



1                   P O L L O C K    S I T E    P L A N

2                   MS. LANZETTA: I'd like to call  
3                   this meeting to order. We will begin  
4                   with the Pledge of Allegiance,  
5                   please.

6                   (Pledge of Allegiance.)

7                   MS. LANZETTA: I'd like to  
8                   welcome you to the Town of  
9                   Marlborough Planning Board meeting  
10                  for Monday, May 2, 2022. The  
11                  agenda includes the approval of the  
12                  stenographic minutes for 4/4 and  
13                  4/18/2022. On the agenda is the  
14                  Pollock Site Plan for a modification  
15                  for the site plan; Guarino Ashlyen,  
16                  sketch - subdivision; Dubois, Dave  
17                  and Jolee, sketch - subdivision; and  
18                  Verizon - Marlboro High School,  
19                  preliminary - site plan. There will  
20                  be no conceptual site plan discussion  
21                  with our engineer since our engineer  
22                  is not here this evening. Our  
23                  Chairman, Chris Brand, is also not  
24                  here this evening. The next deadline  
25                  is Friday, May 6, 2022. Our next

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2           scheduled meeting will be Monday,  
3           June 6, 2022. We are canceling the  
4           Monday, May 16th meeting. So there  
5           will be no meeting on that date.

6           Can I have a motion for the  
7           approval of the stenographic minutes  
8           for 4/4 and 4/18/2022?

9           MR. JENNISON: I'll make a  
10           motion.

11           MR. CLARKE: I will second it.

12           MS. LANZETTA: Any discussion?

13           (No response.)

14           MS. LANZETTA: Okay. So all in  
15           favor?

16           MR. CLARKE: Aye.

17           MR. TRONCILLITO: Aye.

18           MR. GAROFALO: Aye.

19           MR. LOFARO: Aye.

20           MR. JENNISON: Aye.

21           MS. LANZETTA: Aye.

22           Opposed?

23           (No response.)

24           MS. LANZETTA: All right. So  
25           we'll begin with the Pollock Site

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2           Plan, the modification of the site  
3           plan.

4                    MR. MEDENBACH: Greetings.

5                    MS. LANZETTA: If you could  
6                    just explain to the Board what the  
7                    modifications are that you're looking  
8                    for.

9                    MR. MEDENBACH: Sure. So the  
10                  issue came out when Bob acquired a  
11                  new architect, basically to start  
12                  doing the construction drawings for  
13                  the building. We had the passage, we  
14                  had two staircases coming down. He  
15                  basically came to the conclusion why  
16                  do we need two, one is more than  
17                  adequate. I was talking to the  
18                  Building Department about, you know,  
19                  the buildings could be spaced  
20                  together. As long as there's  
21                  firewalls, they're still considered  
22                  separate buildings. So that gave  
23                  them a little more space in the  
24                  frontage to spread things out, pull  
25                  the building away from the post

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2                   office building a little bit, create  
3                   a little more space there. It was  
4                   just the design. It's basically just  
5                   a modification of the building  
6                   footprint.

7                   There are only some minor site  
8                   issues that had to change. We had  
9                   brought the drainage down that way,  
10                  but we brought it out to the County  
11                  highway instead, down Milton  
12                  Turnpike. We talked to the County  
13                  highway -- the County engineers and  
14                  they don't have a problem with that.  
15                  We modified the plans slightly and  
16                  thought that this was enough of a  
17                  modification to at least show it to  
18                  the Planning Board to decide whether  
19                  this is something that you could just  
20                  approve or whether you felt it was  
21                  enough of a change to have a public  
22                  hearing on it. I think Patrick  
23                  Hines' memo kind of explains that.  
24                  That came out this afternoon.

25                  MS. LANZETTA: Okay. I'll ask

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2           Joe if he would please read Pat  
3           Hines' comments regarding this.

4                    MR. LOFARO: "The site plan has  
5            been revised to attach buildings 1  
6            through 6 and reorienting buildings 7  
7            and 8 parallel to the street line. A  
8            10-foot wide stairway has been  
9            provided between building 6 and the  
10           northerly most building.

11                   The Planning Board should  
12            determine whether the change is a  
13            substantive change that requires an  
14            additional public hearing.

15                   Stormwater facilities have been  
16            modified to discharge to Milton  
17            Turnpike, a County roadway.

18                   Previously discharge was to Main  
19            Street. Ulster County DPW approval  
20            for utilities within Milton Turnpike  
21            must be received.

22                   Accessible parking spaces have  
23            been provided on Main Street. These  
24            have been moved further to the west  
25            to the Main Street/Milton Turnpike

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2           intersection.

3                   The dumpster enclosures have  
4           been enlarged per previous comments.

5                   The lot line change plan had  
6           been filed with Ulster County on the  
7           18th of April 2022, filed map 22-68A.

8                   The applicant's representative  
9           may wish to consider the addition of  
10           a new catch basin on Milton Turnpike  
11           in the area identified as 'proposed  
12           shallow blacktop ditch'. This will  
13           collect runoff coming down Milton  
14           Turnpike towards Main Street.

15                   The applicant's representatives  
16           are requested to confirm the depth of  
17           the sewer in Main Street. Existing  
18           sewer manholes 2 and 3 are identified  
19           as 'invert unknown'.

20                   Status of the Town Board's  
21           approval for the modifications to  
22           Main Street should be addressed.

23                   Status of the relocation of the  
24           utility poles with Central Hudson  
25           should be addressed.

1                   POLLOCK SITE PLAN

2                   The rock removal note continues  
3                   to exist on the plans. Previous  
4                   Planning Board comments addressed the  
5                   removal of the note consistent with  
6                   the geotech report."

7                   That concludes Pat's comments.

8                   MS. LANZETTA: Okay. So in  
9                   your explanation you didn't bring up  
10                  the modifications to the Main Street  
11                  utility poles. Would you like to  
12                  talk about those?

13                  MR. MEDENBACH: Yeah. I wasn't  
14                  at the meeting, but apparently  
15                  Mr. Pollock here was at a meeting  
16                  with the Town Board. They decided to  
17                  keep the poles where they are with  
18                  Central Hudson, because it got  
19                  complicated by moving them in closer  
20                  to the buildings with setbacks and  
21                  everything. What will happen is the  
22                  curb will just bump out. That would  
23                  protect the poles. There are two  
24                  poles that would be in the parking.  
25                  That plan would need to be modified

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2           to correct that.

3                   On some of the other things  
4                   that Patrick brought up, he brought  
5                   up about the catch basin on Milton.  
6                   We show a manhole. I would leave  
7                   that up to the direction of the  
8                   County Highway Department, if they  
9                   felt we needed a catch basin there or  
10                  not. There's actually two catch  
11                  basins now. What's happening is the  
12                  way we're collecting the drainage  
13                  from the site and connecting into the  
14                  County drainage -- well, I guess it's  
15                  the County and Town drainage system,  
16                  we're actually connecting further  
17                  downstream. It's a better  
18                  connection. It's just that we have  
19                  to cross Milton Turnpike and have to  
20                  do the proper trenching, which the  
21                  County is okay with.

22                   As far as that catch basin,  
23                  we're willing to do whatever the  
24                  County directs us because they have  
25                  control over that.

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2                   We talked about Central Hudson.

