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

POLLOCK SITE PLAN

Project No. 21-5019
39 Main Street, Milton
Section 103.1; Block 2; Lots 44 & 45

- - - - - X

MODIFICATION - SITE PLAN

Date: May 2, 2022
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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: BARRY MEDENBACH

- - - - - X

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

1 POLLOCK SITE PLAN

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

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

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

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

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

1 POLLOCK SITE PLAN

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.

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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.

1 POLLOCK SITE PLAN

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,

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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.

9 MR. MEDENBACH: We submitted
10 renderings.

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,

1 POLLOCK SITE PLAN

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 --

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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

1 POLLOCK SITE PLAN

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.

1 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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 POLLOCK SITE PLAN

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

20

Michelle Conero

21

MICHELLE CONERO

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25

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

- - - - - X
In the Matter of

GUARINO ASHLYEN

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

- - - - - X

SKETCH - SUBDIVISION

Date: May 2, 2022
Time: 7:52 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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: PATTI BROOKS

- - - - - X

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

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

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 ASHLYEN

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

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

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

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

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

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

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

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 ASHLYEN

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

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

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

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.

14

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 *Michelle Conero*

19 _____
20 MICHELLE CONERO
21
22
23
24
25

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

- - - - - X
In the Matter of

DAVE & JOLEE DUBOIS

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

- - - - - X

SKETCH - SUBDIVISION

Date: May 2, 2022
Time: 8:04 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

- - - - - 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 DAVE & JOLEE DuBOIS

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 DAVE & JOLEE DuBOIS

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 DAVE & JOLEE DuBOIS

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 DAVE & JOLEE DuBOIS

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 DAVE & JOLEE DuBOIS

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

2

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

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

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

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

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

MICHELLE CONERO

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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

PRELIMINARY - SITE PLAN

Date: May 2, 2022
Time: 8:13 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: ALLISON PHILLIPS
& NATE KEENAN

----- 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 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.

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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

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2 public hearing.

3 We reviewed the comments and
4 also the latest technical memo
5 received from the Town's consultant,
6 Mike Musso, and have made revisions
7 to the site plan in response to those
8 comments. Those were submitted I
9 think earlier last week. Really only
10 minor changes in response to those
11 comments. We revised to remove the
12 barbed wire off the top of the
13 fencing which was a request of the
14 school district. Also, we've revised
15 to include notes that we will extend
16 the gravel outside of the equipment -- the
17 enclosed equipment area an additional
18 six inches just to keep weeds away
19 from the fence, which was another
20 request of the school. We're also
21 going to be installing the black
22 vinyl privacy screening in the
23 fence, again at the request of the
24 school.

25 MR. CLARKE: What about the

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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 VERIZON - MARLBORO HIGH SCHOOL

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

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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.

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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

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

4
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.

18
19
20
21 *Michelle Conero*

22 _____
23 MICHELLE CONERO
24
25