent of the livable
13 space?

14 MR. HINES: Yes.

15 CHAIRMAN BRAND: So why would we
16 make him start over if he meets all of
17 those requirements for the BnB?

18 MR. HINES: Well, I don't know
19 that we've proven that. We would need a
20 map or a plan of the building saying here
21 is what we're renting, here is what we're
22 not renting.

23 CHAIRMAN BRAND: Right. Right.

24 MR. HINES: We have a layout
25 plan. I was just surprised because it

2 says you were going to provide 12 parking
3 spaces which caught my attention. 12
4 parking spaces times 2 people in the car
5 is going to be a lot of people.

6 MR. FRANKOS: Sometimes there are
7 as many as 16 people staying. Usually
8 there is no more than --

9 MR. HINES: There is a limit on
10 10. Right? Isn't there a 10 limit in the
11 code?

12 MS. LANZETTA: Well, it's for 2
13 per --

14 MR. HINES: Per bedroom.

15 MS. LANZETTA: It's 2 per
16 bedroom.

17 MR. FRANKOS: Total people or
18 total parking spaces?

19 MR. HINES: No. It's people
20 which dominos into the parking. So the
21 short-term rental limits you to 2 people
22 per bedroom. I think you identified 5
23 rental bedrooms.

24 MR. FRANKOS: I was just proving
25 ample parking.

2 MR. HINES: But 16 cars is more
3 than 10 people in the 5 bedrooms.

4 MR. FRANKOS: I was just proving
5 that we had ample parking because it is --
6 there are two different driveways. We
7 usually have people park in the back of
8 the house so it's less visible, the coming
9 and going, to neighbors.

10 All of them have expressed full
11 support. We were a little worried about
12 that from the beginning. So in three
13 years we've had no noise complaints.
14 We've had nothing but support.

15 It was a foreclosed, abandoned
16 home when we bought it. I don't know if
17 anybody knows Alec Piazza. He's a local
18 who grew up here. He lived next door and
19 he said, before we moved in, he hoped it
20 would be struck by lightning and burn
21 down. It was that bad.

22 So that's the reason why the 11
23 parking spaces. In all pragmatic
24 situations there is no more than 3 to 5
25 cars there at any one time.

2 CHAIRMAN BRAND: Pat, maybe you
3 just want to run through your comments
4 then since we kind of bounced around a
5 little on that.

6 MR. HINES: Sure. And I did
7 provide them to the applicant. He is just
8 seeing them.

9 The regulation requires a
10 narrative, so we would need a little more
11 detail. I know you wrote that for the bed
12 and breakfast. We need the number of
13 bedrooms, the proposed number of times,
14 the hours of operation, more detail so the
15 Planning Board can get a handle on how the
16 site is operating. It sounds like you
17 have experience over the time that you
18 have been here.

19 The parking calculation, we're
20 not necessarily telling you to have 12
21 parking spaces. I know you kind of struck
22 them on the map as areas to park, but I
23 also have a concern that the 2 people per
24 bedroom, it says 5 bedrooms, so you'd be
25 limited to 10 people based on the Town

2 code.

3 I noted we did not get a Town
4 gatekeeper letter. At least I didn't.

5 MS. LANZETTA: Yes, we did.

6 MR. HINES: Oh, you did. Okay.

7 MS. LANZETTA: Yes, we did.

8 MR. HINES: I don't have those.

9 It's located on a County highway.
10 We would typically circulate to County DPW
11 for the use.

12 A County Planning referral will
13 be required because it is a special use in
14 this zone.

15 We talked about --

16 CHAIRMAN BRAND: Pat, can I just
17 pause right there?

18 MR. HINES: Sure.

19 CHAIRMAN BRAND: The bed and
20 breakfast is a special use, but the
21 short-term rental is not a special use in
22 that zone? It's allowable in every use,
23 in every zone. Correct?

