

1

2 STATE OF NEW YORK : COUNTY OF ULSTER

3 TOWN OF MARLBOROUGH ZONING BOARD

-----X

4

In the Matter of

5

DANE DESANTIS and CECILIA COLANGELO

6

226 Highland Avenue

7

Marlboro, New York 12542

8

S.B.L #108.12-1-48

9 -----X

WORKSHOP MEETING CONCERNING THE REQUEST FOR  
A SIDE YARD SETBACK AREA VARIANCE.

11

DATE: April 20, 2022

12

TIME: 6:00 P.M.

13

PLACE: Town of Marlborough

14

Town Hall

14

#21 Milton Turnpike

15

Milton, New York 12547

BOARD MEMBERS:

16

WILLIAM GIAMETTA, CHAIRMAN

17

JEFF MEKEEL

17

LENNY CONN

18

GEORGE SALINOVICH

18

ANDREW NIKOLA, ABSENT

19

ALSO PRESENT:

20

Dane Desantis, Applicant

21

Cecilia Colangelo, Applicant

21

Penny E. Cashman, Zoning Board

22

Secretary

23 -----X

24

LISA MARIE ROSSO

24

140 Mahoney Road

25

Milton, New York 12547

(845) 674-3937

LISA MARIE ROSSO - (845) 674-3937

1 DANE DESANTIS & CECILIA COLANGELO - WORKSHOP

2

CHAIRMAN GIAMETTA: Without

3

further ado, welcome to the April 20th

4

meeting of the Town of Marlboro Zoning

5

Board of Appeals. Please join me for

6

the pledge to the flag.

7

(Pledge of Allegiance)

8

CHAIRMAN GIAMETTA: Thank you very

9

much. The last meeting of record was

10 an adjourned meeting from the last  
11 week, but prior to that, the  
12 February 10th meeting had minutes  
13 developed about it. Do we need any  
14 changes to those meetings, board  
15 members?  
16 MR. MEKEEL: No.  
17 CHAIRMAN GIAMETTA: Motion to  
18 approve?  
19 MR. SALINOVICH: I make a motion  
20 to approve the minutes.  
21 CHAIRMAN GIAMETTA: A second.  
22 MR. MEKEEL: Aye.  
23 MR. CONN: I wasn't here.  
24 CHAIRMAN GIAMETTA: You're  
25 abstaining, you weren't here.

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2 MR. SALINOVICH: Aye.  
3 CHAIRMAN GIAMETTA: All in favor?  
4 MR. MEKEEL: Aye.  
5 MR. SALINOVICH: Aye.  
6 CHAIRMAN GIAMETTA: Minutes  
7 approved from February 10th. We have  
8 two matters on the agenda --  
9 MS. CASHMAN: What about the  
10 April, last week, there wasn't nothing  
11 to approve the meeting; right?  
12 CHAIRMAN GIAMETTA: I made  
13 mention. It was a short meeting last  
14 week, adjourned to this week. There  
15 was no minutes for that; was there, Ms.  
16 Cashman?  
17 MS. CASHMAN: Yes.  
18 CHAIRMAN GIAMETTA: We will go  
19 over the minutes from last meeting,  
20 April 14. There was a meeting and

21 although, it was a short one, it was an  
22 official meeting, and there was only  
23 two of us at that meeting; correct?  
24 MR. MEKEEL: Yes.  
25 CHAIRMAN GIAMETTA: Mr. Mekeel, a

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2 motion to approve?

3 MR. MEKEEL: I make a motion we  
4 approve the minutes from the April  
5 14th.

6 CHAIRMAN GIAMETTA: I will second  
7 it.

8 MR. MEKEEL: Aye.

9 CHAIRMAN GIAMETTA: And I will  
10 vote aye on that. So, both the  
11 February 10th meeting minutes and April  
12 14th meeting minutes of 2022 are now  
13 approved. Was there any other older  
14 business, Ms. Cashman?

15 MS. CASHMAN: No, that was it.

16 CHAIRMAN GIAMETTA: Okay, thank  
17 you. We have two matters on the  
18 agenda, and we will take them one at a  
19 time, and the first matter is the  
20 Desantis efforts. And would you kindly  
21 explain that, Mr. Desantis, and your  
22 partner, if you wish.

