

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

- - - - - X  
In the Matter of

MAD BATTERS BAKERS TALE

Project No. 21-5028  
579 Route 44/55, Marlboro  
Section 95.2; Block 2; Lot 10

- - - - - X

SKETCH - SITE PLAN

Date: December 20, 2021  
Time: 7:30 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairwoman  
JOSEPH LOFARO  
MANNY CAUCHI  
JAMES GAROFALO  
STEVE CLARKE  
ROBERT TRONCILLITO

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

APPLICANT'S REPRESENTATIVE: DAVID TODER

- - - - - X

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

1       M A D   B A T T E R S   B A K E R S   T A L E

2                   ACTING CHAIRWOMAN LANZETTA:  We'd  
3       like to call this meeting to order.  
4       This is the Town of Marlborough  
5       Planning Board.  We'll start with the  
6       Pledge of Allegiance.

7                   (Pledge of Allegiance.)

8                   ACTING CHAIRWOMAN LANZETTA:  This is  
9       the Town of Marlborough Planning  
10      Board meeting for December 20, 2021.

11                   We're going to be looking at  
12      the Mad Batters Bakers Tale, sketch,  
13      site plan; Grunewald, sketch, lot  
14      line; and the Verizon Marlboro High  
15      School, sketch, site plan, as well as  
16      having a conceptual site plan  
17      discussion with the engineer for  
18      Mazzola Oil.

19                   The next deadline will be  
20      Thursday, December 23, 2022 --  
21      2021.  I'm sorry.  The next scheduled  
22      meeting will be Monday, January 3,  
23      2022.

24                   Can I have a motion for the  
25      approval of the stenographic minutes

1       M A D   B A T T E R S   B A K E R S   T A L E

2               for December 6, 2021?

3               MR. CLARKE:   So moved.

4               MR. TRONCILLITO:   I'll second  
5               it.

6               ACTING CHAIRWOMAN LANZETTA:   All  
7               in favor?

8               MR. CLARKE:   Aye.

9               MR. TRONCILLITO:   Aye.

10              ACTING CHAIRWOMAN LANZETTA:   Aye.

11              MR. GAROFALO:   Aye.

12              MR. CAUCHI:   Aye.

13              MR. LOFARO:   Aye.

14              ACTING CHAIRWOMAN LANZETTA:   Opposed?  
15              (No response.)

16              ACTING CHAIRWOMAN LANZETTA:   Okay.  
17              So we'll begin with the Mad Batters.  
18              I'm not sure who is here to represent  
19              them.

20              MR. TRONCILLITO:   One thing has  
21              to get changed.   The address is  
22              incorrect.   It's 576-578.   That's the  
23              correct address.

24              MR. TODER:   Hello.   I'm Dave  
25              Toder, Bolder Architecture.   Kristen

1       M A D   B A T T E R S   B A K E R S   T A L E

2               Baker is also here this evening.

3               MS. BAKER:   Hello.

4               ACTING CHAIRWOMAN LANZETTA:   Hi.   Would  
5       you like to give us a brief  
6       explanation about what it is that  
7       you're proposing to do?

8               MR. TODER:   Sure.   So the  
9       existing building on the site is  
10      being used as a bakery.   They want to  
11      use another unit as the retail store  
12      for the bakery which would be named  
13      the Bakers Tale.   There's another  
14      unit that would also be a commercial  
15      use, like an office space of some  
16      kind.

17              It's an existing site.   It's a  
18      little tight.   It's close to the  
19      road.   It's older buildings.   It  
20      seems to be a significant benefit for  
21      the community, so we're hoping to  
22      make it work within the parameters  
23      required.

24              ACTING CHAIRWOMAN LANZETTA:   Thank  
25      you.

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2                   Pat, would you like to go over  
3       your comments with us, please?

4                   MR. HINES:   I will.   I believe  
5       you got a copy.

6                   MR. TODER:   I did, yes.   Thank  
7       you.

8                   MR. HINES:   The first comment  
9       is just that it's before the Board  
10      for a change of use.

11                   The DOT is going to be an  
12      involved agency during the review.   I  
13      think during that review we will hear  
14      comments about the wide open access  
15      that it currently has off the State  
16      highway.   Typically when they see  
17      these, they may come back and want  
18      that access more restricted.

19                   A County Planning review will  
20      be required once we get a more  
21      detailed plan.

22                   We're looking for information  
23      on the water use and the existing  
24      sanitary sewer disposal system on the  
25      site.   There is an existing

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2               residence.  There's the existing  
3               bakery.  We're adding a retail use.  
4               I assume the offices are going to be  
5               used for the other two uses.  There's  
6               a potential they may be used  
7               separately.

8                       MR. TODER:  Yes.

9                       MR. HINES:  Okay.  So that will  
10              be a part of the septic system use as  
11              well.

12                     The front yard setback on the  
13              survey plan looks like it's taken  
14              from the center line of the roadway.  
15              Apparently the deeds go to the middle  
16              of the State highway.  The front yard  
17              setback should be delineated at the  
18              State highway right-of-way.  I'm sure  
19              oftentimes we have road by use for  
20              Town roads, but it's very rare that  
21              there are roads by use by DOT.  They  
22              usually own their right-of-ways.  
23              We're going to need some information  
24              on that.

25                     The reason I bring that up is

1       M A D   B A T T E R S   B A K E R S   T A L E

2               that then the front yard setbacks for  
3               the existing structures as well as  
4               the side yard setback for the  
5               existing bakery building do not meet  
6               the bulk table requirements.  
7               Consistent with the recent  
8               determination from the Building  
9               Department, I believe they lose that  
10              grandfathered protection upon the  
11              change of use that's before the  
12              Board.

13                 I just want to make sure  
14                 there's only one septic system. It  
15                 looks like it's on the side of the  
16                 house. I don't know how the bakery  
17                 building I'll call it, the commercial  
18                 building, gets to the septic system  
19                 located on, I'll call it the right  
20                 side. I don't have another arrow.  
21                 It's on the right side of the  
22                 structure. We want to see that  
23                 information on the septic system.

24                 Additional site detail will be  
25                 needed, including paving, striping.

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2                   I have a question.  You're  
3           introducing this retail use and it  
4           doesn't look like it's accessible.  
5           There are stairs proposed from the  
6           parking lot to the building and then  
7           there's stairs again at the building.  
8           The accessibility issues need to be  
9           addressed on the site.

10                   I just have a question.  There  
11           are three what look like conventional  
12           residential bathroom facilities in  
13           the structure.  It looks like there's  
14           three tubs and bathroom facilities.  
15           I don't know if this was previously a  
16           residential multi-family.