24 MR. HINES: It's allowable but by
25 special use permit.

2 CHAIRMAN BRAND: Okay.

3 MR. HINES: They're all special
4 uses. And the reason for that is you can
5 condition them on reasonable restrictions
6 or conditions that you want to apply. I
7 can put that as a special use, not the as
8 of right.

9 I think we need a better map.
10 The handwritten parking spaces on here.
11 As you move forward, I think that the
12 Planning Board should get more detail
13 other than the section of --

14 MR. FRANKOS: I will let my wife
15 do that on Adobe as she did the floor
16 plan.

17 MR. HINES: There you go. I
18 don't know who did your survey, but they
19 may be able to do one for you, too.

20 Give them that level of detail.
21 And that's what we're looking for, more
22 level of detail showing those parking
23 spaces, depicting what the size of the
24 parking space is, how they're going to be
25 delineated.

2 Access points to the structure
3 are typically depicted on there. This
4 shows the parking is conducive to that.

5 I didn't see a short
6 environmental assessment form which should
7 be submitted for the environmental review.

8 There were numerous items on the
9 checklist that said they were submitted,
10 but I didn't find them. I didn't detail
11 each of them, but if you could, go through
12 the checklist again and make sure that
13 whatever you resubmit has that
14 information.

15 MR. FRANKOS: The short
16 environmental checklist is detailed on
17 part of the code on the online form?

18 MR. HINES: Yes. And you can
19 fill it out on DEC's website. They have a
20 site. The majority of it will be
21 populated with DEC's information that they
22 have in their database as well and you can
23 fill in the rest.

24 MR. GAROFALO: Make sure that
25 when you do that, that you're not blocking

2 the pop-ups because that will prevent them
3 from adding stuff onto the form.

4 MR. HINES: It won't even fill
5 the form in if you don't allow pop-ups.

6 MR. FRANKOS: Okay.

7 MS. LANZETTA: Pat, I just need a
8 little more clarification again on why
9 we're submitting it to County. Is that
10 because of the proximity to a County road?

11 MR. HINES: Yes. It's on the
12 County road. It has two driveways.

13 MS. LANZETTA: Well, I mean the
14 referral to County Planning.

15 MR. HINES: To County Planning as
16 well, yeah. It's a special use permit and
17 on a County road.

18 MS. LANZETTA: Yeah. Because the
19 other ones that we've done we haven't --

20 MR. HINES: They aren't within
21 those parameters, County road or within
22 500 feet of municipal boundaries.

23 MS. LANZETTA: Okay.

24 MR. HINES: They don't meet any
25 of the 239s, but this one does.

2 MS. LANZETTA: Okay. I just
3 wanted to be clear on that. Thank you.

4 MR. FRANKOS: Let me ask one
5 question. So the delineation beyond
6 possibly the difference between the
7 special use permit for a bed and breakfast
8 but not necessarily for a short-term
9 rental, fine. If longer term --

10 MR. HINES: I'm as confused as
11 you are with this.

12 MR. FRANKOS: No, no, no. I mean
13 this is legal things and there are legal
14 things for a reason a lot of the time.

15 Then the differential between the
16 two, we are interested longer term in
17 finishing out one of the basements as a
18 movie room. If we were to do that and
19 offer that as an amenity for people
20 staying, then the use of the home would
21 then tip to more than 50 percent.

22 MR. HINES: Right. So you may
23 want to stay with short-term rental.

24 MR. FRANKOS: So the short-term
25 rental would be the way to go because

2 we've been moving that way and it lightens
3 the burden on the house.

4 We really like having less
5 people. A limit of 10 is more than good
6 with us because that ends up being 5 or 6
7 children. It's decorated with antiques
8 that are -- you know, Habitat for
9 Humanity, not \$5,000 lamps. Nevertheless,
10 we actually didn't allow children for the
11 first six months to a year because we were
12 worried about child safety and things
13 being broken.

14 It's nice to have something for
15 larger families because it is a large
16 home. In that direction we've been moving
17 towards, we've really been looking forward
18 to no TV in the living room, adults having
19 a cocktail, if kids want to hang out
20 downstairs. It just -- it makes for a
21 happy family.