23 MR. DESANTIS: Yes, actually  
24 fiance as of this weekend.

25 MR. MEKEEL: Congratulations.

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2 CHAIRMAN GIAMETTA: Oh,  
3 congratulations.

4 MR. DESANTIS: So, basically this  
5 is my father's property on 226 Highland  
6 Avenue. It has an extra area that we  
7 are trying to create the subdivision.  
8 It's a residential district R, requires  
9 minimum lot size of 10,000 square feet,  
10 as long as there is town, sewer, and  
11 water hook up, which there is on the  
12 road. We're trying to create a three-  
13 bedroom, one-family residence here, and  
14 we are requesting a lot with variances  
15 as we meet all of the other necessary  
16 requirements for the lot, except for  
17 the width of the property, which is  
18 only -- we can only come up with a  
19 width around 52 to 53 feet, and the  
20 required width is 75 feet. We're  
21 requesting this variance under the  
22 guidance of the fact that there is  
23 other areas on the property that may  
24 have been able to fit all of the  
25 subject matters for the lot and would

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2 have perfectly fit the requirements led  
3 out by the town, but there was an  
4 easement that was placed on the  
5 property in the back where it's wider.  
6 We're trying to make use of the rest of  
7 the property where it still meets 90  
8 percent of the requirements, other than  
9 the lot width.

10 CHAIRMAN GIAMETTA: Thank you very  
11 much for that explanation. Board  
12 members, have you had a chance to take  
13 a look at this project somewhat? If  
14 not, there is a map here. Mr. Mekeel,

15 do you have a pretty good understanding  
16 of the project?

17 MR. MEKEEL: Yes.

18 CHAIRMAN GIAMETTA: I call your  
19 attention to the table requirements on  
20 the plan, and the only item that  
21 appears to be deficient is the lot  
22 width for lot one. And the lot width  
23 is about 52 feet plus or minus, and the  
24 requirement is 75.

25 MR. MEKEEL: What's that zoned?

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2 CHAIRMAN GIAMETTA: It's zoned R.

3 MR. DESANTIS: It's zoned R, I  
4 believe. Also in the application, I  
5 submitted some other information with  
6 other properties that are within a  
7 thousand feet in the same district and  
8 there is probably, you know, a few  
9 dozen that are the same width or less  
10 than the width that we're requesting.  
11 So I would like to also point that out.

12 CHAIRMAN GIAMETTA: Do those  
13 numbers match up with the book?

14 MR. MEKEEL: Yes.

15 CHAIRMAN GIAMETTA: What's the lot  
16 width?

17 MR. MEKEEL: 75.

18 CHAIRMAN GIAMETTA: And the  
19 provided is 52 and change, so there is  
20 a deficiency there.

21 MR. SALINOVICH: 22 feet.

22 CHAIRMAN GIAMETTA: 22 feet,  
23 roughly.

24 MR. CONN: Just under.

25 CHAIRMAN GIAMETTA: Okay.

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2 MR. MEKEEL: 22.9.

3 MS. CASHMAN: Is that what it is?

4 Any questions, gentlemen?

5 MR. MEKEEL: No.

6 CHAIRMAN GIAMETTA: Any concerns

7 that should be brought up this evening?

8 MR. SALINOVICH: They're close on

9 the side setbacks.

10 CHAIRMAN GIAMETTA: But they're

11 compliant. They're close, but

12 compliant on the side.

13 MR. MEKEEL: Right. The setbacks

14 are compliant. It's just the width of

15 the lot.

16 CHAIRMAN GIAMETTA: Yes. Any

17 questions from the applicants or

18 concerns?

19 MR. DESANTIS: No.

20 CHAIRMAN GIAMETTA: How about

21 audience, any questions?

22 AUDIENCE: That was my question

23 about the side yard setbacks.

24 MR. SALINOVICH: You guys got to

25 be pretty accurate when you're doing

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2 it.

3 CHAIRMAN GIAMETTA: Any further

4 discussion?