17                   MR. TODER:  It was.

18                   MR. HINES:  Those are proposed  
19           to remain?

20                   MR. TODER:  They didn't need to  
21           be torn out, so --

22                   MR. HINES:  I just want to make  
23           sure that there's not a residential  
24           component to this.  We may need notes  
25           on the plans stating that there is no

1       M A D   B A T T E R S   B A K E R S   T A L E

2               proposed residential use.

3               I noted that the utilities, the  
4               HVAC and the propane tank, appear to  
5               be located in front of the structure.  
6               I don't know that those are going to  
7               be adequately screened or proposed to  
8               be screened. I'll leave that up to  
9               the Board as to the aesthetics of  
10              that.

11              The reference to the blacktop  
12              path or equal should be addressed on  
13              the site. We're going to need to  
14              know what that is, what it's going to  
15              be constructed of and the detail so  
16              we're not guessing and the Building  
17              Department is not guessing in the  
18              future.

19              The dumpster as existing is in  
20              the site frontage on the lower  
21              left-hand corner of the site. We're  
22              suggesting this may be an opportunity  
23              to relocate that and put it to the rear  
24              parking lot to get it out of the  
25              front of the building.

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2                   There's a reference to a new  
3       dumpster enclosure fence. We would  
4       need the detail on that.

5                   Any site lighting should be  
6       depicted on the plans. County  
7       Planning will be reviewing that as  
8       well.

9                   Any landscaping that's  
10      proposed. I noted that in the  
11      application they said that no  
12      additional landscaping was going to  
13      be provided, but I'll leave that to  
14      the Board as to what you're looking  
15      for.

16                  And then I just reference what  
17      I talked about earlier, I think DOT  
18      is going to have a concern about  
19      traffic, parking in front and backing  
20      out into the State highway. It's  
21      just as a comment to the applicants  
22      that they may be getting comments  
23      back from DOT when this gets  
24      circulated.

25                  ACTING CHAIRWOMAN LANZETTA: If

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2               they do find that they have issues  
3               with the setbacks in the front, are  
4               they going to have to go to the  
5               Zoning Board of Appeals?

6               MR. HINES:   The side yard and  
7               the front yard setbacks I believe  
8               need to get referred to the ZBA.

9               ACTING CHAIRWOMAN LANZETTA:   So  
10              it might behoove them to first iron  
11              out that situation if they are  
12              looking to utilize -- even if they  
13              don't use it for parking, they still  
14              have to be --

15              MR. HINES:   They're not  
16              proposing to use the frontage as  
17              parking but it looks like they may be  
18              doing that now.   I didn't go to the  
19              site but I did look at an aerial of  
20              the site.   It's wide open along the  
21              frontage where you can pull in, run  
22              into the bakery or the cafe and grab  
23              something and back out.

24              DOT, when they get these,  
25              normally it's going to want to restrict

1       M A D   B A T T E R S   B A K E R S   T A L E

2               that to a designed commercial access.   We've  
3               seen that on our end.

4               I remember the Mobil when it  
5               was before us, they had a similar  
6               condition.   That Mobil was required  
7               to provide defined access that met  
8               the DOT standards.

9               ACTING CHAIRWOMAN LANZETTA:   So  
10              again, before they do any more work  
11              on this, that would be something that  
12              would be wise for them --

13              MR. HINES:   I think they should  
14              confirm.   Tommy didn't pick up on his  
15              gatekeeper, but they should confirm  
16              with the code enforcement officer  
17              that that is the case.

18              We've seen that with the recent  
19              ones, with Lordi and with some of the  
20              other recent ones.   Tommy had picked  
21              up on some of the zoning deficiencies.

22              If you read the bulk table, it  
23              says they meet it at 38 feet, but  
24              that's measuring from the center of  
25              the double yellow line in the center

1       M A D   B A T T E R S   B A K E R S   T A L E

2               of the road.

3               ACTING CHAIRWOMAN LANZETTA: Does  
4 anybody have any questions?

5               MR. GAROFALO: I do. James  
6 Garofalo. I have a few questions.

7               One is on the contours. I  
8 think we at least want to see some  
9 contours to make sure that it's at a  
10 respectable level for accessible  
11 movement. I think you have some room  
12 for accessible parking there. You  
13 also need to show the dimensions on  
14 the parking spaces. You do mention  
15 that you have 200 square feet, but I  
16 think we want to see some dimensions  
17 on those, even if they are somewhat  
18 variable.

19              MR. HINES: That was the intent  
20 of my additional detail for parking,  
21 striping.

22              MR. GAROFALO: Item number 21  
23 on the list, I believe that there are  
24 some curb cuts within 100 feet.  
25 You're going to want to show those.

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2                   Item number 30 about the lock  
3       boxes, I think that's something that  
4       you do want to talk to the fire  
5       department concerning. You may not  
6       need them but you do want to talk to  
7       them.

8                   MR. TODER: I'd like to confirm  
9       one or two items about the setbacks.

10                  My reading of the zoning, bulk  
11       and lot code for the side yard  
12       setbacks is that it needs to be 70  
13       foot total but only one side has to  
14       be 35 foot minimum, the other can be  
15       less than 35, meaning that I can  
16       place it where I want and I can put  
17       it at 20 feet and 50 feet. I believe  
18       that's allowed by code. Could you  
19       confirm that?

20                  MR. HINES: That is correct.

21                  MR. TODER: Okay. So I don't  
22       have a problem with the side yard  
23       setback because of that allowance in  
24       the zoning code. That's at least one  
25       variance I do not require.

1       M A D   B A T T E R S   B A K E R S   T A L E

2                   And then the other variance  
3       that you mentioned from the ZBA,  
4       you're saying that even though it's  
5       an existing building, the change of  
6       use means that you need to get a  
7       variance for the front yard setback?

8                   MR. HINES:   Yes.   And that's  
9       been a determination from the code  
10      enforcement officer recently on  
11      several projects.

12                  MR. TODER:   I see.   Not this  
13      one particularly, but --

14                  MR. HINES:   We haven't heard  
15      from -- he may have looked at the  
16      bulk table where it says 38 feet and  
17      just assumed it met the code.   This  
18      one is measured from the center line  
19      of the road, though.

20                  MR. TODER:   Yes.

21                  MR. HINES:   I would check with  
22      him when you're speaking to him about  
23      that, that he also concurs with the  
24      35 and 70 that you mentioned and that  
25      they are not both 35.   I don't want

1       M A D   B A T T E R S   B A K E R S   T A L E

2               to have you go to the ZBA twice.