3                   The rock removal note. You

4                   know, it was determined -- it was

5                   recommended by the geotechnical

6                   engineer and this Board confirmed

7                   that let's not do any blasting for

8                   rock removal. We agreed to that.

9                   Apparently I still have a note on the

10                  plan that doesn't exactly clarify

11                  that. That's something I thought we

12                  had fixed, but we apparently didn't.

13                  I'll be happy to correct that note.

14                  I might want to also point out

15                  to you that I moved the handicap

16                  parking on Main Street all the way

17                  down to the intersection where you

18                  requested --

19                  MS. LANZETTA: Before I take --

20                  MR. MEDENBACH: -- at a

21                  previous meeting.

22                  MS. LANZETTA: Before I take

23                  questions and discussion by the

24                  Board, I just would like to ask Jeff

25                  to clarify to the Board what our

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2                   ability to accept any modifications  
3                   is once we've already agreed to the  
4                   site plan as it was presented.

5                   MR. BATTISTONI: The Town Code  
6                   has a provision about this under site  
7                   plan review. Basically it says  
8                   approval of revised plan. Revisions  
9                   of such plans shall be subject to the  
10                  same approval requirements as a new  
11                  application except to the extent  
12                  those requirements are waived or  
13                  reduced by the Planning Board.

14                  So number one, you do have the  
15                  jurisdiction to hear this. Number  
16                  two, you can waive requirements. So  
17                  for instance, ordinarily a public  
18                  hearing would be required for a site  
19                  plan application. If you feel that  
20                  you've already approved this, these  
21                  changes are minor and you decided to  
22                  waive a public hearing, you have the  
23                  authority to do that.

24                  MS. LANZETTA: Thank you very  
25                  much.

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2                   MS. FLYNN: Can I just say it  
3                   was before the maps were signed as  
4                   well, though. So Chris had not  
5                   signed the maps yet.

6                   MS. LANZETTA: Okay.

7                   MS. FLYNN: I just wanted to --

8                   MS. LANZETTA: So we had given  
9                   an approval but the maps had not been  
10                   signed and filed?

11                   MS. FLYNN: Right.

12                   MS. LANZETTA: Okay. James,  
13                   did you have something?

14                   MR. GAROFALO: Yes. I have a  
15                   few comments and questions. One  
16                   thing I'd like to do is thank you for  
17                   moving the -- removing the driveway  
18                   that was going into the parking lot.  
19                   You cut that off. You show that on  
20                   the plan. Thank you very much for  
21                   doing that.

22                   Also, for moving the accessible  
23                   parking further to the west. I don't  
24                   think you looked at the public  
25                   right-of-way access guidelines,

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2           because one of the things that they  
3           show when you have a narrow sidewalk  
4           is you do not put ramps to ramp down  
5           the sidewalk, go across and then ramp  
6           it back up. You maintain a smooth  
7           sidewalk for a number of reasons.

8           One, I would think that they did that  
9           because of drainage and because  
10          people walking on the sidewalk would  
11          not necessarily expect that. I think  
12          also for access to the building. Are  
13          you going to lower the building so  
14          that they don't have to step up into  
15          the building? I think you get rid of  
16          all that by having the sidewalk  
17          remain the same. The ramp for the --  
18          the accessible ramp is at the corner  
19          so that they can get up on the  
20          sidewalk if they can't exit the  
21          vehicle directly onto the sidewalk.

22          But I think if you make that change,  
23          I think that change will be better.  
24          Also particularly when we have bad  
25          weather, you know, you won't have

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2                   pedestrians slipping on that slight  
3                   down slope. For those reasons I  
4                   would highly suggest you take a look  
5                   at that and revise that so that the  
6                   sidewalk is consistent.

7                   MR. MEDENBACH: I will take a  
8                   look at that.

9                   MR. GAROFALO: The other things  
10                  are the accessible parking in the  
11                  back all the way to the left, that  
12                  also needs a ramp up to the sidewalk.  
13                  That's not shown on the plan. You do  
14                  show it for the one to the east in  
15                  the back. I think that moving the  
16                  buildings, you create this open space  
17                  on the east. I think that's good. I  
18                  think instead of just looking at that  
19                  as open space, you have to look at  
20                  that as an opportunity.

21                  I think perhaps this is an  
22                  opportunity to leave the bicycle  
23                  locker in the back and move the other  
24                  bicycle parking up into that area  
25                  where people can ride their bicycles

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2           to the businesses. That type of  
3           bicycle parking tends to be short  
4           term during the day for people going  
5           places or under good weather. It's  
6           not really good for long-term storage  
7           of bicycles by the residents because  
8           it will eventually rain or whatever.  
9           That's what really bicycle lockers  
10          allow you to do, is have a place  
11          where they can be secure and also  
12          protected from the weather, whereas  
13          this would provide an opportunity,  
14          putting it in that space, to not only  
15          open it up for businesses, but for  
16          other businesses in the area.

17           Also, you might want to think  
18          about benches or tables or something  
19          there so the people going to the  
20          businesses, if they have to wait  
21          outside or whatever, they can sit  
22          outside.

23           I don't know as if the  
24          recreation fees, if 155-31E(4)(x)(3)  
25          will allow the Town to reimburse you

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2           if those could be open to basically  
3           public use. That's something that --  
4           I don't know if that would be  
5           allowable, but it's something you  
6           might want to take a look at. The  
7           idea is looking at that space as  
8           something you could do something  
9           with, not just open space. I think  
10           if a restaurant or something opened  
11           up there, you know, if they had some  
12           outdoor seating.

13           MR. MEDENBACH: Yeah. Well, we  
14           don't know anything about the  
15           businesses at this point, so it's  
16           hard to say how that space could be  
17           used. I agree with you that that's a  
18           space that would have some value.

19           MR. GAROFALO: Absolutely.  
20           Absolutely.

21           There was one comment, I think  
22           it was a written comment from the  
23           public hearing about the look of the  
24           building. This is certainly one of  
25           the larger buildings. Historically

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2 the Board has asked for renderings on  
3 a number of different large buildings  
4 to see what they look like, and  
5 particularly with smaller ones in  
6 Milton, in the downtown area. I'm  
7 not sure if the Board wants to see  
8 that.

11 MR. GAROFALO: You did?

12 MS. LANZETTA: They were  
13 submitted very early on.

14 MR. GAROFALO: Okay.

15 MR. MEDENBACH: And the Board,  
16 I thought, was very happy with it.

17 MS. LANZETTA: Yeah.

18 MR. GAROFALO: I certainly was  
19 happy with the symmetry to the three  
20 buildings. That really did break it  
21 up.

22 MR. JENNISON: I thought we  
23 were talking about a modification to  
24 the site plan. We're rehashing stuff  
25 that was already discussed many,

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2           many, many times already. Can we  
3           stick to the agenda? That's what I'm  
4           requesting on the modification. Are  
5           we going to request a public hearing?  
6           I think those are the things we need  
7           to be talking about tonight.

8                    MR. GAROFALO: I think that's  
9                    -- that's really when we finish our  
10                   comments. That's the thing we should  
11                   discuss then.

12                   MR. JENNISON: We should  
13                   discuss that. Everything you're  
14                   bringing up we've already talked  
15                   about. We've added that to the plans  
16                   already. They have everything you've  
17                   talked about.