5 MR. MEKEEL: No, I'm fine with it.

6 MR. CONN: No.

7 MR. SALINOVICH: No.

8 CHAIRMAN GIAMETTA: Can we send

9       them for a public hearing?

10       MR. CONN: Yes.

11       CHAIRMAN GIAMETTA: I need a

12       motion to do so.

13       MR. CONN: I will make a motion to

14       send them to public hearing.

15       MR. SALINOVICH: I will second.

16       CHAIRMAN GIAMETTA: All in favor?

17       MR. MEKEEL: Aye.

18       MR. CONN: Aye.

19       MR. SALINOVICH: Aye.

20       CHAIRMAN GIAMETTA: Okay. We will

21       ask you to go to a public hearing, next

22       meeting. You have to notify your

23       neighbors, of course.

24       MR. MEKEEL: Within 500 feet.

25       CHAIRMAN GIAMETTA: Ms. Cashman

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2       can assist with that.

3       MS. CASHMAN: You have it all from

4       the planning board; right?

5       MR. DESANTIS: I have all of the

6       information. I just need whatever

7       letter.

8       MS. CASHMAN: I will get the legal

9       notice together for you.

10       CHAIRMAN GIAMETTA: May 12th, is

11       it?

12       MR. CONN: Second Thursday.

13       CHAIRMAN GIAMETTA: Second

14       Thursday in May. What time, Ms.

15       Cashman?

16       MS. CASHMAN: 6:00.

17       MR. DESANTIS: There will be a

18       vote that night as well?

19       CHAIRMAN GIAMETTA: Yes. And the

20 concern before us is the lot width as  
21 required and as provided. Thank you  
22 very much.  
23 MR. DESANTIS: Thank you.  
24 (Whereupon, at 6:11, the Hearing  
25 was adjourned.)

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

3

4 STATE OF NEW YORK )

: SS.:

5 COUNTY OF ULSTER )

6

7 I, LISA M. ROSSO, a Notary Public for  
8 and within the State of New York, do hereby  
9 certify:

10 That the witness whose examination is  
11 hereinbefore set forth was duly sworn and  
12 that such examination is a true record of  
13 the testimony given by that witness.

14 I further certify that I am not related  
15 to any of the parties to this action by  
16 blood or by marriage and that I am in no way  
17 interested in the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 4th day of May 2022.

20

21

22 \_\_\_\_\_  
LISA M. ROSSO

23

24

25

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2 STATE OF NEW YORK : COUNTY OF ULSTER



3 TOWN OF MARLBOROUGH ZONING BOARD  
-----X

4 In the Matter of

5 DAVID TODER

6 578 Route 44-55  
7 Highland, New York 12528

8 S.B.L #95.2-2-10

9 -----X  
WORKSHOP MEETING CONCERNING THE REQUEST FOR  
10 A FRONT YARD AND SIDE YARD SETBACK AREA  
VARIANCE.

11 DATE: April 20, 2022

12 TIME: 6:15 P.M.

13 PLACE: Town of Marlborough  
Town Hall  
14 #21 Milton Turnpike  
Milton, New York 12547

15 BOARD MEMBERS:  
16 WILLIAM GIAMETTA, CHAIRMAN  
JEFF MEKEEL  
17 LENNY CONN  
GEORGE SALINOVICH  
18 ANDREW NIKOLA, ABSENT

19 ALSO PRESENT:  
20 David Toder, Applicant  
Penny E. Cashman, Zoning Board  
21 Secretary

22

23 -----X  
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24 140 Mahoney Road  
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1 DAVID TODER - WORKSHOP

2 CHAIRMAN GIAMETTA: We do have a  
3 second matter. The second matter is  
4 now before us. I take it you're Mr.  
5 Toder?