3               MR. TODER:   Yes.

4               ACTING CHAIRWOMAN LANZETTA:   Any  
5       other questions or concerns?

6               (No response.)

7               ACTING CHAIRWOMAN LANZETTA:   I  
8       just have one more.

9               In your response for the not  
10       applicable or asking for waivers for  
11       number 4, we do require that  
12       regardless of the status of your  
13       clients, that they fill out the  
14       entire application including the  
15       ethics portion.   So we would like to  
16       see that as part of the application  
17       as well, please.

18              MR. TODER:   Thank you.  
19       Understood.

20              ACTING CHAIRWOMAN LANZETTA:   Okay.  
21       We'll wait for that information, the  
22       additional information to come back  
23       to us, and we'll move forward as it  
24       does.

25              MR. TODER:   All right.

1       M A D   B A T T E R S   B A K E R S   T A L E

2                   ACTING CHAIRWOMAN LANZETTA:   Thank  
3                   you.

4                   MR. TODER:   Great.   Thank you.  
5                   (Time noted:   7:40 p.m.)

6

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

8

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

12                  That hereinbefore set forth is a true  
13                  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  
17                  I am in no way interested in the outcome of  
18                  this matter.

19                  IN WITNESS WHEREOF, I have hereunto  
20                  set my hand this 3rd day of January 2022.

21

22

23

24

25

*Michelle Conero*

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MICHELLE CONERO

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

- - - - - X  
In the Matter of

GRUNEWALD

Project No. 21-5030  
471 Old Indian Road, Milton  
Section 102.3; Block 1; Lots 17.110 & 17.200

- - - - - X

SKETCH - LOT LINE

Date: December 20, 2021  
Time: 7:40 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairwoman  
JOSEPH LOFARO  
MANNY CAUCHI  
JAMES GAROFALO  
STEVE CLARKE  
ROBERT TRONCILLITO

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

- - - - - X

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

1 GRUNEWALD

2 ACTING CHAIRWOMAN LANZETTA: Next  
3 up will be Grunewald.

4 Would you give a brief  
5 explanation of the project, please?

6 MS. BROOKS: Absolutely. The  
7 application before the Board is for a  
8 lot consolidation of an existing 3.09  
9 acre parcel and a 5.42 acre parcel.

10 The 5.42 acres was created as  
11 lot 1 on map number 6727 on file with  
12 the County Clerk. The 3.09 acres is  
13 lot 1 from filed map number 8565.

14 I did bring a copy of the filed  
15 map 8565 for the Planning Board file,  
16 as well as a copy of the private road  
17 maintenance agreement to address the  
18 question of High Acres Drive. That  
19 was created in 1990 to service lot  
20 number 1 as shown on here, as well as  
21 lot number 2 which is now lands of  
22 Atkins, lot number 3 which is lands  
23 of Lewis, and also lands of Palermo.  
24 So I have that. I don't know if you  
25 wanted to look at this before I give

1 GRUNEWALD

2 it to Jen.

3 MS. FLYNN: Thank you.

4 MS. BROOKS: So basically  
5 Mrs. Grunewald is not interested in  
6 ever building on the 3.09 acre lot  
7 which has the existing barn. That  
8 was lands that were originally part  
9 of the 1990 Weed subdivision. Those  
10 were retained by Mr. Weed and he  
11 continued to use them agriculturally.  
12 At that time they weren't considered  
13 accessory buildings. Later on they  
14 were purchased by Grunewald.

15 When you're at the site it  
16 looks like one big parcel of land.  
17 It's not really appropriate to be two  
18 lots. She'd like to just consolidate  
19 them and make it one parcel.

20 ACTING CHAIRWOMAN LANZETTA: Pat,  
21 would you like to go over your  
22 comments?

23 MR. HINES: Sure. The first  
24 one just states that it is a lot  
25 consolidation creating an 8.5 acre

1 GRUNEWALD

2 plus or minus parcel.

3 The code enforcement officer's  
4 gatekeeper letter mentioned accessory  
5 buildings in the front yard. I  
6 believe he's referring to the  
7 structure identified as a garage  
8 which is between the existing house  
9 and Old Indian Road, the frontage.  
10 It's an existing condition. I don't  
11 see a very big issue with it but he  
12 did bring it up. They're not  
13 changing anything here in this lot  
14 line change.

15 It also cleans up the fact that  
16 there is the barn and accessory  
17 garage on a lot with no principal  
18 permitted use. By combining this the  
19 lot will have a principal permitted  
20 use of the residential structure.

21 The right-of-way we just talked  
22 about. I was just wondering how it  
23 was created. I always kind of red  
24 flag those when it says future  
25 private road. I don't know who has

1 GRUNEWALD

2 the ability to construct it. Again,  
3 that's not changing as part of this  
4 lot consolidation. Whatever is there  
5 is there. I believe Ms. Brooks just gave  
6 us the backup information that Jeff  
7 has now.

8 ACTING CHAIRWOMAN LANZETTA: Jeff,  
9 do you feel that there's any additional  
10 information that you got that would  
11 change the resolution as you had  
12 proposed it?

13 MR. BATTISTONI: No. I'm  
14 satisfied with what's been submitted.  
15 I think Pat's comments have been  
16 addressed. I think it's okay to  
17 adopt a resolution tonight.

18 This does qualify for your  
19 expedited procedure where there's no  
20 public hearing. It is a Type 2  
21 action.

22 I don't see a problem with a  
23 building in the front yard. It's an  
24 existing building. It's not being  
25 changed by the application.

1 GRUNEWALD

2 ACTING CHAIRWOMAN LANZETTA: Does  
3 anybody on the Board have any more  
4 questions?

5 MR. GAROFALO: I have one  
6 question. With regard to this, do we  
7 need the 25 feet from Old Indian Road  
8 for the right-of-way?

9 MS. BROOKS: We do have the 25  
10 feet with the exception of the area  
11 where the stonewall is. That was the  
12 highway bounds that was determined on  
13 those previous filed subdivision  
14 maps.

15 ACTING CHAIRWOMAN LANZETTA: Any  
16 other questions?

17 (No response.)

18 ACTING CHAIRWOMAN LANZETTA: Okay.  
19 Jeff had sent out a resolution that  
20 we could review if we had time. I'm  
21 going to -- should we do a motion or  
22 just poll the Board?