22 CHAIRMAN BRAND: Can you include
23 that in your plans, that that's the plan,
24 and then you could show that on your maps?

25 MR. FRANKOS: Okay.

2 CHAIRMAN BRAND: You can indicate
3 that the intended future use for this
4 space will be for a movie room for the
5 rentals to use.

6 MR. FRANKOS: And then under
7 that, because it hadn't really been
8 livable space, you know, prettied up,
9 cinderblock, now it's a comfortable space,
10 making sure that that's to code, being in
11 contact with the Building Department
12 before that's actually certified as now
13 livable space?

14 CHAIRMAN BRAND: Yes. They'll
15 issue the permit. They'll come and do an
16 inspection. If you say we're not using
17 this space at that time, then he's not
18 looking at that time at that space.

19 MR. FRANKOS: Okay.

20 CHAIRMAN BRAND: If you want to
21 do it, he would have to probably do
22 another visit I'm assuming.

23 MR. FRANKOS: Okay. Another
24 visit with the Planning Board in addition
25 to --

2 CHAIRMAN BRAND: Not with us.

3 MR. FRANKOS: Just with the
4 Building Department?

5 CHAIRMAN BRAND: Yes.

6 MR. FRANKOS: Okay.

7 MR. GAROFALO: You will have
8 inspections by the Building Department for
9 fire and in general. That's something
10 that as a short-term rental you still have
11 to deal with. You also have to deal with
12 the permits. You need to stay in good
13 graces with the neighbors because if they
14 complain too much, your permit can get
15 pulled.

16 MR. FRANKOS: That's been an
17 understanding from the beginning. We knew
18 that the only way to afford a renovation
19 of this home was to share it with other
20 people probably for another two to four
21 years, so we're all in on that.

22 MR. GAROFALO: Okay. I just
23 wanted to make sure that you understood
24 that there are some differences.

25 MR. FRANKOS: Yes.

2 CHAIRMAN BRAND: So I would think
3 in the meantime, before the next visit
4 from you, you should probably resubmit as
5 a short-term rental, check out all of the
6 things that Pat went over with you, and
7 then definitely give us a better map of
8 it.

9 MR. FRANKOS: And a better
10 description.

11 MR. HINES: Or a narrative, yes.
12 Where your clients enter. That kind of
13 thing. You had mentioned it's a
14 two-family house.

15 MR. FRANKOS: Yes.

16 MR. HINES: We didn't see that in
17 the application. Let's get that
18 clarified, too. And what portions of
19 those you're using.

20 MR. GAROFALO: What portion of
21 the house is being used?

22 MR. FRANKOS: The first and the
23 second floor. We were apprehensive about
24 the difference between the two for that
25 exact reason, with the 50 percent, knowing

2 that the longer-term intent was to provide
3 the movie room and, you know, not be
4 constrained by --

5 MR. HINES: And with the
6 short-term rental you can put that in now
7 so you're not returning and the Building
8 Department won't kick it back when you do
9 that.

10 MR. FRANKOS: Perfect.

11 MR. HINES: Let's get everything
12 you want now in one shot.

13 MR. FRANKOS: Perfect.

14 MR. GAROFALO: Is there some
15 reason that on the application fee the
16 plus \$50 per bedroom was crossed out? I
17 don't know if that was done by you or not.