18                   MR. GAROFALO: Some things.

19                   MR. JENNISON: No, no. We're  
20                   talking about a modification, moving  
21                   the buildings closer.

22                   MR. GAROFALO: Yes.

23                   MR. JENNISON: All the other  
24                   stuff, we've already hashed that out.  
25                   Maybe I'm wrong. Can I get --

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2                   MR. TRONCILLITO: I agree with  
3                   you a hundred percent. I can't -- I  
4                   don't see why we just can't approve  
5                   these modifications, move on. I  
6                   don't see why we need a public  
7                   hearing. Just bless it and get it  
8                   done with. We're going to stand here  
9                   and talk about the damn thing all  
10                  night long.

11                  MR. GAROFALO: The moving of  
12                  the parking spaces, the accessible  
13                  spaces, is a change which --

14                  MR. JENNISON: But it is on the  
15                  plan. The change is on the plan.

16                  MR. GAROFALO: Yes, they put  
17                  the change on the plan.

18                  MR. JENNISON: We don't need to  
19                  discuss it if it's on the plan.

20                  MR. GAROFALO: Well, the thing  
21                  I was discussing, and I agree with  
22                  them having moved it, is how they're  
23                  treating the sidewalk. That is  
24                  something that they already said they  
25                  were going to take a look at. The

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2           same with the ramp in the back. I'm  
3           happy with that.

4           I am also happy that if people  
5           are done with their comments, that we  
6           move forward and hopefully waive the  
7           public hearing.

8           MS. LANZETTA: I think  
9           Mr. Garofalo pointed out a couple  
10           things that were helpful to the  
11           applicant. As long as we don't go  
12           too much longer.

13           Do you have some additional  
14           things that you'd like to bring up?

15           MR. GAROFALO: No. That's it.

16           MS. LANZETTA: All right.

17           MR. CLARKE: In terms of the  
18           electric utility poles --

19           MS. FLYNN: Steve, we can't  
20           hear you. Sorry.

21           MR. CLARKE: In terms of the  
22           utility poles, why are they not going  
23           underground? That seems like it  
24           would be the --

25           MR. POLLOCK: We asked Central

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2           Hudson that, also. That was the  
3           first question I asked, why can't we  
4           do this. They said, first of all,  
5           the rest of the Town -- the property  
6           across the street would have to be  
7           put underground also. All of the --

8           MR. MEDENBACH: Overhead  
9           connections to buildings across the  
10           street.

11           MR. POLLOCK: They said it's  
12           not just your building, it's everyone  
13           else's building. The main utility  
14           pole is the one on the corner which  
15           feeds everything else. It becomes a  
16           major job for the whole Town.

17           MR. CLARKE: It does, but  
18           they're so susceptible to weather.

19           MR. POLLOCK: I agree with you  
20           a hundred percent. The first thing  
21           we should do, if we ever have control  
22           of the utility companies, is we  
23           should tell them make sure everything  
24           goes underground, because we don't  
25           have the budget to do it. I mean the

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2           Town        of -- people who are doing  
3           work don't usually unless they're  
4           doing it for the one-family homes.  
5           They have to start off this way with  
6           -- it requires a lot of work. You  
7           have to go right through the Town.  
8           You bring it up when it goes into a  
9           more rural area. To do the Town  
10          itself is going to be complicated. I  
11          keep on asking about underground and  
12          it goes to deaf ears.

13           Just to bring in -- if I ask  
14          for gas lines, forget about it.  
15          They're not extending any more gas  
16          lines, either.

17           MS. LANZETTA: Right.

18           MR. POLLOCK: We can't even  
19          have natural gas even though it's --  
20          they said if you pay for it. I said  
21          it's, you know, less than a block  
22          away. They're really -- this new  
23          company, I thought they would be more  
24          liberal on spending money, but  
25          obviously not.

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2                   MS. LANZETTA: I know I had  
3                   spoken to the supervisor at that  
4                   meeting and we had that discussion.  
5                   To really put the utilities under the  
6                   ground would have to be more or less  
7                   done as all of the building -- all of  
8                   the adjoining property owners would  
9                   have to be a party to that. That  
10                  would be more like a public district.  
11                  So that's not going to work very  
12                  well.

13                  Regarding natural gas, I think  
14                  that's something that's important for  
15                  the Board to understand. I forget.  
16                  Somebody had just been at one of the  
17                  educational seminars. The State had  
18                  passed a law in 2019 and they are  
19                  presently proposing that eventually  
20                  natural gas is going to be phased out  
21                  within the next ten years. You won't  
22                  be able to purchase gas appliances.

23                  MR. CLARKE: That's unrealistic.

24                  MS. LANZETTA: Well, this is  
25                  what the -- the law had been passed

1           P O L L O C K   S I T E   P L A N

2           in 2019. I'm just saying it's  
3           something that we should be aware of,  
4           you know, as we go forward. I know  
5           Mr. Pollock is putting in an electric  
6           --

7                            MR. POLLOCK: The whole  
8                            building will be electric.

9                            MS. LANZETTA: And you're also  
10                          putting in a charger. This is really  
11                          the kind of stuff that we're going to  
12                          have to seriously look at, whether we  
13                          like it or not. The State is looking  
14                          to be on the forefront of alternative  
15                          energy and moving away from fossil  
16                          fuels.

17                          MR. POLLOCK: Even a backup  
18                          generator, it's tough to do without  
19                          --

20                          MR. CLARKE: How does this  
21                          building comply with LEED compliance  
22                          in New York State?

23                          MR. POLLOCK: How does it  
24                          comply with?

25                          MR. MEDENBACH: LEED.

1                   P O L L O C K    S I T E    P L A N

2                   MR. CLARKE:    L-E-E-D.

3                   MR. POLLOCK:    It's getting very  
4                   close to it because we're doing  
5                   triple pane glass.   It's going to be  
6                   very insulated, which a lot of these  
7                   split units or air -- the HVAC units  
8                   that are used for the newest heating  
9                   and air conditioning and electric,  
10                  they don't allow for fresh air and  
11                  exhaust air.   We're putting a system  
12                  in that will allow fresh air into the  
13                  building, because by law even this  
14                  building is supposed to have fresh  
15                  air coming in.

16                  MS. LANZETTA:    And it does.

17                  MR. POLLOCK:    It does.   The  
18                  same thing with Buttermilk.   We did  
19                  everything there.   And the same thing  
20                  with Freida's.   We made sure that we  
21                  had fresh air coming in.   It mixes  
22                  with the heating and air conditioning  
23                  system.   This is a major thing.  
24                  There's a guy advertising in New  
25                  Paltz on the billboards Mitsubishi

1           POLLOCK SITE PLAN

2           Splits. He doesn't tell you about  
3           fresh air. He gave me some malarkey  
4           about well, it's microscopically  
5           filtered. I said Mitsubishi has a  
6           system like that. I've been looking  
7           at every system. You have to put in  
8           a separate -- I forgot what they are  
9           called. There's two different  
10           systems that you use to bring in  
11           fresh air. Also to the heat  
12           exchanges.

13           MS. LANZETTA: Air exchange.

14           MR. CLARKE: If you open the  
15           window, it happens.

16           MR. POLLOCK: That's probably  
17           the best way to do it. In reality  
18           it's tough.

19           MR. GAROFALO: Has there been  
20           any discussion -- further discussion  
21           or progress with the Town as far as  
22           the road?