23 MS. FLYNN: Do you want me to  
24 call the names?

25 ACTING CHAIRWOMAN LANZETTA: Sure.

1 GRUNEWALD

2 MS. FLYNN: Chairman Brand is  
3 not here.

4 Member Lanzetta?

5 ACTING CHAIRWOMAN LANZETTA: Yes.

6 MS. FLYNN: Member Garofalo?

7 MR. GAROFALO: Yes.

8 MS. FLYNN: Member Troncillito?

9 MR. TRONCILLITO: Yes.

10 MS. FLYNN: Member Lofaro?

11 MR. LOFARO: Yes.

12 MS. FLYNN: Member Clarke?

13 MR. CLARKE: Yes.

14 MS. FLYNN: Member Cauchi?

15 MR. CAUCHI: Yes.

16 ACTING CHAIRWOMAN LANZETTA: Thank  
17 you.

18 MS. BROOKS: Thank you very much.

19

20 (Time noted: 7:45 p.m.)

21

22

23

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

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

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

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.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 3rd day of  
January 2022.

*Michelle Conero*

---

MICHELLE CONERO

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

- - - - - X  
In the Matter of

VERIZON MARLBORO HIGH SCHOOL

Project No. 21-5031  
50 Cross Road, Marlboro  
Section 108.4; Block 2; Lot 71.100

- - - - - X

SKETCH - SITE PLAN

Date: December 20, 2021  
Time: 7:45 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairwoman  
JOSEPH LOFARO  
MANNY CAUCHI  
STEVE CLARKE  
ROBERT TRONCILLITO

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

APPLICANT'S REPRESENTATIVE: SCOTT OLSON &  
FRANCIS MURRAY

- - - - - X

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

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                   ACTING CHAIRWOMAN LANZETTA:   Next  
3       up is the Verizon Marlboro High  
4       School project.

5                   MR. GAROFALO:   Excuse me,  
6       Chairman.   If you will pause for a  
7       moment so I can leave the room and  
8       get into the other room because I  
9       recused myself from this project.

10                  ACTING CHAIRWOMAN LANZETTA:   Sure.

11                  MR. GAROFALO:   Just call me  
12       back when they are done.   Thank you.

13                  ACTING CHAIRWOMAN LANZETTA:  
14       Please note that James Garofalo has  
15       recused himself and removed himself  
16       from the room.

17                  Would you like to give us a  
18       brief explanation of the project,  
19       please?

20                  MR. OLSON:   Yes, I would.  
21       Thank you.   My name is Scott Olson.  
22       I'm an attorney with Young Sommer.   I  
23       represent Verizon Wireless.   To my  
24       right is Frank Murray with Tectonic  
25       Engineering.

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                    Essentially what we're looking  
3                    to do is install a new wireless  
4                    communications facility at the high  
5                    school which is at 50 Cross Road.  
6                    It's a new tower that's about -- it  
7                    is 90 feet tall. There's a 4-foot  
8                    lightning rod on the top. The  
9                    lightning rod is very thin. We just  
10                    refer to the tower as being 90 feet  
11                    tall. It will be within a fenced and  
12                    secure 50 foot by 50 foot leased  
13                    area.

14                    Essentially we need it to  
15                    increase the capacity of our  
16                    surrounding network. We're capacity  
17                    deficient in this area in general.

18                    We're also looking to install a  
19                    new frequency that we relatively  
20                    recently acquired a license for from  
21                    the FCC. It's the 21 megahertz  
22                    frequency.

23                    We submitted an application  
24                    with about 11 exhibits. I won't go  
25                    through all of them. One of the

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2            important exhibits -- there are two I  
3            think that are probably pretty  
4            important for your purposes, one of  
5            which is the visual analysis.

6            I think it was in October an  
7            associate of mine was here, talked to  
8            you about the balloon test and some --  
9            I think there were three locations  
10           that this Board wanted to be looked  
11           at. So we did the balloon test and  
12           we looked at those three locations,  
13           plus additional ones, and provided  
14           the simulations for your  
15           consideration.

16           The second document or exhibit  
17           is something we have from Site Safe.  
18           It's a health and safety report  
19           basically. What it says is this  
20           facility will be in full compliance  
21           with the FCC emission threshold  
22           requirements. That's required  
23           basically under the Telecommunications  
24           Act. Once we demonstrate that, this  
25           Board should feel secure that there

1       VERIZON MARLBORO HIGH SCHOOL

2               are no health effects associated with  
3               this project. In fact, under the  
4               Federal Law you're not supposed to  
5               look at any because of that  
6               certification.

7               In a nutshell that's really  
8               what we're looking to do. I'm happy  
9               to answer any questions you may have.

10              ACTING CHAIRWOMAN LANZETTA: Pat,  
11              would you like to go through your  
12              comments, please?

13              MR. HINES: I can. My first  
14              comment just states what the activity  
15              is.

16              So the balloon testing, while  
17              it was discussed, there's a  
18              requirement for notification. I  
19              don't think the Board was aware that  
20              that balloon test was up there and  
21              able to be viewed. Normally we are  
22              given the date, time and the duration  
23              of that balloon test so that the  
24              Board Members and the public could  
25              take advantage of flying that balloon

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                and actually seeing it from points of  
3                reference that they may be concerned  
4                about or other vistas at the site.  
5                So that may be an issue. I believe  
6                that's an issue that should be  
7                discussed with the Board.

8                This Board is looking to  
9                utilize the services of the Town's  
10               tower consultant, Mike Musso from  
11               HDR. Mike is putting together a  
12               proposal for the Board. He's done  
13               work for this Board in the past.  
14               When this application came back  
15               before us, I did recently send him a  
16               copy of it, as did the Town, and I  
17               spoke to him. He's aware of the  
18               application. He has the materials.  
19               He does need time to, number one, get  
20               the Town to authorize his services  
21               and, number two, assign personnel for  
22               the review.

23               I did note that the long form  
24               EAF identifies this in a coastal  
25               waterfront area subject to the

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2           Department of State's coastal  
3           consistency requirements. I believe  
4           a coastal consistency review by the  
5           Department of State would be  
6           required. This Board, if it declares  
7           its intent for lead agency, would  
8           circulate to them as an involved  
9           agency.

10                There is a 12-foot wide roadway  
11           proposed. Fire access roads by New  
12           York State Fire Code must be 20 feet  
13           in length. That's the Fire Code  
14           Appendix D that has those details.

15                I noted that there was no  
16           structural analysis included in the  
17           packet that I received that Mike  
18           Musso would certainly be looking for.