6 MR. TODER: Correct.

7 CHAIRMAN GIAMETTA: Okay. Would  
8 you kindly explain your efforts?

9 MR. TODER: Sure. So, this is a  
10 change of use for the property from  
11 residential to commercial, and so, the  
12 existing buildings need to be approved  
13 in their close to the road location by

14 the ZBA in order to allow the change  
15 of use to be approved. The property  
16 that has the bakery in it was  
17 commercial for many decades, a candy  
18 store and other use before that, up  
19 until like 2010 or so. So, it is --

20 MR. SALINOVICH: A mixed use.

21 MR. TODER: Correct, that's right.

22 And, you know, the house will still be  
23 a house, but it's a caretaker's house.  
24 He does, in fact, mow the property and  
25 take care of it.

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2 MR. MEKEEL: What it is zoned up  
3 there currently.

4 MR. SALINOVICH: C2.

5 MR. MEKEEL: So it is zoned  
6 commercial?

7 MR. SALINOVICH: Yes.

8 MR. MEKEEL: Okay.

9 CHAIRMAN GIAMETTA: Did you get a  
10 referral to us from the planning board  
11 on this?

12 MR. TODER: Yes.

13 CHAIRMAN GIAMETTA: Did you?

14 MR. TODER: Yes. So, we were --  
15 the planning board, you know, they need  
16 those variances.

17 CHAIRMAN GIAMETTA: Us to rule on?

18 MR. TODER: The side and front  
19 yard.

20 MR. SALINOVICH: On that property  
21 there is multiple buildings.

22 MR. TODER: That's right. The  
23 piece that was Rachel's Candy Store,  
24 there is a house next to it, and then

25       there is a garage in the back.

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2       MR. SALINOVICH: Been there for  
3       100 years. So they want to put this on  
4       its own, put the house over here and  
5       keep away from it. That what that is  
6       all about.

7       CHAIRMAN GIAMETTA: Actually,  
8       you're not doing a property line here;  
9       are you?

10      MR. TODER: No. Just approving  
11      the existing buildings where they are  
12      ideally.

13      MR. MEKEEL: So, currently that  
14      building is -- what is it currently;  
15      residential or just vacant?

16      MR. TODER: Currently. It is an  
17      interesting question. So, it's been --  
18      one of the three units in that building  
19      was made in to Mad Batters Pastries and  
20      they have been operating for over eight  
21      years and they're in like Adams, they  
22      have a little stand, they make  
23      delicious gluten free items.

24      MR. MEKEEL: Yes.

25      MR. TODER: And they didn't

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2       know -- the previous owner said, sure,  
3       go ahead. It's zoned commercial. So  
4       they didn't know. Any way the baker is  
5       opening up a retail outlet in another  
6       unit and that's when they went to the  
7       building department and said we want to

8 do this. And they said, oh, you're  
9 existing noncompliant with your use.  
10 So, you need to go through the planning  
11 board, and then, you know, ZBA as well,  
12 if you want to change it back to  
13 commercial, that entire building. And  
14 so that's what we want to do, and so we  
15 need a variance.

16 MR. SALINOVICH: The guy that was  
17 living in the back is out of there now?

18 MR. TODER: I don't know the  
19 status.

20 MR. SALINOVICH: I know they were  
21 friends.

22 MR. TODER: One of the bathrooms  
23 has been taken out so they're moving in  
24 that direction. And that's the  
25 understanding, that can't be a

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2 residential, but it's residential  
3 currently so I don't know.

4 MR. MEKEEL: So it went from  
5 commercial to residential and you want  
6 to bring it back?

7 MR. SALINOVICH: It's always  
8 mixed, yes.

9 MR. CONN: But that is not what he  
10 is here for. He is here for a front  
11 yard and side yard setback area  
12 variance. It's already zoned C2. He  
13 doesn't need a use variance.

14 MR. MEKEEL: Change of use.

15 CHAIRMAN GIAMETTA: No, not a use  
16 variance.

17 MR. CONN: But that is what he  
18 wants.

19 MR. TODER: The planning board,  
20 it's considered a change of use because  
21 it was made residential in 2010 that  
22 has three -- had three apartments in it  
23 when it was renovated and the building  
24 was kind of fresh because it was  
25 abandoned for awhile.