23           MR. MEDENBACH: I'm sorry?

24           MR. GAROFALO: The road. The  
25           road improvements.

1                   P O L L O C K    S I T E    P L A N

2                   MR. MEDENBACH: Yeah. With  
3                   Ulster County, the Highway  
4                   Department.

5                   MR. GAROFALO: No, no. With  
6                   the Town.

7                   MR. MEDENBACH: Well, yeah.  
8                   With the parking. I mean basically  
9                   we need to expand the width of the  
10                  highway, the road, Town road so you  
11                  can put the parking in. The whole  
12                  issue with the utility poles is there  
13                  are going to be curb bump-outs to  
14                  protect them. We have not submitted  
15                  a formal plan to the Town yet. Those  
16                  discussions just happened.

17                  MR. GAROFALO: Thank you.

18                  MS. LANZETTA: Okay. So I'm  
19                  going to make a motion that the Board  
20                  waive any additional approval  
21                  processes and the public hearing.

22                  Is that sufficient? Is that a  
23                  sufficient motion or do we have to  
24                  add any additional --

25                  MR. LOFARO: I think 7 and 8

1           P O L L O C K   S I T E   P L A N

2           need to be addressed, or at least  
3           they would have to be contingent on  
4           these being taken care of.

5                   MS. LANZETTA: I do think  
6                   you'll have to come back one more  
7                   time with the -- to address --

8                   MR. MEDENBACH: Come back for  
9                   what?

10                  MS. LANZETTA: Come back one  
11                  more time to address the items --  
12                  some of the items that were listed  
13                  here. I'm just -- I'm saying that we  
14                  should waive any additional  
15                  application -- a new application and  
16                  public hearing.

17                  MR. MEDENBACH: I don't  
18                  understand. We have to come back for  
19                  what purpose?

20                  MR. JENNISON: The County.

21                  MS. LANZETTA: It says the  
22                  Highway Department --

23                  MR. MEDENBACH: We had the  
24                  approval already subject to the  
25                  County Highway approval and the Town

1                   POLLOCK SITE PLAN

2                   Board approval.

3                   MR. LOFARO: I thought we were  
4                   going -- the County was going to let  
5                   him know what they wanted to do about  
6                   the runoff collection and how that  
7                   was going to be done. That's really  
8                   what I'm talking about.

9                   MR. MEDENBACH: I would think  
10                   -- I mean we have to come back? A  
11                   condition of approval is the County  
12                   highway approve, you know, and the  
13                   Town Board approve. I think they are  
14                   already in the decision.

15                   MR. POLLOCK: They were there  
16                   at the meeting.

17                   MR. MEDENBACH: They were part  
18                   of the -- no. The decision this  
19                   Board had made already had those as  
20                   conditions of approval before you  
21                   signed the maps, that we would, you  
22                   know, come back with a letter from  
23                   the County Highway Department  
24                   approved and the Town Board approved  
25                   with the parking.

1                   P O L L O C K    S I T E    P L A N

2                   MR. LOFARO: Over and above the  
3                   parking, it would be the catch basin  
4                   on Milton Turnpike. Whatever they  
5                   decide to do.

6                   MR. MEDENBACH: Right. That  
7                   would be part of the Highway. That's  
8                   a County Highway issue. I can tell  
9                   you I had a discussion with the  
10                   engineer just the end of last week  
11                   and he doesn't have a problem with  
12                   what we're proposing.

13                  MR. LOFARO: I just want to  
14                  make sure --

15                  MS. LANZETTA: We'll just make  
16                  these additional -- I don't know if  
17                  they have to be additional conditions  
18                  of approval.

19                  MR. BATTISTONI: I do think  
20                  that I need to prepare a resolution  
21                  approving the modifications to the  
22                  site plan. There might be a few  
23                  conditions in it about receiving  
24                  something from the County. Maybe  
25                  between now and the next meeting

1                   POLLOCK SITE PLAN

2                   we'll know whether the County  
3                   recommends that additional catch  
4                   basin or not. So I think they do  
5                   have to be on the agenda one more  
6                   time for an approval resolution.

7                   MR. GAROFALO: Why don't we  
8                   waive the public hearing so they know  
9                   they don't have to do that.

10                  MS. LANZETTA: So then we'll  
11                  waive the public hearing. The motion  
12                  will be to waive the public hearing  
13                  and to ask you to prepare a  
14                  resolution accepting the modifications --

15                  MR. BATTISTONI: That's correct.

16                  MS. LANZETTA: -- for our next  
17                  meeting, which will be June 6th.

18                  MR. LOFARO: I'll make that  
19                  motion.

20                  MR. GAROFALO: I'll second it.

21                  MR. JENNISON: Is that okay?  
22                  Will that work?

23                  MR. POLLOCK: We have no choice.

24                  MR. MEDENBACH: We have no choice.

25                  MR. POLLOCK: Does it work?

1           P O L L O C K   S I T E   P L A N

2           Well, we're at the mercy of the  
3           court -- the Planning Board.

4           MR. MEDENBACH: What is the  
5           date of the next meeting?

6           MS. LANZETTA: June 6th. So we  
7           have a motion, we have a second. Any  
8           more discussion on that?

9           (No response.)

10           MS. LANZETTA: Okay. All in  
11           favor?

12           MR. CLARKE: Aye.

13           MR. TRONCILLITO: Aye.

14           MR. GAROFALO: Aye.

15           MR. JENNISON: Aye.

16           MR. LOFARO: Aye.

17           MS. LANZETTA: Aye.

18           Opposed?

19           (No response.)

20           MS. LANZETTA: Okay.

21           MR. POLLOCK: Thank you.

22           MR. MEDENBACH: Thank you.

23

24           (Time noted: 7:52 p.m.)

25

1           P O L L O C K   S I T E   P L A N

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

3

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

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

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

14                  IN WITNESS WHEREOF, I have hereunto  
15                  set my hand this 9th day of May 2022.

16

17

18

19

*Michele Conero*

20

---

MICHELLE CONERO

21

22

23

24

25

1

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

5

6 GUARINO ASHLYEN

7 Project No. 20-4016  
5 Ashlyen Drive, Marlboro  
8 Section 108.2; Block 9; Lots 41 & 71

9 - X

10

SKETCH - SUBDIVISION

11

12 Date: May 2, 2022  
13 Time: 7:52 p.m.  
14 Place: Town of Marlborough  
15 Town Hall  
16 21 Milton Turnpike  
17 Milton, NY 12547

18

19 BOARD MEMBERS: CINDY LANZETTA, Acting  
20 Chairperson  
21 JOSEPH LOFARO  
22 JAMES GAROFALO  
23 STEVE CLARKE  
24 ROBERT TRONCILLITO  
25 STEPHEN JENNISON

19

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

20

APPLICANT'S REPRESENTATIVE: PATTI BROOKS

22

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

1                   GUARINO ASHLYEN

2                   MS. LANZETTA: Next up is the  
3                   Guarino Ashlyen Subdivision

4                   MS. BROOKS: Good evening. The  
5                   last time we were before the Board it  
6                   was requested that we consider  
7                   revising the map to extend the flag  
8                   portion of lot number 2 to include 25  
9                   feet of frontage along the Town  
10                   improved portion of Ruby Road. That  
11                   map change has been made. We are  
12                   back before the Board for that  
13                   review.

