

2 STATE OF NEW YORK : COUNTY OF ULSTER

3 TOWN OF MARLBOROUGH ZONING BOARD

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5 In the Matter of

6

7 ROBERT POLLOCK

8

39 Main Street, Milton, New York 12547

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10 WORKSHOP MEETING CONTINUATION CONCERNING THE  
11 REQUEST FOR TWO AREA VARIANCES

12

13 DATE: January 19, 2022

14

15 TIME: 6:30 P.M.

16

17 PLACE: Town of Marlborough

18 Town Hall

19

20 #21 Milton Turnpike

21

22 Milton, New York 12547

23

24 BOARD MEMBERS:

25

WILLIAM GIAMETTA CHAIRMAN, ABSENT

GEORGE SALINOVICH, ACTING CHAIRMAN

LENNY CONN

JEFF MEKEEL

26

27 ALSO PRESENT:

28

29 Tom Corcoran, Building Inspector,

30 Code Enforcement Officer,

31

32 Barry Medenbach, P.E.,

33 Medenbach & Eggers

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35 Robert Pollock, Applicant

36

37 Penny E. Cashman, Zoning Board

38

39 Secretary

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44 LISA MARIE ROSSO

45

46 140 Mahoney Road

47

48 Milton, New York 12547

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50 (845) 674-3937

1 ROBERT POLLOCK - WORKSHOP CONTINUATION

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3 MR. SALINOVICH: Let's open it up

4

5 with the pledge of allegiance.

6

7 (Pledge of allegiance)

8

9 MR. CORCORAN: Tom Corcoran,

10

11 Building Inspector, Code Enforcement

12

13 Officer. I apologize, I was not at the

14

15 at last meeting to fill you in a little

16

17 bit about this project. The project

18

19 has been presented to the planning

20

21 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 )

6

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.

20

21

22 LISA M. ROSSO

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24

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