19                ACTING CHAIRWOMAN LANZETTA: Does  
20           anybody have any questions?

21                MR. CLARKE: Do you have any  
22           information on your balloon? Do you  
23           have visuals or anything that we can  
24           review?

25                MR. OLSON: Absolutely. It's

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2            Exhibit 7. We have the methodology.

3            MR. CLARKE: I just got this  
4            today so I didn't look at it.

5            MR. OLSON: That's okay. It's  
6            Exhibit 7. It was done by Tectonic  
7            Engineering. We floated a balloon at  
8            the height of 90 feet, and then there  
9            were at least -- I think there were  
10           thirteen locations, three of which  
11           this Board previously identified,  
12           including the Gomez Mill property,  
13           Samuel Morse and Bowdoin Park. In  
14           those three locations -- the balloon  
15           was not noticeable from any of those  
16           so there should not be any impact of  
17           the tower on those. That would be in  
18           Exhibit 7.

19           ACTING CHAIRWOMAN LANZETTA:  
20           Regarding the visuals, I agree with  
21           Pat that we were not notified about  
22           the balloons being utilized. That's  
23           something that we would like more  
24           information on and have it probably  
25           redone, especially this time of year

1       VERIZON MARLBORO HIGH SCHOOL

2               being the time to do it.

3               The picture that you got at the  
4       Samuel Morse site is up front by  
5       Route 9, not down by the river or  
6       looking out from the visual vista  
7       behind the house. So I think that  
8       definitely needs to be looked at  
9       again.

10              Of course when you give us the  
11       date for the balloon test I can  
12       notify the -- well, you should  
13       probably notify the people at Morse  
14       Estates and ask them to see if they  
15       can see that. I know they are  
16       redoing their tower and they have  
17       workmen up there that would be able  
18       to tell if that's something that  
19       would be a visual impact or not.

20              MR. OLSON: Is that private  
21       property?

22              ACTING CHAIRWOMAN LANZETTA: No.  
23       It's a nonprofit. It's a national --

24              MR. OLSON: It's open to the  
25       public, that park?

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2                   ACTING CHAIRWOMAN LANZETTA:   Yes.

3       It's a historic site.

4                   MR. OLSON:   We won't go on  
5       private property generally.

6                   ACTING CHAIRWOMAN LANZETTA:   A  
7       public notice in the local paper  
8       would be a good idea, too, so people  
9       could hear what's going on.

10                  MR. HINES:   I think it's  
11       required.

12                  MR. OLSON:   Like I said, I  
13       wasn't here.   I thought the Board had  
14       discussed the balloon test and  
15       potentially waived that.   That's why  
16       there was no discussion of that with  
17       the Board when Hyde was here on my  
18       behalf.   That's why we went out and  
19       did it.   We thought we were told to  
20       do it.

21                  ACTING CHAIRWOMAN LANZETTA:   We  
22       discussed it but we expected to be  
23       notified about it and we weren't.

24                  MR. OLSON:   Okay.

25                  ACTING CHAIRWOMAN LANZETTA:

1 VERIZON MARLBORO HIGH SCHOOL

2 Another thing that I'd like to point  
3 out is in Exhibit 8, on page 2 it  
4 says, under coastal resources, is  
5 this project site located in a  
6 community with an approved local  
7 waterfront revitalization plan. The  
8 Town of Marlborough does have a LWRP.  
9 You will have to take a look and make  
10 sure that you're in compliance with  
11 our LWRP as well.

12 MR. OLSON: Okay. We'll have  
13 Tectonic look at that.

14 ACTING CHAIRWOMAN LANZETTA: And also  
15 on page -- it's still on 8. On page  
16 8 it says will the proposed action  
17 use pesticides during construction or  
18 operation. If you could, be clear as  
19 to how you're going to maintain that  
20 area. You know, it will be important  
21 to know, especially because it's a  
22 school property, how you're going to  
23 keep down any weeds or anything in  
24 that area if you're not going to use  
25 pesticides.

1       VERIZON MARLBORO HIGH SCHOOL

2                   MR. OLSON:   Okay.   We can  
3       provide those details.

4                   ACTING CHAIRWOMAN LANZETTA:   And  
5       then just before 9, it doesn't have a  
6       page number, under the description  
7       of the existing visual environment,  
8       number 6, the annual number of viewers  
9       likely to observe the proposed  
10      project.   I know it almost looks like  
11     you have a question mark there and it  
12     says 10M.   I'm not sure -- I know  
13     it's hard to have an estimate, but  
14     you do have a lot of people that are  
15     on that site.   I don't know what kind  
16     of resources you have to do those  
17     kinds of estimates but I think  
18     something should be put in there.

19                  MR. OLSON:   I'll double check.  
20       I'm assuming they meant 10 million.  
21       That sounds like a pretty big number.  
22       I think the question mark is part of  
23       the form actually.   We'll get  
24       clarification on that.

25                  ACTING CHAIRWOMAN LANZETTA:   So

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2           if we're going to forward all this  
3           information to Mike Musso,  
4           approximately how long do you think  
5           it would be before he would have an  
6           opportunity to look this over?

7           MR. HINES: I believe he was  
8           going to get the Board a proposal  
9           next week. He was looking to get  
10          that authorized. He needs a new  
11          contract with the Town. He hasn't  
12          done work since we did the last --  
13          the tower on the water tanks was the  
14          last time we were here. He was  
15          looking for a new proposal and a task  
16          order and then he was going to assign  
17          his staff. He seemed to have that  
18          lined up, the proposal at least, for  
19          next week to get authorized to do the  
20          work.

21          MR. LOFARO: Do we have to do  
22          lead agency?

23          MR. HINES: I think you could  
24          declare yourself lead agency tonight,  
25          yes. Notice of intent.

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2                   We would circulate to the other  
3       interested and involved agencies.  
4       Right now I believe it's just the  
5       Department of State as well as the  
6       school district. They would have to  
7       either have done their own SEQRA on  
8       the application or adopt yours.

9                   ACTING CHAIRWOMAN LANZETTA: So  
10      then --

11                  MR. LOFARO: I'll make that  
12      motion that we declare ourselves lead  
13      agency for this project.

14                  MR. BATTISTONI: You take a  
15      second.

16                  ACTING CHAIRWOMAN LANZETTA: Do  
17      I have a second?

18                  MR. TRONCILLITO: I'll second  
19      it.

20                  MR. BATTISTONI: I did not get  
21      a chance to review the Type 1 list.  
22      Is this a Type 1 action in your view  
23      or an Unlisted action?