14                   MS. LANZETTA: All right. And  
15                   Joe, would you please read Pat Hines'  
16                   comments that we received.

17                   MR. LOFARO: "The property line  
18                   has been extended to propose a flag  
19                   lot with access to the improved  
20                   blacktop portion of Ruby Lane.

21                   The proposed grading within the  
22                   flag pole must be checked by the  
23                   applicant's representative.

24                   Specifically the 508 and 506 contour  
25                   lines appear to encroach on the

1 GUARINO ASHLYN

2 adjoining property. In addition, the  
3 contour lines must be addressed on  
4 the eastern portion of the access  
5 drive. Slope of the access drive and  
6 profile along the access drive should  
7 be provided to identify the grade  
8 proposed. Grading should not be  
9 permitted outside the existing Town  
10 right-of-way onto adjoining  
11 properties.

12 If the Planning Board agrees  
13 with the flag lot presentation  
14 proposed, the applicant should  
15 further design the driveway based on  
16 existing topography.

17 The Health Department approval  
18 for the subsurface sanitary sewer  
19 disposal system is required."

20 That concludes Pat's comments.

21 MS. LANZETTA: And Jeff, I know  
22 we've talked a number of times about  
23 ensuring that emergency vehicles will  
24 be able to access this property if  
25 there's a house built on it. If they

1 GUARINO ASHLYN

2 extend the driveways to where it  
3 enters the Town right-of-way, do  
4 those things more or less go away?

5 MR. BATTISTONI: Yes.

6 MS. LANZETTA: Okay. So I open  
7 it up to any questions from the  
8 Board.

9 MR. JENNISON: I have a  
10 question. We received a letter from  
11 Mr. Michael Papaleo. Did everybody  
12 have a chance to read that letter?

13 MR. PAPALEO: I sent two  
14 letters.

15 MR. JENNISON: Can we have that  
16 one addressed? Jeff, did you see the  
17 letter?

18 MR. BATTISTONI: I did,  
19 although I don't have it in front of  
20 me. Is that the letter where he  
21 alleged that the applicant was on his  
22 property and using his property?

23 MR. JENNISON: Patti, did you  
24 get a copy?

25 MS. BROOKS: I have not

1 GUARINO ASHLYN

2 received a copy of that letter, or  
3 both letters I guess, Mr. Papaleo.

4 MR. PAPALEO: Yes.

5 MR. JENNISON: One second. I'd  
6 really like Patti to address this, if  
7 she can. I have it on here.

8 MS. BROOKS: Probably the best  
9 way to address a question with regard  
10 to the boundary lines is we can stake  
11 the end points of the deeded portion  
12 of Ruby Road and -- because I know  
13 there was some question the last time  
14 that the Planning Board did a site  
15 visit of exactly where is the  
16 boundary line. It's always difficult  
17 when you see a roadway and you think  
18 the property line goes up to the edge  
19 of the roadway, whereas the  
20 right-of-way line is not always right  
21 at the edge of the road. So perhaps  
22 the best thing to do would be to mark  
23 out where exactly the boundary line  
24 is and then have --

25 MR. CLARKE: That was my

1 GUARINO ASHLYN

2 comment.

3 MS. BROOKS: -- and then have a  
4 site visit where everybody can review  
5 it. I can't think of any other way  
6 to appropriately --

7 MR. CLARKE: That would resolve  
8 the issue.

9 MS. BROOKS: I think it's the  
10 most appropriate way to resolve it.

11 MR. GAROFALO: And at the site  
12 meeting was there any discussion  
13 about the Town actually fixing the  
14 end of that road? Did they decide  
15 they're not going to do that?

16 MS. BROOKS: I wasn't invited  
17 to the site meeting.

18 MS. LANZETTA: No, they're not  
19 going to do that.

20 MR. GAROFALO: Okay. I just  
21 have one other potentially sticky  
22 issue for you. That is, this being a  
23 corner lot, the front is the larger  
24 of the two roads which might very  
25 well be Ruby Road, or it could be

1 GUARINO ASHLYEN

2 that they are of equal size. If that  
3 is the front, Ruby Road to the  
4 existing house, then there's a  
5 problem with the rear yard setback.

6 So I think it would be a good idea to  
7 include the information with those  
8 roads so that we can make sure we  
9 ascertain which is the front yard and  
10 which is the side yard.

11 MS. BROOKS: The way that I  
12 measured it, James, was that  
13 eventually if Ruby Road were  
14 extended, the frontage would be --  
15 actually, the only frontage can be on  
16 Ruby Road because it doesn't have  
17 frontage on -- are you talking about  
18 --

19 MR. GAROFALO: I'm talking  
20 about the existing house.

21 MR. JENNISON: The Guarino  
22 house.

23 MS. BROOKS: Oh, okay.

24 MR. JENNISON: That's Ashlyen  
25 in the front.

1 GUARINO ASHLYN

2 MR. GAROFALO: It doesn't  
3 matter which way the house is facing.

4 MS. BROOKS: I understand that.  
5 I'm aware of what the definition is  
6 for a corner lot. It says that when  
7 two of them are of the same width, I  
8 believe that either one can be  
9 utilized as the --

10 MR. GAROFALO: That is correct.  
11 My concern is that Ruby Road might  
12 actually be wider.

13 MS. BROOKS: Well, they're both  
14 50-foot wide roads that were  
15 dedicated to the Town. It doesn't  
16 matter how wide the pavement is. It  
17 matters how wide the right-of-way is,  
18 and they are equal.

19 MS. LANZETTA: All right. So  
20 --

21 MR. GAROFALO: I'm not sure if  
22 it's the road width or the right-of-  
23 way width.

24 MS. BROOKS: Either way, they  
25 were Town roads that were constructed

1 GUARINO A SHLYEN

2 at the same time and should be of  
3 equal width. It certainly was the  
4 intention for them to be.

5 MR. GAROFALO: They should be.  
6 DOT has them as different widths. My  
7 concern is the Town might also. This  
8 section might very well be narrower  
9 than the rest of Ruby Road. I am  
10 somewhat concerned about that.

11 MS. BROOKS: I'm not sure I  
12 understand. This is a Town highway.

13 MR. GAROFALO: Yes. And the  
14 State has an inventory of basically  
15 all the roads in all the towns.

16 MS. BROOKS: Typically for the  
17 lengths, right.

18 MR. GAROFALO: For the width.

19 MS. BROOKS: Okay.

20 MR. GAROFALO: So I just want  
21 to make sure that this isn't going to  
22 create a problem for them in the  
23 future.

24 MS. BROOKS: Regardless, we  
25 already have -- if your contention is

1 GUARINO ASHLYN

2 that Ruby Road needs to be considered  
3 as the frontage, it would at this  
4 point be preexisting nonconforming  
5 because the 50-foot setback is  
6 already there.

7 MR. GAROFALO: Right. Right.  
8 I agree with you on that.  
9 Unfortunately, in a previous  
10 application on Western Avenue where  
11 there was a preexisting condition,  
12 that did end up going to the ZBA. I  
13 certainly would like to avoid that  
14 and protect the homeowners against  
15 anything else that might come down  
16 the roadway, assuring that what we're  
17 doing is correct and making sure that  
18 they are correctly documented here.

