

2 STATE OF NEW YORK : COUNTY OF ULSTER

3 TOWN OF MARLBOROUGH ZONING BOARD

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In the Matter of

5

ROBERT POLLOCK

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39 Main Street, Milton, New York 12547

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WORKSHOP MEETING CONTINUATION CONCERNING THE
REQUEST FOR TWO AREA VARIANCES

9

10 DATE: January 19, 2022

11 TIME: 6:30 P.M.

12 PLACE: Town of Marlborough

Town Hall

13 #21 Milton Turnpike

Milton, New York 12547

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BOARD MEMBERS:

15

WILLIAM GIAMETTA CHAIRMAN, ABSENT

GEORGE SALINOVICH, ACTING CHAIRMAN

16

LENNY CONN

JEFF MEKEEL

17

ALSO PRESENT:

18

Tom Corcoran, Building Inspector,
Code Enforcement Officer,

19

Barry Medenbach, P.E.,

Medenbach & Eggers

20

Robert Pollock, Applicant

Penny E. Cashman, Zoning Board

21

Secretary

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LISA MARIE ROSSO

24

140 Mahoney Road

Milton, New York 12547

25

(845) 674-3937

1 ROBERT POLLOCK - WORKSHOP CONTINUATION

2 MR. SALINOVICH: Let's open it up

3 with the pledge of allegiance.

4 (Pledge of allegiance)

5 MR. CORCORAN: Tom Corcoran,

6 Building Inspector, Code Enforcement

7 Officer. I apologize, I was not at the

8 at last meeting to fill you in a little

9 bit about this project. The project

10 has been presented to the planning

11 board, and the planning board had a

12 couple of code problems, and that's why
13 it's sitting in front of you tonight.
14 I just wanted the zoning board to
15 be aware that I have gone over this,
16 not only with the planning board, but
17 with the town board and the new
18 supervisor. What happened was in
19 Section 155.7, which was changed back
20 in 2016, we made some amendments to the
21 code to fit an existing project coming
22 into town, and the town itself failed
23 to address the C-1 district. This
24 project is in the C-1 district, and we
25 have now made amends to correct the

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION

2 town code. You should have in front of
3 you a letter from the town supervisor
4 letting you know that the code was
5 adopted back in April of 2021 with the
6 mistake, or the exclusion of the C-1
7 exemption for the setback of the one
8 and a half times building separation,
9 which is one of the variances asked for
10 tonight by Mr. Pollock.

11 Second on the agenda was the
12 parking space requirement, which is in
13 section 155-30(B1,2) -- I'm sorry,
14 155.27(A1A). Upon further
15 investigation, the town code book
16 requires 200 square feet of parking
17 space. Upon investigation, I found out
18 that in the northeast a 9x18, 162
19 square feet is common. The 200 square
20 feet that the Town of Marlboro adopted
21 is the standard for inside garages. So
22 what I believe happened is that the

23 Town of Marlboro adopted the 200 square
24 feet, the 10x20 parking spot just
25 adopted that blanketly, not looking

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION
2 inside or outside. Again, that
3 suggestion has been made to the town
4 board and to the supervisor with
5 agreement that the parking requirement
6 under the 2022 code changes for the
7 Town of Marlboro code book will be
8 reduced to 162 square feet 9x18. And
9 if we do go inside garage parking, that
10 will -- the 200 square feet will
11 suffice by the 10x20 at that point.
12 So, again, a couple of corrections that
13 will be coming in the 2022 code book.

14 I believe the applicant here is
15 asking for a variance based on him
16 being in front of the planning board
17 right now, and by the time we make the
18 code change, it's potentially six to
19 eight months. So I believe at the time
20 of shoveling the ground, these code
21 changes should be changed. But again,
22 he's here asking for that variance,
23 which is in your power to deny or a
24 accept, but I am just here to clarify
25 on what happened in the code book. And

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION
2 again, you have a letter from the
3 supervisor clarifying that we're going
4 to do that, and there is a couple of
5 articles stating in the northeast, the

6 norms of the parking garage and the
7 outside parking, which, again, is a
8 correction to our code book in the 2022
9 changes.
10 MR. MEKEEL: Thanks, Tommy. So I
11 do have a question. How many parking
12 spots are required for this project?
13 MR. MEDENBACH: I could tell you
14 that is on the map.
15 MR. MEKEEL: I know you're showing
16 40 up behind the building.
17 MR. CORCORAN: He will give you
18 the number, but by code, it's one and a
19 half parking spots per residential,
20 then the square footage on the retail
21 space downstairs, which Mr. Medenbach,
22 I am sure, has figured out.
23 MR. MEDENBACH: A total of 83
24 spaces for the retail and residential.
25 We have 47 on-site and 41 off-site.