24                  MR. OLSON: No. It should be  
25      an Unlisted action because the Town

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               has regulations with height.

3               MR. BATTISTONI: As part of  
4               that motion you should classify this  
5               as an Unlisted action as well as  
6               declaring your intent to be the lead  
7               agency. Someone should make that  
8               amended motion.

9               ACTING CHAIRWOMAN LANZETTA: Joe  
10              is going to make the amended?

11              MR. LOFARO: I'll amend my own  
12              motion.

13              MR. BATTISTONI: Yes.

14              ACTING CHAIRWOMAN LANZETTA: For an  
15              Unlisted?

16              MR. LOFARO: To make it an  
17              Unlisted action.

18              MR. HINES: Type it as an  
19              Unlisted and then declare your intent  
20              for lead agency.

21              ACTING CHAIRWOMAN LANZETTA: We  
22              can declare ourselves lead agency?

23              MR. HINES: Your intent.

24              MR. BATTISTONI: Your intent to  
25              be lead agency and then you second

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               the amended motion.

3               MR. TRONCILLITO: I will second  
4               it.

5               MR. BATTISTONI: And vote on  
6               the motion.

7               ACTING CHAIRWOMAN LANZETTA: Any  
8               more discussion?

9               (No response.)

10              ACTING CHAIRWOMAN LANZETTA: All  
11              those in agreement?

12              MR. CLARKE: Aye.

13              MR. TRONCILLITO: Aye.

14              MR. CAUCHI: Aye.

15              MR. LOFARO: Aye.

16              ACTING CHAIRWOMAN LANZETTA: Aye.  
17              Opposed?

18              (No response.)

19              ACTING CHAIRWOMAN LANZETTA: All  
20              right. Motion carries.

21              So it will be circulated to the  
22              County as well I assume.

23              MR. OLSON: Can I just address  
24              two more things?

25              ACTING CHAIRWOMAN LANZETTA: Yes.

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                   MR. OLSON:   One of which is to  
3       Mr. Hines.

4                   In terms of a structural  
5       analysis, we don't have a structure  
6       up so there really isn't any type of  
7       an analysis that can be provided.  
8       What we typically do -- obviously we  
9       run the analysis on structures that  
10      exist.   What we typically do is we  
11      will provide an analysis that says  
12      we're going to build this and design  
13      it consistent with --

14                  MR. HINES:   You can submit a  
15      design report.

16                  MR. OLSON:   What's that?

17                  MR. HINES:   You can submit a  
18      design report consistent with that.

19                  MR. OLSON:   In order to do a  
20      design report we have to order the  
21      tower and pay for it which we won't  
22      do because it would be a waste of  
23      money if this is not going to get  
24      approved.

25                  What we typically do is say

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               we're going to design it to meet all  
3               the current industry standards.

4               As it stands now, it's not  
5               subject to a building permit because  
6               it's a freestanding tower. It's  
7               exempt from that.

8               We actually apply a higher  
9               standard than in the code, anyway.  
10              It's Reg G. I don't know how we  
11              can -- we've never submitted a  
12              structural analysis on any application.

13              MR. HINES: When you work with  
14              Mike Musso, you will see what he  
15              needs. He typically does those  
16              reviews. I don't do those reviews.

17              MR. OLSON: That's not a  
18              problem. We've done it with Mike  
19              many times and he accepts the letter  
20              we provide usually.

21              In terms of timing, though,  
22              it's a Federal -- there are Federal  
23              time constraints that are in place  
24              here. They call it the shock clock.  
25              There are a number of different

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               timeframes depending on the nature of  
3               the build.

4               This is a new tower. The shock  
5               clock basically is 150 days. The  
6               municipality has to -- and that's not  
7               just you. If there was a building  
8               permit, variances, everything has to  
9               be decided within 150 days of  
10              submission of the application.  
11              Actually, the application was really  
12              submitted in October. So the time  
13              started to run based on the concept  
14              application. So my ballpark  
15              calculation is we need to be done by  
16              March or so.

17              I know Mike is just getting  
18              involved, but I just want to make  
19              sure that we're all on the same page  
20              on that.

21              ACTING CHAIRWOMAN LANZETTA: You  
22              don't have to have -- we don't have  
23              to say that your application is  
24              complete.

25              MR. OLSON: The FCC has

1       VERIZON MARLBORO HIGH SCHOOL

2               actually addressed that. They are  
3               saying we know municipalities in  
4               New York have said that and we say  
5               that's not the case.

6               The way it works is an application  
7               is submitted, the municipality has 30  
8               days within which to identify  
9               deficiencies. If within 30 days that  
10              does not happen, then the timeframe  
11              doesn't toll no matter what. It just  
12              keeps going. That's a specific FCC  
13              rule.

14             ACTING CHAIRWOMAN LANZETTA: It  
15             was my understanding when the  
16             gentleman was before us in October  
17             that we pointed out the deficiency of  
18             the visual impacts and we were  
19             waiting for that information to  
20             consider the application complete. I  
21             would say now we're pretty much --

22             MR. HINES: We didn't receive a  
23             complete application. It was on a  
24             discussion item only.

25             MR. OLSON: I hear what you're

1       VERIZON MARLBORO HIGH SCHOOL

2               saying. Again, I'm just a messenger.

3               The FCC recently came out and  
4               said anytime you submit the -- any  
5               move forward with an application  
6               starts that timeframe and then the  
7               town has to basically step in and say  
8               it's not complete and here's why.

9               I mean we can go back and look  
10              at those numbers, but -- or dates.

11             MR. HINES: We didn't even have  
12             this information.

13             ACTING CHAIRWOMAN LANZETTA: You  
14             didn't give us any of this information. We  
15             told -- the gentleman who represented  
16             you came in and said he was looking  
17             to find out items of interest in  
18             order to put together the full  
19             application.

20             So, you know, I know what you're  
21             saying but I'm doubtful that a real  
22             application had been submitted at  
23             that point.

24             MR. OLSON: So your code  
25             requires us to actually have a

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                pre-application meeting, which is  
3                exactly what we tried to do back in  
4                October because your code says you  
5                have to tell us locations. So that's  
6                why we wanted to start the process.

7                I'm not looking to argue. I'll  
8                provide the new FCC regulations that  
9                talk about what constitutes an  
10               application. It doesn't have to be  
11               this application right here. It's  
12               the first step towards the  
13               application that is normally taken.  
14               In this case you required a pre-app  
15               meeting. That's what started the  
16               timeframe to run. I'll provide  
17               reference sources to that, though.