19 MS. BROOKS: And what is your  
20 suggestion on how we figure that out,  
21 Mr. Garofalo?

22 MR. GAROFALO: Well, either get  
23 the information from the Town Highway  
24 or go out there and measure the road  
25 and put it on the plan so that it's

1 GUARINO ASHLYNN

2 clear they are the same size. If  
3 they're not, then we'll have to deal  
4 with that. It would be nice if the  
5 Town Board could change that  
6 regulation to give us a little bit  
7 more leeway with respect to these  
8 kinds of conditions, but that's  
9 something that we have to bring up  
10 with Chris, the Chairman.

11 MS. BROOKS: And with regard to  
12 the roadway, the applicants are also  
13 going to seek approval from the Town  
14 Board to be able to construct the  
15 driveway itself within the unimproved  
16 portion of Ruby Road. So we're going  
17 to be seeking counsel from them,  
18 hopefully at their next meeting. At  
19 the same time I guess we can discuss  
20 the issue of the roadways.

21 MR. GAROFALO: Because it's the  
22 width. It may be a very small  
23 difference, but unfortunately the  
24 regulations are pretty clear. I  
25 would hope that they are equal. With

1 GUARINO ASHLYN

2 that being a minor dead end, it might  
3 very well not be.

4 MS. BROOKS: I'll certainly  
5 address that. Thank you.

6 MR. GAROFALO: Thank you.

7 MS. LANZETTA: Is it my  
8 understanding that the Board would  
9 like to set up another site meeting  
10 at the site?

11 MR. CLARKE: If the line is  
12 delineated, then it would make sense.

13 MS. BROOKS: I wouldn't be able  
14 to have it done by this weekend, but  
15 I'll -- anytime after that.

16 MS. LANZETTA: So you could  
17 contact Jennifer and she can contact  
18 the Board and let them know. You  
19 know, you can have Members of the  
20 Board there as long as there is no  
21 discussion as to how people are going  
22 to vote. If they just want to go out  
23 and be a party to seeing what is --

24 MR. CLARKE: Educational  
25 experience.

1 GUARINO ASHLYN

2 MS. LANZETTA: Yes. Yes. But  
3 I don't know that we have to worry  
4 about there being too many Members.  
5 Just in case, I want everybody to  
6 know that they can attend.

7 MR. TRONCILLITO: Jen will  
8 contact us to let us know when this  
9 is going to be?

10 MS. LANZETTA: When Patti is  
11 available.

12 MS. BROOKS: And certainly I  
13 can make myself available on more  
14 than one occasion now that the  
15 daylight stays late -- now that it's  
16 light later, we can do it as an after  
17 hours or Saturday, whichever is  
18 better.

19 MS. LANZETTA: Did you get  
20 another letter from the highway  
21 superintendent regarding his approval  
22 of the new proposed driveway?

23 MS. BROOKS: No. Would you  
24 like me to seek that?

25 MS. LANZETTA: I was thinking

1 GUARINO ASHLYN

2 it might be a good idea to have him  
3 come up to the same meeting where  
4 we'll all be in attendance.

5 MS. BROOKS: Absolutely.

6 MS. LANZETTA: Then we can get  
7 an idea from him directly as to how  
8 he feels about it.

9 Any more discussion?

10 (No response.)

11 MS. LANZETTA: I think you have  
12 Pat's comments. We will try to --

13 MS. BROOKS: We had previously  
14 submitted to the Board of Health, and  
15 Pat had acknowledged that in his  
16 March memo. I'll have to check with  
17 him on that.

18 Yeah, I don't think I have  
19 anything additional at this point.

20 MS. LANZETTA: Okay.

21 MS. BROOKS: Thank you very  
22 much.

23 MS. LANZETTA: All right.  
24 Thank you.

25 MS. BROOKS: I guess just one

1                   G U A R I N O    A S H L Y E N

2                   question is are those letters posted  
3                   on the website or will I get copies  
4                   of them from Mr. Papaleo?

5                   MS. FLYNN: I only sent them to  
6                   the Board because it was after the  
7                   public hearing. I can surely copy  
8                   you.

9                   MS. BROOKS: Yeah. Just so  
10                  that I can make sure I properly  
11                  address their concerns.

12                  MS. FLYNN: Okay.

13                  MS. BROOKS: Thank you.

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15                  (Time noted: 8:04 p.m.)

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1           G U A R I N O   A S H L Y E N

2

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

4

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

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

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

15              IN WITNESS WHEREOF, I have hereunto  
16       set my hand this 9th day of May 2022.

17

18

*Michele Conero*

19

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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 - X  
In the Matter of

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6 DAVE & JOLEE DUBOIS

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7 Project No. 22-6006  
228 Mahoney Road, Milton  
8 Section 95.4; Block 2; Lot 15

8

9 - X

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SKETCH - SUBDIVISION

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14

Date: May 2, 2022

Time: 8:04 p.m.

Place: Town of Marlborough

Town Hall

21 Milton Turnpike

Milton, NY 12547

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BOARD MEMBERS: CINDY LANZETTA, Acting  
Chairperson  
JOSEPH LOFARO  
JAMES GAROFALO  
STEVE CLARKE  
ROBERT TRONCILLITO  
STEPHEN JENNISON

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

APPLICANT'S REPRESENTATIVE: CARNEY RHINEVAULT  
& DAVE DuBOIS

22

23

24

25

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

1 D A V E & J O L E E D u B O I S

2 MS. LANZETTA: DuBois, Dave,  
3 Jolee, sketch - subdivision.

4 Welcome. Shall we just begin  
5 with Mr. Hines' comments, Joe?

6 MR. LOFARO: "The roadway  
7 dedication parcels have been depicted  
8 on the plans."

9 MS. LANZETTA: Can you turn  
10 your mic on?

11 MR. LOFARO: "The roadway  
12 dedication parcels have been depicted  
13 on the plans. The roadway dedication  
14 documents must be submitted for the  
15 Planning Board Attorney for review  
16 and approve.

17 Proposed lot C has been  
18 depicted in a blowup detail in the  
19 lower right-hand corner. The rear  
20 yard setback has been depicted in  
21 compliance with Section 155-52. A  
22 50-foot setback has been depicted  
23 from adjoining tax lot 14.110. It is  
24 unclear what this setback represents  
25 as the front yard is clearly the lot

1 D A V E & J O L E E D u B O I S

2 line which parallels Mahoney Road.  
3 The Mahoney Road frontage should be  
4 depicted with a 50-foot front yard  
5 setback. This leaves a very small  
6 buildable area on the lot. It's  
7 recommended that a note be added to  
8 the plans requiring a stakeout of  
9 foundations and a plot plan submitted  
10 to the building inspector prior to  
11 constructing the foundations on the  
12 site.

13 Health Department approval for  
14 septic systems and wells on parcel C  
15 should be provided.

16 Parcel A has a box that says  
17 see detail A. Detail A shows some  
18 topography and what appears to be a  
19 septic test pit. No information  
20 pertaining to this test pit is  
21 located on the plans. No information  
22 regarding the location of the  
23 topography is depicted. The lot is a  
24 21.7 plus or minus acre parcel of  
25 property which will not require the

1 D A V E & J O L E E D u B O I S

2 design of a subsurface sanitary sewer  
3 disposal system.