18 MR. FRANKOS: I didn't see that.
19 I wasn't aware of that.

20 MR. GAROFALO: (Indicating.)

21 MR. FRANKOS: No, that was not
22 done by me.

23 MR. GAROFALO: Okay. Was that an
24 error that I made in determining the
25 application fees?

2 MR. HINES: I think because he
3 was a bed and breakfast and not a
4 short-term rental at that point.

5 MR. GAROFALO: Oh, okay. That
6 could be. So there may be an additional
7 fee.

8 MR. FRANKOS: What is the -- so
9 is that per bedroom?

10 MS. LANZETTA: Yes.

11 MR. GAROFALO: It's per bedroom.

12 MR. HINES: That you're renting.

13 MR. FRANKOS: So if there are 5
14 total bedrooms, 50 bucks per bedroom?

15 MR. GAROFALO: Right.

16 MR. HINES: 5 total rental
17 bedrooms.

18 MR. FRANKOS: Yes.

19 MR. HINES: And then that will
20 kick in that limit of 10, 2 people per
21 bedroom.

22 MR. GAROFALO: There is a waiver
23 on certain ages. Isn't there?

24 MR. HINES: I'm not sure. There
25 could be.

2 MR. GAROFALO: There might be in
3 the code.

4 MS. LANZETTA: Yes, it might be
5 in the code.

6 MR. FRANKOS: Not to open a can
7 of worms, but just so I'm not caught out
8 in left field, what was brought up before
9 with the previous zoning is handicap
10 parking. As a private house, should we
11 have designated handicap parking? I mean
12 that's a great idea, but I don't --

13 MR. HINES: I don't think the
14 rest of the house meets the requirements.
15 It's considered a private home.

16 MR. FRANKOS: No. Okay.

17 MR. HINES: I'm not sure. Jim
18 knows a little bit about that.

19 MR. FRANKOS: We'll close that as
20 well.

21 MR. GAROFALO: I am not sure
22 about that, either. Certainly if people
23 can't get into the house, okay, I would
24 certainly consider advertising that, that
25 it may be a challenge for them to get in.

2 MR. FRANKOS: We have often
3 enough inquiries about whether or not
4 there are stairs to enter the house. The
5 first floor there are no stairs. A lot of
6 the times there is somebody who is
7 elderly.

16 MR. GAROFALO: I honestly do not
17 know what the regulations are about that.
18 If there is, it's probably only one space.
19 Again, I'm not sure if it's required.

20 MR. FRANKOS: Okay.

21 CHAIRMAN BRAND: And we haven't
22 asked that of any other applicants.

23 MR. GAROFALO: If it's under 4
24 spaces it's definitely I think not
25 required. This is something more than

2 that, so I'm not sure.

3 MR. HINES: It may be something
4 when you're talking with the building
5 inspector that you can run by him, --

6 MR. FRANKOS: Okay.

7 MR. HINES: -- the ADA
8 requirement.

9 CHAIRMAN BRAND: Anything else,
10 Mr. Frankos?

11 MR. FRANKOS: No, sir.

12 CHAIRMAN BRAND: All right.

13 Thank you.

14 MR. FRANKOS: Thank you very
15 much.

16 MS. FLYNN: James, the \$50,
17 that's for the Building Department.
18 That's why that is crossed off. It's not
19 for the Planning Board. That was an old
20 application that we were working through
21 that he filled out with Tommy. That was
22 put on there for that application fee.
23 That's why it was crossed off.

24 MR. GAROFALO: It was a
25 short-term rental?

2 MS. FLYNN: It's not for the
3 Planning Department. It's on the Building
4 Department. We don't charge \$50 per room
5 for our application.

6 MS. LANZETTA: Do you know how we
7 have both of these on there?

8 MR. GAROFALO: Okay. So you're
9 saying I should remove that off the form?

10 MS. FLYNN: It's already done.
11 Danielle did that.

12 MR. GAROFALO: Oh, okay.

13 MS. FLYNN: It's already done.
14 That's just an old application that he
15 filled out through Tommy.

16 MR. GAROFALO: Okay.

17 MS. FLYNN: I just wanted to
18 clarify that with you.

19 MR. GAROFALO: Okay. I'm
20 responsible for changing some of these
21 forms so I'm trying to get them straight.

22 MR. FRANKOS: Okay. I'm just
23 seeking clarification on the steps moving
24 forward. So I should be in contact with
25 the building inspector and Jen to solidify