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1 DAVID TODER - WORKSHOP  
2 MR. SALINOVICH: I think it used  
3 to be a candy store.  
4 MR. TODER: That's right. It was  
5 a candy store for a long time.  
6 MR. SALINOVICH: She lived in the  
7 back, so it was mixed.  
8 MR. TODER: So it was three  
9 apartments and eight years ago one of  
10 them was switched over to commercial.  
11 It happens it all has two hour walls in  
12 between them in terms of fire code, but  
13 that is not zoning. So they want to  
14 make it commercial. You know, the zone  
15 C2 allows for commercial and  
16 residential uses. So, anyway, now the  
17 building would be fully commercial use,  
18 it is code compliant as a commercial  
19 use, and the only thing is it's now,  
20 you know, in the front yard and the  
21 side yard had existing buildings.

22 MR. MEKEEL: So, currently, what  
23 do we have for a front yard setback?

24 MR. CONN: You need 35.

25 CHAIRMAN GIAMETTA: It's up on the

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2 tables here.

3 MR. TODER: Yes, because the way

4 the front yard is determined, it's --

5 you do allow for the --

6 MR. MEKEEL: So he needs roughly

7 11.6?

8 CHAIRMAN GIAMETTA: Roughly 20.

9 MR. MEKEEL: Oh, I mean 20.6.

10 MS. CASHMAN: Well, Tommy sent it

11 here. He said the existing structure

12 is 21 feet 7 inches from the side

13 property line, you need 35. And it's

14 13 feet 4 inches from the property

15 line, you need 35 in the front.

16 MR. MEKEEL: Yes.

17 MR. TODER: That's noted on the

18 zoning table the front and the side

19 yard it's less than the 35 foot. It

20 needs both.

21 MR. MEKEEL: This is an existing

22 building, so it's not like we're making

23 any changes. It's been there for how

24 many -- forever.

25 MR. TODER: Yes. I mean, it was

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2 an old building.

3 MR. MEKEEL: Yeah.

4 MR. TODER: I don't know the exact

5 date. It was fully rebuilt.

6 MR. MEKEEL: So, does he need to

7 go for a change of use? Because a

8 change of use isn't listed here.

9 MR. CONN: That's what I said.

10 MR. SALINOVICH: It's an allowed

11 use. It's not a change of use.

12 MR. MEKEEL: So, we need a front

13 yard setback?

14 MR. CONN: Front and side.

15 MR. SALINOVICH: We're looking to

16 clean up the setback.

17 MR. TODER: The planning board

18 requires it. I don't know how long

19 they've done that, but when they do a

20 change of use, they wanted to go, I

21 think probably like something was

22 missing in some past project.

23 MR. CONN: It's always been there

24 with these dimensions.

25 MR. TODER: Right. My client was

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2 like what are they going to do, ask us

3 to move it? Hopefully, it's a very

4 easy variance to do because it's a

5 reasonable request. It almost seems

6 silly.

7 CHAIRMAN GIAMETTA: The

8 certificate of occupancy for this

9 property states mixed use or

10 residential currently?

11 MR. TODER: I believe residential.

12 When it was renovated in 2010/2011, it

13 was residential. It didn't require a

14 change of use at that time. I believe

15 that, you know, it's in the intervening

16 years that that became the way the

17 planning board operated with change of

18 use. So it didn't go through planning

19 board review, just building department

20 in 2010/2011, and it was made into

21 three apartments, and was all

22 residential, the whole property, which

23 is allowed. But now with one

24 commercial, basically, that entire  
25 building needs to be commercial. And

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1 DAVID TODER - WORKSHOP  
2 then the other house can be -- remain  
3 residential as a caretaker's cottage  
4 for the commercial. So that is within  
5 the code. But it's now back to a  
6 commercial use, and so we need a  
7 variance.

8 CHAIRMAN GIAMETTA: Yes, what's  
9 actually happening is because of the  
10 change of permitted use within the  
11 district, it triggers the setback  
12 requirements, not a use variance.

13 MR. CONN: Right.

14 CHAIRMAN GIAMETTA: Area variance  
15 for the planning board.

16 MR. MEKEEL: Right.

17 MR. TODER: Yes. They said they  
18 started doing that with all change of  
19 uses, so I imagine you guys might have  
20 seen it.