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION
2 MR. MEKEEL: Okay. Could you
3 show -- 40 up top and then seven in the
4 front?
5 MR. MEDENBACH: Forty, yeah.
6 Well, the 7 in the front --
7 MR. CORCORAN: Don't forget, you
8 get credit for five on the street.
9 MR. MEKEEL: Your print is showing
10 40 up top so...
11 MR. MEDENBACH: That's the
12 architectural plan. It may not have
13 been updated. Flip it over. The site
14 plan is on the other side. I made that
15 up a month ago, so...
16 MR. MEKEEL: So, 39. And then how

17 many you got in the back down there?
18 MR. CONN: That is not on here.
19 MR. MEDENBACH: Off-site?
20 MR. MEKEEL: Off-site.
21 MR. MEDENBACH: We have 41
22 offsite.
23 MR. POLLOCK: With five in the
24 street.
25 MR. CORCORAN: You should get five

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION
2 for credit in the street.
3 MR. MEDENBACH: There is more than
4 five on the street.
5 MR. CORCORAN: Is there?
6 MR. MEDENBACH: There is eight.
7 MR. MEKEEL: Because you're moving
8 the poles.
9 MR. POLLOCK: We're moving the
10 poles.
11 MR. MEKEEL: In lieu of this
12 letter that we received from the town
13 supervisor, I have no problems with the
14 variance for the space between the
15 buildings.
16 MR. CONN: Right.
17 MR. MEKEEL: I am going to request
18 one thing for parking though, is that
19 your tenants have parking permits only
20 because I am concerned about the -- I
21 am concerned about the businesses that
22 are existing already, and, you know, I
23 know I'm 56 years old, and I don't want
24 to walk more than 100 feet if I don't
25 have to. But, you know, I don't want

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION

2 people parking all over the street, and
3 not park in the space behind the
4 off-street parking.

5 MR. MEDENBACH: I think you're
6 going to designate the parking behind
7 the back strictly for the residents.

8 MR. MEKEEL: Yes, it should be.
9 Even though, you know, in the back also
10 there are existing businesses that have
11 been here for several years, ten, 20,
12 30 years, 40, Mannese's probably 70
13 years, 60 years.

14 MR. POLLOCK: They have plenty of
15 parking Mannese's.

16 MR. CORCORAN: Probably could
17 address that at planning board with a
18 time limitation on Main Street so you
19 don't have any overnight parking to
20 help address those businesses.

21 MR. MEKEEL: Perfect.

22 MR. CORCORAN: Even for the
23 businesses for the proposed project, if
24 there was one-hour parking limitations.

25 That could be just a planning board --

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION

2 yeah, that is a concern for the
3 existing businesses and businesses
4 coming in that the residential parking
5 somehow stay away from that.

6 MR. CONN: You want to take a vote
7 together or do it separate?

8 MR. SALINOVICH: Separately?

9 MR. MEKEEL: No. I will make the
10 motion that we move to the public

11 hearing on this project.
12 MR. CONN: So, we're going to
13 approve both variances --
14 MR. MEKEEL: Yes.
15 MR. CONN: -- 9x18 parking --
16 MR. MEKEEL: 9x18 parking.
17 MR. CONN: -- and zero setback?
18 MR. MEKEEL: And zero setback,
19 yes.
20 MR. CONN: I second.
21 MR. SALINOVICH: Aye?
22 MR. CONN: All in favor?
23 MR. MEKEEL: Aye.
24 MR. CONN: Aye.
25 MR. SALINOVICH: Aye. Do we have

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1 ROBERT POLLOCK - WORKSHOP CONTINUATION
2 a motion to close the meeting?
3 MR. CONN: I will make a motion.
4 MR. MEKEEL: I will second it,
5 yes.
6 MR. SALINOVICH: All in favor?
7 MR. MEKEEL: Aye.
8 MR. CONN: Aye.
9 MR. SALINOVICH: Aye.
10 (Whereupon, at 6:20 P.M, the
11 Hearing was concluded.)
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1 ROBERT POLLOCK - WORKSHOP CONTINUATION

2 C E R T I F I C A T E

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4 STATE OF NEW YORK)

: SS.:

5 COUNTY OF ULSTER)

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7 I, LISA M. ROSSO, a Notary Public for

8 and within the State of New York, do hereby

9 certify:

10 That the witness whose examination is

11 hereinbefore set forth was duly sworn and

12 that such examination is a true record of

13 the testimony given by that witness.

14 I further certify that I am not related

15 to any of the parties to this action by

16 blood or by marriage and that I am in no way

17 interested in the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set

19 my hand this 20th day of January 2022.

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22 _____
LISA M. ROSSO

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