2 it as I come up with the environmental
3 list, just confirm a better description of
4 the map, et cetera, so everything is in
5 order for the next --

6 CHAIRMAN BRAND: I would start
7 with a new application.

8 MR. FRANKOS: Because it's now a
9 short-term rental and not a bed and
10 breakfast.

11 CHAIRMAN BRAND: Right.

12 MR. FRANKOS: And iron out all of
13 those with the new application.

14 MS. FLYNN: And that's online.
15 You can fill that out right online. It
16 gives you every place that you need to go.

17 MR. FRANKOS: Excellent. Thank
18 you very much.

19 CHAIRMAN BRAND: All right.
20 Thank you. Good luck.

21 MR. FRANKOS: Thank you.

22

23 (Time noted: 8:11 p.m.)

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

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

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

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

16 IN WITNESS WHEREOF, I have
17 hereunto set my hand this 18th day of November
18 2021.

19

20

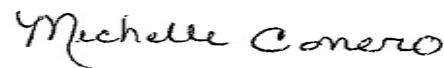
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MICHELLE CONERO

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

4 - - - - - In the Matter of

5 QIANG SUBDIVISION

6 Project No. 21-5022
7 24 Plattekill Road, Marlboro
8 Section 108.2; Block 7; Lot 32.22

9 - - - - - X

10 SKETCH - SUBDIVISION

11 Date: November 1, 2021
12 Time: 8:11 p.m.
13 Place: Town of Marlborough
14 Town Hall
21 Milton Turnpike
Milton, NY 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairman
16 CINDY LANZETTA
17 JOSEPH LOFARO
18 MANNY CAUCHI
19 JAMES GAROFALO
STEVE CLARKE
ROBERT TRONCILLITO

20 ALSO PRESENT: GERARD J. COMATOS, JR., ESQ.
PATRICK HINES
VIRGINIA FLYNN

21 APPLICANT'S REPRESENTATIVE: JOSEPH POMERICO
22

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

2 CHAIRMAN BRAND: Next on the
3 agenda, Qiang Subdivision, 24 Plattekill
4 Road, Marlboro for a sketch of their
5 subdivision.

6 MR. POMERICO: Joe Pomerico from
7 Talcott Engineering representing Qiang for
8 the subdivision.

9 CHAIRMAN BRAND: Pat, do you want
10 to start off with your comments first?

11 MR. HINES: Joe, do you have
12 them?

13 MR. POMERICO: Yes.

24 CHAIRMAN BRAND: Okay.

25 MR. CLARKE: What were those

2 preexisting issues?

3 MR. HINES: Side yard and front
4 yard of the existing structure. He felt
5 that by subdividing it it was losing its
6 protection because of the subdivision. I
7 told him we haven't seen that before and
8 he said sure we have, and he's going to be
9 consistent with that in the future.

10 MR. POMERICO: Tommy gave us a
11 verbal referral to the Zoning Board, so
12 we're going to submit that.

13 MR. HINES: O the water services
14 haven't been shown on the plans as we've
15 requested.

16 The bulk table has been modified
17 per my comment to show the lot area needed
18 for two-family residences. There was a
19 note that said there was a one-acre per
20 dwelling unit, but it's now been adjusted.

21 Ulster County Health Department
22 approval for the two new septic systems
23 serving the duplexes is required.

24 And four parking spaces have been
25 depicted.

2 It does need to go to the ZBA
3 which requires a public hearing. The
4 Planning Board will also have to have a
5 public hearing for the subdivision once it
6 returns from the ZBA.

7 And then I didn't know if the
8 Board wanted to see renderings of the
9 two-family structures.

10 MS. LANZETTA: They gave it to
11 us.

12 MR. POMERICO: I have an extra
13 copy if you need it, Pat.

14 MR. HINES: Okay. I didn't know
15 that that was the rendering for the
16 two-family structure. That's kind of a
17 unique looking building.