4 A County Planning referral is  
5 required as the project is located at  
6 the municipal boundary with the Town  
7 of Lloyd.

8 The front yard setback line  
9 needs to be added to the setbacks on  
10 detail B.

11 The EAF filled out on the DEC's  
12 website has been submitted. However,  
13 the report data has been left off. A  
14 copy of those pages is provided.

15 This office ran the project through  
16 the DEC's database."

17 That concludes Pat's comments.

18 MS. LANZETTA: Jeff, did you  
19 have anything in addition to that?

20 MR. BATTISTONI: I'll just  
21 reiterate that we have to refer this  
22 to County Planning. At the last  
23 meeting there were enough items that  
24 needed to be supplied that we didn't  
25 want to refer it until those

1 D A V E & J O L E E D u B O I S

2 additional submissions were made.

3 MS. LANZETTA: Any questions or  
4 any discussion from the Board?

5 MR. CLARKE: Yeah. John and  
6 Olena Stockdale, they are to the  
7 south side of the property? That's  
8 not the Allstate Apple Exchange?

9 MR. RHINEVAULT: I couldn't  
10 hear him. Could you --

11 MR. DuBOIS: He's saying on the  
12 south side.

13 MR. CLARKE: On the south side  
14 of the property, I thought that was  
15 Allstate Apple Exchange.

16 MR. DuBOIS: It's Allstate  
17 Apple Exchange.

18 MR. RHINEVAULT: It's an apple  
19 orchard.

20 MR. CLARKE: Yes. But you have  
21 John and Olena Stockdale as the  
22 owners.

23 MR. DuBOIS: Is that in the  
24 house next to it or is that --

25 MR. CLARKE: I don't know.

1 D A V E & J O L E E D u B O I S

2 It's just on the map it has it.

3 There's supposed to be a 75-foot  
4 setback of the orchard which is on  
5 the east side. I don't see it on the  
6 south side between the house and the  
7 orchard.

8 MR. DuBOIS: Do you want me to  
9 come up and take a peek at it?

10 MR. CLARKE: Sure.

11 MR. DuBOIS: All right. So  
12 this is --

13 MR. CLARKE: This is Mahoney  
14 Road.

15 MR. DuBOIS: That's their  
16 house.

17 MR. CLARKE: That's not part of  
18 the orchard?

19 MR. DuBOIS: No. This is the  
20 orchard.

21 MR. CLARKE: Okay. That's  
22 fine. I didn't know if there was  
23 another lot there.

24 MS. LANZETTA: Anything else?

25 MR. GAROFALO: I have one

1 D A V E & J O L E E D u B O I S

2 question about the detailed  
3 preliminary plan. That is the sight  
4 distances that are shown on there is  
5 in the very corner of that small  
6 parcel. Is that where you intend to  
7 have the driveway go for the house?

8 MR. RHINEVAULT: Yes. There's  
9 actually a culvert there that was  
10 intended for use as a driveway.

11 MR. GAROFALO: Okay. I see  
12 that. Thank you.

13 MS. LANZETTA: I just noted  
14 that this is also in an Agricultural  
15 District. Typically we have  
16 Agricultural District notes on the  
17 maps. I think that has to be added  
18 to the maps. Okay?

19 MR. RHINEVAULT: I'm not quite  
20 sure what you're talking about. It's  
21 in an RAG-1 Zone.

22 MS. LANZETTA: You're in a  
23 larger Agricultural District.

24 MR. CLARKE: The overlay district.

25 MS. LANZETTA: The County has

1 D A V E & J O L E E D u B O I S

2 you in an Agricultural District which  
3 means that there's agricultural --  
4 there's a thing that has to be added  
5 to the maps that says you're in an  
6 Agricultural District. That means  
7 you're going to hear noise, that the  
8 Right to Farm Law is in effect for  
9 this property so that you can't  
10 complain. It's just a matter of  
11 course for anybody that's in an  
12 Agricultural District.

13 MR. CLARKE: If you run your  
14 wind machine thirty times a year, you  
15 can't complain.

16 MS. LANZETTA: Yeah. And if  
17 you want an example of that, I think  
18 if you ask Jennifer, she can pull up  
19 a map and show you what's required.  
20 That has to be on the maps.

21 MR. GAROFALO: Basically  
22 there's a difference between the  
23 zoning and the district. There's a  
24 separate district overlay on top of  
25 the zoning. Even though you're maybe

1 D A V E & J O L E E D u B O I S

2 in an RAG-1, there may be -- there's  
3 an overlay Agricultural District on  
4 top of that which is in the  
5 regulations. Thank you.

6 MR. DuBOIS: I have a map at  
7 home that's got that on there.

8 MS. LANZETTA: So a couple of  
9 these things have to be addressed.  
10 It has to be sent out to County. I  
11 would imagine that it's too late for  
12 it to be sent up for this month's  
13 meeting, which means the first  
14 opportunity for County to take a look  
15 at it would be the first week of  
16 June. That means you'll probably be  
17 back for the second meeting in June.

18 Any questions?

19 MR. DuBOIS: Could that be a  
20 public hearing?

21 MS. LANZETTA: Should we set  
22 the public hearing?

23 MR. CLARKE: Sure.

24 MS. LANZETTA: We could  
25 actually set it for the beginning of

1 D A V E & J O L E E D u B O I S

2 June.

3 MR. BATTISTONI: I guess you  
4 could. We're going to refer it to  
5 the County. We'll be waiting for comments.

6 MS. LANZETTA: We could have  
7 the public hearing in the meantime.

8 MR. BATTISTONI: Right. We could.

9 MS. LANZETTA: So does somebody  
10 want to make a motion to set the  
11 public hearing for June 6th?

12 MR. CLARKE: I'll make that  
13 motion.

14 MR. LOFARO: I'll second it.

15 MS. LANZETTA: All in favor?

16 MR. CLARKE: Aye.

17 MR. TRONCILLITO: Aye.

18 MR. LOFARO: Aye.

19 MR. GAROFALO: Aye.

20 MR. JENNISON: Aye.

21 MS. LANZETTA: Aye.

22 Opposed?

23 (No response.)

24 MS. LANZETTA: Okay.

25 MR. DuBOIS: Thank you.

1 D A V E & J O L E E D u B O I S

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3 (Time noted: 8:13 p.m.)

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1 D A V E & J O L E E D u B O I S

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

9 That hereinbefore set forth is a true  
10 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  
14 I am in no way interested in the outcome of  
15 this matter.