18               MR. BATTISTONI: This is Jeff  
19               Battistoni. I'm the attorney for the  
20               Planning Board.

21               I will make a couple of points.  
22               First of all, it was a pre-application  
23               meeting. I think that implies that  
24               there isn't an application. It's a  
25               pre-application meeting.

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                Secondly, some of the materials  
3        I have here, I see the dates on them  
4        are November 30, 2021, December 3,  
5        2021. It would be hard to say that  
6        an application was complete before  
7        those dates.

8                So are you willing to stipulate  
9        to a completion date? Is that  
10       something we need to discuss?

11               MR. OLSON: We always work with  
12       towns. We're not trying to -- we  
13       will work with the Town.

14               I will first provide you with  
15       the materials from the FCC because I  
16       think -- and please, you're taking  
17       this down, don't quote me on this, it  
18       may even say pre-application  
19       meetings. I don't know if it says  
20       that starts it. I'll provide that  
21       information so then we can at least  
22       have that as a basis to have a  
23       discussion.

24               MR. BATTISTONI: And I do  
25       acknowledge that you gave us

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2           information on the shock clock in  
3           your application. So I appreciate  
4           that.

5           MR. OLSON: Thank you.

6           Again, we have in the past  
7           often mutually agreed to extend the  
8           shock clocks when towns are moving  
9           forward. I've worked with this Town  
10          before and this Town typically moves  
11          forward.

12          I just wanted to raise it  
13          because I don't want to raise it in  
14          February, not having discussed it,  
15          and throw it out there and then  
16          everybody is surprised by it. I just  
17          wanted to raise it at the earliest  
18          point in time.

19          ACTING CHAIRWOMAN LANZETTA: Okay.  
20          Thank you.

21          MR. OLSON: Thank you.

22          MR. MURRAY: I did have a  
23          question as well.

24          Can you tell me what medium or  
25          the newspaper or publication we could

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               use to make that notification?

3               ACTING CHAIRWOMAN LANZETTA: The  
4       Southern Ulster Times is the Town's  
5       newspaper.

6               MR. OLSON: I know there are  
7       specific requirements in the notice  
8       portion of it. Does the Board have  
9       any preferences for any specific  
10      dates? I believe it's a 7 or 14-day  
11      notice requirement. We plan on doing  
12      that pretty much immediately. We'll  
13      make the notices that are required.

14              It will probably, obviously, be  
15      in January then.

16              MR. TRONCILLITO: Let me ask  
17      you a question. What happens if the  
18      timetable doesn't meet your  
19      expectations? Then what happens?

20              MR. OLSON: Well, I don't think  
21      we're going to get there, but you  
22      fielded the question. So the way the  
23      law goes, if that timeframe that's  
24      required by the Federal FCC comes and  
25      goes without a decision, I have to

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                double check it, I don't know that  
3                it's automatically deemed approved  
4                but I know they made changes recently  
5                about that. It's either deemed  
6                approved or -- I don't think it's  
7                that. I think it's more we would  
8                have to then commence an action under  
9                the Telecommunications Act to get a  
10               court to say deemed approved.

11               We don't get there -- I mean I  
12               don't think I've -- I've sued one  
13               town for a shock clock because it was  
14               very egregious.

15               This Town does not, based on my  
16               experience, do anything like that,  
17               so -- but that's the way the law  
18               plays out. What happens is -- I mean  
19               you don't -- I've been doing this way  
20               too long and there are times when I'm  
21               going three years with a town for a  
22               tower. In 2009 petitions were made  
23               to the FCC that said this is  
24               ridiculous. The FCC got involved and  
25               said a tower should be done basically

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2           in five months. That was their  
3           opinion. If it's a co-location, it  
4           should be done in three months. So  
5           that's what the FCC came up with.  
6           There were too many instances where  
7           towns were taking just way too long.

8           MR. TRONCILLITO: Okay.

9           MR. CAUCHI: Do we know when  
10          the shock clock started? Do we have  
11          a date? We just received it.

12          MR. OLSON: I'm going to  
13          provide some information for your  
14          counsel to look at. I think what  
15          will end up happening is he'll look  
16          at that, we'll talk and we'll come up  
17          with some type of an agreement.

18          Like I said, we're very  
19          reasonable as long as the Board is  
20          working towards getting it done.  
21          We're not looking to just say got  
22          you. That's not what we do.

23          MR. CAUCHI: Okay.

24          MR. TRONCILLITO: March, is  
25          that what you're saying?

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                   MR. OLSON:   If my analysis is  
3                   correct, it would be sometime in  
4                   March.

5                   Again, I think it's -- I think,  
6                   you know -- I'm sorry, is it Jeff?

7                   MR. BATTISTONI:   I'm Jeff.  
8                   Yes.

9                   MR. OLSON:   Once he has a  
10                  chance to look at the material that  
11                  I'll send him, we can further clarify  
12                  that.

13                  MR. BATTISTONI:   That's fine  
14                  with me.   I'll make a recommendation  
15                  to the Board.

16                  MR. OLSON:   We'd rather have  
17                  everybody on the same page just so we  
18                  don't --

19                  MR. HINES:   So the Board should  
20                  be in a position by January 30th to  
21                  authorize Mike Musso -- January 3rd  
22                  at the meeting to get him going on  
23                  what he needs to do.

24                  ACTING CHAIRWOMAN LANZETTA:   Okay.

25                  MR. OLSON:   Thank you.   Have a

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               nice night.

3               MR. HINES:   At that meeting  
4               we'd probably be in a position to  
5               schedule the balloon test I would  
6               think.   I don't know how you would  
7               have the Board notified sooner.

8               MR. OLSON:   Is that what you  
9               want to do?   You want to wait to  
10              schedule the balloon test?

11              MR. HINES:   I think that's the  
12              best way for the Board to authorize  
13              that and coordinate it.   I don't know  
14              how else you would get it in the  
15              paper and have the Board Members  
16              know.

17              MR. OLSON:   I will do a notice  
18              to the paper.   I'll do whatever you  
19              want.

20              MR. HINES:   I'll defer to the  
21              Board.

22              ACTING CHAIRWOMAN LANZETTA:   If  
23              Mike is going to be advising us on  
24              this, I'd really like to get his  
25              input.

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                   MR. HINES:   I agree.

3                   ACTING CHAIRWOMAN LANZETTA:   I  
4       think at that meeting we'll make  
5       those decisions and direct you from  
6       there.

7                   MR. OLSON:   Okay.   So then  
8       that's January 3rd?

9                   MR. HINES:   January 3rd is our  
10      next meeting.

11                  MR. OLSON:   That's when that  
12      will happen, the Board may be in a  
13      position to direct us with a balloon  
14      test?