18 MS. LANZETTA: Yeah. I like it.

19 MR. HINES: So that's up to the
20 Board to review. So there is not much
21 that we can do right now without --

22 MR. FOX: There is a color copy
23 of it.

24 MR. HINES: There is a color
25 copy. That's pretty unique. I did see

2 that in black and white and I didn't know
3 if it was someone's advertisement.

4 MS. LANZETTA: In the past we've
5 kind of done a side by side ZBA/Planning
6 Board review. I don't see where this is
7 going to really hold anything up if we go
8 ahead and schedule a public hearing for
9 this now.

10 MR. HINES: Yes. You can
11 probably do that, as long as they're
12 successful at the ZBA.

13 MR. GAROFALO: And as long as the
14 applicant is willing to do it that way.

15 MS. LANZETTA: Yes.

16 MR. GAROFALO: If you fail at the
17 ZBA, then he'll waste money doing it that
18 way.

19 MS. LANZETTA: That's true.

20 MR. GAROFALO: He has the
21 opportunity to say if he wants to do it in
22 a linear fashion or parallel.

23 MS. LANZETTA: That's right.

24 CHAIRMAN BRAND: Jen, what would
25 the next available date for that be?

2 MS. FLYNN: It would be December 6th.

3 MR. POMERICO: December 6th.

4 CHAIRMAN BRAND: And when is the ZBA?

5 MS. FLYNN: It's either the
6 second or the third Thursday of the month
7 that they meet.

8 MR. HINES: And you're on that
9 one or you're not sure?

10 MR. POMERICO: I'll have to talk
11 to Charlie. I'm not really sure. I
12 believe we were just submitting for it.

13 CHAIRMAN BRAND: So the ball is
14 in your court. Would you like us to go
15 ahead and schedule a public hearing for
16 December 6th or do you want to wait until
17 you hear back from the ZBA?

18 MR. POMERICO: Let's schedule it
19 for the 6th.

20 CHAIRMAN BRAND: Okay. So then I
21 don't know if you saw the last two, but
22 there are some mailings that are required.

23 MR. POMERICO: Okay.

24 MS. FLYNN: I have to get the
25 letter together and have the lawyer

2 approve it, then I'll send it to you.

3 MR. POMERICO: Okay, great.

4 Thank you.

5 MS. FLYNN: Do I have your
6 e-mail?

7 MR. POMERICO: You probably have
8 our company e-mail, talcottdesign.

9 MS. FLYNN: Okay. So it goes to
10 Brown?

11 MR. POMERICO: Correct.

12 MR. HINES: Charlie Brown.

13 MR. POMERICO: Yes.

14 CHAIRMAN BRAND: Okay. Anything
15 else on this?

16 MR. GAROFALO: Yes. I want to
17 see the parking space sizes.

18 MR. POMERICO: Okay.

19 MR. GAROFALO: The code requires
20 200 square feet. Usually it's 10 by 20.

21 MR. POMERICO: You got it.

22 MR. HINES: The exterior parking
23 spots. The garage isn't going to be 10 by
24 20 I don't think.

25 MR. POMERICO: No. I think it

2 will be bigger, actually. We'll make sure
3 we show that.

4 CHAIRMAN BRAND: Okay. Anything
5 else from the Board?

6 (No response.)

7 CHAIRMAN BRAND: All right. So
8 we will see you on December 6th. Good
9 luck at the ZBA.

10 MR. POMERICO: Thank you very
11 much.

12 CHAIRMAN BRAND: So I believe,
13 unless there is any other business from
14 the Board that requires the stenographer
15 and the attorney, we can free them from
16 the meeting. Is there anything else that
17 we need them for at this point?

18 (No response.)

19 CHAIRMAN BRAND: All right.
20 Thank you for your services tonight.
21 Thank you.

22

23 (Time noted: 8:17 p.m.)

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25

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

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7 Public for and within the State of New York, do
8 hereby certify:

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

16 IN WITNESS WHEREOF, I have
17 hereunto set my hand this 18th day of November
18 2021.

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Michelle Conero

MICHELLE CONERO