16 IN WITNESS WHEREOF, I have hereunto  
17 set my hand this 9th day of May 2022.

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*Michele Conero*

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23 MICHELLE CONERO

24

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1

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

5

6 VERIZON - MARLBORO HIGH SCHOOL  
7

8 Project No. 21-5031  
9 50 Cross Road, Marlboro  
10 Section 108.4; Block 2; Lot 71.100  
- X

11

12 PRELIMINARY - SITE PLAN

13

14 Date: May 2, 2022  
15 Time: 8:13 p.m.  
16 Place: Town of Marlborough  
17 Town Hall  
18 21 Milton Turnpike  
19 Milton, NY 12547  
- X

20

21 BOARD MEMBERS: CINDY LANZETTA, Acting  
Chairperson  
22 JOSEPH LOFARO  
23 STEVE CLARKE  
24 ROBERT TRONCILLITO  
25 STEPHEN JENNISON  
- X

26

27 ALSO PRESENT: JEFFREY S. BATTISTONI, ESQ.  
28 VIRGINIA FLYNN  
29  
30 APPLICANT'S REPRESENTATIVE: ALLISON PHILLIPS  
31 & NATE KEENAN  
32  
33 - X

34

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

41

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 MS. LANZETTA: The last item on  
3 the agenda is Verizon.

4 MR. GAROFALO: Acting Chairman,  
5 is there not going to be any  
6 discussion after the Verizon project?

7 MS. LANZETTA: The only thing  
8 we had on the agenda was the  
9 conceptual site plan. I know we've  
10 been talking about --

11 MS. FLYNN: That's only for  
12 when Pat has somebody for discussion.  
13 That's not --

14 MS. LANZETTA: Right. But I'm  
15 saying that was the only thing that  
16 was left. And also --

17 MR. GAROFALO: If we're not  
18 going to discuss the form or anything  
19 else, then I might as well leave.

20 MS. LANZETTA: Oh, okay. I  
21 would prefer you wait to discuss the  
22 form when Chris is here, if that's  
23 all right with you.

24 MR. GAROFALO: That's fine with  
25 me.

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 MS. LANZETTA: Okay. Does that  
3 sound good for everyone?

4 MR. LOFARO: That sounds good.

5 MS. LANZETTA: Okay. So you  
6 may recuse yourself. We will see you  
7 on June 6th.

8 MR. GAROFALO: Thank you.

9 (Whereupon, Mr. Garofalo left  
10 the meeting.)

11 MS. LANZETTA: Let it be noted  
12 that Mr. Garofalo is recused because  
13 of his involvement with Verizon.

14 MS. PHILLIPS: Hello, Members  
15 of the Board. My name is Allison  
16 Phillips. I'm an attorney with the  
17 law firm Young Sommer. I'm filling  
18 in for Scott Olson today. I also  
19 have here with me Nate Keenan from  
20 Tectonic Engineering who is also  
21 filling in for the past  
22 representatives you've seen here.

23 We're here tonight just to  
24 provide you with an update on what  
25 we've submitted since last month'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 public hearing.

25 MR. CLARKE: What about 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 orange?

3 MS. LANZETTA: We don't want  
4 it.

5 MR. TRONCILLITO: They don't  
6 want orange and black?

7 MS. PHILLIPS: I think the  
8 request was black.

9 MR. TRONCILLITO: That's the  
10 school colors.

11 MS. LANZETTA: I do want to say  
12 that I spoke with Chris Brand who  
13 contacted Superintendent Brooks to  
14 get his -- obviously you did, too.  
15 He said that they were looking for  
16 just a black chain link with black  
17 woven privacy slats, and that they  
18 are looking for a mowing guard so  
19 that if they do have to use  
20 weedwhackers or anything, it's not  
21 going to hurt the chain link. Also  
22 the school would prefer no  
23 landscaping.

24 MR. KEENAN: Correct.

25 MS. LANZETTA: I just wanted 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 make that a matter of the record. So  
3 those were the -- the only things  
4 that I was aware of. I wasn't at the  
5 last meeting. Those were still left  
6 up in the air. It sounds like we've  
7 covered most of that.

8 Is there anything else that we  
9 might have missed?

10 MS. PHILLIPS: No. That's it.  
11 The plans have been revised to  
12 include those notes and those  
13 changes.

14 I know that -- I think that the  
15 color of the monopole had been  
16 discussed at the last meeting. We  
17 still have it as the galvanized steel  
18 with the mat gray.

19 MS. LANZETTA: All right.  
20 Well, I think we could then move  
21 forward with a motion to prepare the  
22 SEQRA determination and a resolution  
23 for approval for the June 6th  
24 meeting.

25 MR. BATTISTONI: That's fine

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 with me. Is that acceptable to the  
3 applicant?

4 MS. PHILLIPS: Yes.

5 MR. BATTISTONI: We haven't  
6 actually been counting the shot clock  
7 days. June 6th would be acceptable?

8 MS. PHILLIPS: Absolutely. I  
9 think we had it extended to the end  
10 of May. We're happy to extend it to  
11 the June 6th meeting.

12 MR. JENNISON: I'll make a  
13 motion.

14 MR. TRONCILLITO: I'll second  
15 that.

16 MS. LANZETTA: All in favor?

17 MR. CLARKE: Aye.

18 MR. TRONCILLITO: Aye.

19 MR. JENNISON: Aye.

20 MR. LOFARO: Aye.

21 MS. LANZETTA: Aye.

22 Opposed?

23 (No response.)

24 MS. PHILLIPS: I'm sorry. If I  
25 could, I -- I'm sorry to interrupt.

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 I 'm sorry. I got a little confused.

3 You guys have another meeting the  
4 third week in May. Right?

5 MR. BATTISTONI: It 's canceled  
6 this month.

7 MS. PHILLIPS: Oh, it 's  
8 canceled. Okay.

9 MS. LANZETTA: Otherwise, we  
10 definitely would do that.

11 MS. PHILLIPS: I appreciate it.  
12 Okay. Sorry.

13 MR. TRONCILLITO: When would  
14 you start construction once you got  
15 all the approvals?

16 MS. PHILLIPS: That 's a good  
17 question. I think it 's in the cue  
18 for 2022 construction.

19 MR. KEENAN: It is.

20 MR. TRONCILLITO: Pardon?

21 MS. PHILLIPS: I think it 's  
22 scheduled for construction in 2022.  
23 As soon as we get all the requisite  
24 building permits, it will be in the  
25 cue to proceed with construction.

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. TRONCILLITO: Thank you.

3 MS. LANZETTA: Anything else?

4 (No response.)

5 MS. LANZETTA: Thank you very  
6 much for coming.

7 MS. PHILLIPS: Thank you very  
8 much. We appreciate it.

9 MS. FLYNN: Would you be able  
10 to have the final maps at that  
11 meeting as well? I would need like  
12 two copies of the final site plan  
13 map.

14 MS. PHILLIPS: For signature?

15 MS. FLYNN: Yes.

16 MS. PHILLIPS: Absolutely.

17 MS. FLYNN: Okay. Thank you.

18 MR. KEENAN: You said two  
19 copies?

20 MS. FLYNN: Yes.

21 MR. JENNISON: I'll make a  
22 motion to adjourn.

23 MR. LOFARO: I'll second it.

24 MS. LANZETTA: All in favor?

25 MR. CLARKE: Aye.

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. TRONCILLITO: Aye.

3 MR. JENNISON: Aye.

4 MR. LOFARO: Aye.

5 MS. LANZETTA: Aye.

6 (Time noted: 8:20 p.m.)

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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

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

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5

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

9 That hereinbefore set forth is a true  
10 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  
14 I am in no way interested in the outcome of  
15 this matter.

16 IN WITNESS WHEREOF, I have hereunto  
17 set my hand this 9th day of May 2022.

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*Michele Conero*

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MICHELLE CONERO

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