15                  MR. CLARKE:   If we have a  
16      report.

17                  MR. HINES:   I think the Board  
18      would be in a position to hire Mike  
19      at that point as well.

20                  MR. OLSON:   I'm working with  
21      him on other projects and he's pretty  
22      slammed.

23                  MR. HINES:   He is.

24                  MR. OLSON:   Honestly, I had a  
25      conversation with him about it.   We

1       VERIZON MARLBORO HIGH SCHOOL

2               were talking about another project  
3               and this came up. He said are you  
4               applying in Marlborough and I said we  
5               are. He said he didn't know if he  
6               actually had the capacity.

7               MR. HINES: I spoke to him.  
8               He's going to.

9               MR. OLSON: Good. So then I'm  
10              just thinking should we be here then  
11              for January 3rd? I can't imagine  
12              he's going to have a report done by  
13              then.

14             MR. HINES: I don't even think  
15              this Board would be in a position to  
16              authorize him until then.

17             ACTING CHAIRWOMAN LANZETTA: We'll  
18              authorize him at that point and then  
19              we'll get his opinion on when we  
20              should ask you to do the balloon test.

21             MR. OLSON: Okay.

22             MR. HINES: He's probably going  
23              to want to have his staff take a look  
24              at it while it's up.

25             ACTING CHAIRWOMAN LANZETTA: That's

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2               what I'm thinking.

3               MR. OLSON:   So then we won't be  
4               here January 3rd.   Possibly --

5               MR. HINES:   I think you should  
6               be here January 3rd to be able to  
7               find out when the balloon test will  
8               be.

9               ACTING CHAIRWOMAN LANZETTA:   Will Mike  
10              actually be here then if we haven't  
11              authorized him yet to be our  
12              consultant on this?   Will he be here?

13              MR. HINES:   I will work with  
14              Mike.   I don't think it will be Mike.  
15              I think it will be someone from his  
16              staff.   Hopefully by then you will  
17              have the documents to hire him.

18              I just don't want to burn up  
19              another two weeks waiting for -- if  
20              we can get this balloon test  
21              scheduled, get Mike on board.   We're  
22              going to be in March in no time.

23              MR. OLSON:   I agree.   If you're  
24              all ready to go and schedule the  
25              balloon test on January 3rd, I'll be

1       VERIZON MARLBORO HIGH SCHOOL

2               here with bells on.

3               MS. FLYNN: I'm putting them on  
4               for the 3rd?

5               MR. HINES: I'm suggesting it.  
6               It's certainly up to the Board.

7               ACTING CHAIRWOMAN LANZETTA: I'm  
8               sorry?

9               MS. FLYNN: Am I putting them  
10              on for the 3rd?

11              ACTING CHAIRWOMAN LANZETTA: Yes.

12              I mean at our meeting way back  
13              in October we had discussed that we  
14              would want him on board for this. I  
15              don't anticipate any issues with the  
16              Board formally --

17              MR. HINES: He had some issues  
18              with scheduling, as Mr. Olson said.  
19              They're very busy, and then with the  
20              holidays. He was definitely going to  
21              put together a proposal and a task  
22              order. He's very aware of the shock  
23              clock.

24              MR. OLSON: We work with him  
25              all the time.

1       VERIZON MARLBORO HIGH SCHOOL

2               MR. HINES: I'm a little taken  
3       aback on the shock clock when we have  
4       an application dated in December.  
5       We'll work that issue out.

6               ACTING CHAIRWOMAN LANZETTA: So  
7       we will ask him or a representative  
8       of his to be here on January 3rd?

9               MR. HINES: Yes.

10              ACTING CHAIRWOMAN LANZETTA: Should we  
11      authorize him -- do we have to wait  
12      for a proposal from him or can we  
13      authorize him because we've used him  
14      in the past?

15              MR. HINES: He is the Town's  
16      tower consultant.

17              ACTING CHAIRWOMAN LANZETTA: So  
18      can we go ahead and authorize him to  
19      do that?

20              MR. TRONCILLITO: Why not?

21              ACTING CHAIRWOMAN LANZETTA: I  
22      kind of thought we had done that in  
23      October. Maybe we'll do it -- we'll  
24      memorialize it.

25              MR. HINES: As long as the

1       VERIZON MARLBORO HIGH SCHOOL

2               Board is okay with that. They have  
3               an escrow system so the Board does  
4               hire its consultants.

5               MR. TRONCILLITO: We might as  
6               well do it.

7               MR. HINES: I guess subject to  
8               any proposal or --

9               MR. CLARKE: I'll make a motion  
10              that the Town Planning Board hire --

11              MR. HINES: HDR.

12              MR. CLARKE: -- HDR as the  
13              consultant for this project.  
14              Authorize it.

15              MR. LOFARO: I'll second it.

16              ACTING CHAIRWOMAN LANZETTA: Any  
17              objections?

18              (No response.)

19              MR. HINES: I'll call Mike  
20              Wednesday.

21              MR. CLARKE: We'll get it  
22              moving along.

23              MR. OLSON: Thank you. I can  
24              send him the stuff electronically.

25              MR. HINES: I did already. I

1       V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2           think we got it from you and I  
3           forwarded it.

4           MR. OLSON:   That's great.

5           MR. HINES:   Kathleen from my  
6           office did it.

7           MR. OLSON:   I gave it to her.  
8           Great.   Thank you.

9           ACTING CHAIRWOMAN LANZETTA:   Thank  
10          you.

11          (Mr. Garofalo entered the  
12          meeting.)

13          ACTING CHAIRWOMAN LANZETTA:   James,  
14          before we let our other consultants  
15          leave before the discussion with the  
16          engineer, is there anything else you  
17          want to bring up?

18          MR. GAROFALO:   I just want to  
19          make note that the set of Verizon  
20          documents that were intended for me  
21          are in the Planning office.   There is  
22          an extra copy if the Board so  
23          requires it.

24          ACTING CHAIRWOMAN LANZETTA:   Thank  
25          you.

1        V E R I Z O N   M A R L B O R O   H I G H   S C H O O L

2                    We're going to have the  
3                    conceptual site plan discussion with  
4                    the engineer.  If the other  
5                    consultants would like to leave,  
6                    you're welcome to do so.

7

8                    (Time noted:  8:18 p.m.)

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

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

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

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.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 3rd day of  
January 2022.

*Michelle Conero*

---

MICHELLE CONERO