21 MR. SALINOVICH: They want a side  
22 yard next to the house?

23 MR. TODER: Yeah, it's also next  
24 to the side yard and the front yard.

25 MR. SALINOVICH: Because there is

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1 DAVID TODER - WORKSHOP  
2 no -- they will not be making a  
3 subdivision out of it?

4 MR. TODER: No, the property is  
5 staying the same. The buildings aren't  
6 being added to.



7 MR. CONN: It says required is 35.

8 MR. TODER: Yeah, for the side

9 yard setback from the property line.

10 MR. SALINOVICH: 35.

11 CHAIRMAN GIAMETTA: Side yard is

12 35 also. So there is no additional

13 construction involved, is there?

14 MR. TODER: Correct.

15 CHAIRMAN GIAMETTA: No additions?

16 MR. TODER: There is just some

17 signs, but there is no building

18 construction going on.

19 CHAIRMAN GIAMETTA: No porches?

20 MR. TODER: Nothing is being

21 changed ideally. They're doing some

22 parking in the back to allow for the

23 commercial uses as zoning, but that is

24 it. And then they're going to make us

25 do something in the front. We're

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1 DAVID TODER - WORKSHOP

2 working with Patty Brooks and Andy

3 Willingham for the civil engineering.

4 I still haven't seen what that looked

5 like. This one proposal was to keep it

6 similar and open. Even though they

7 like to channelize, there is not a lot

8 of room, and they have deliveries and

9 so, anyway, will see what they come up

10 with.

11 CHAIRMAN GIAMETTA: You're working

12 with the state because it's on a state

13 highway?

14 MR. TODER: That's right. If they

15 do need to do curbing, and any paving

16 or anything that they're doing, they

17 need DOT to approve details and all of

18       that stuff, so --  
19           CHAIRMAN GIAMETTA: But that's not  
20       why you're here before us.  
21           MR. TODER: Right. That's just  
22       explaining context to answer your  
23       question. But that is all ground site  
24       work pretty much.  
25           CHAIRMAN GIAMETTA: Site work.

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1       DAVID TODER - WORKSHOP  
2           MR. TODER: And right, no  
3       construction buildings being added  
4       or --  
5           CHAIRMAN GIAMETTA: No structural  
6       changes?  
7           MR. TODER: Correct. No  
8       structural changes, no roofline  
9       changes, no porch and steps.  
10          CHAIRMAN GIAMETTA: Okay. Any  
11       questions, gentlemen?  
12          MR. MEKEEL: No, I have none.  
13          MR. CONN: No.  
14          CHAIRMAN GIAMETTA: Concerns?  
15          MR. CONN: I'm good.  
16          MR. SALINOVICH: I'm good.  
17          CHAIRMAN GIAMETTA: I'm good with  
18       it too. I understand the reason why  
19       you're here, and the request appears to  
20       be that two variances are being sought;  
21       is that correct?  
22          MR. TODER: Yes, because it  
23       infringes the existing buildings in the  
24       front yard and the side yard.  
25          CHAIRMAN GIAMETTA: Okay. Any

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2 questions from the applicant at all for  
3 us?  
4 MR. TODER: No. I will need a  
5 little bit of guidance on the mailings.  
6 CHAIRMAN GIAMETTA: Right.  
7 MR. TODER: Assuming we're going  
8 to public hearing for next week.  
9 CHAIRMAN GIAMETTA: Can we bring  
10 Mr. Toder back for a public hearing on  
11 this matter?  
12 MR. CONN: Yes.  
13 MR. SALINOVICH: Yes.  
14 MR. MEKEEL: Yes.  
15 CHAIRMAN GIAMETTA: How about a  
16 motion for that?  
17 MR. SALINOVICH: I will make a  
18 motion for a public hearing.  
19 CHAIRMAN GIAMETTA: A second?  
20 MR. CONN: I will second.  
21 CHAIRMAN GIAMETTA: In favor?  
22 MR. MEKEEL: Aye.  
23 MR. SALINOVICH: Aye.  
24 MR. CONN: Aye.  
25 CHAIRMAN GIAMETTA: Okay. You're

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2 on for a public hearing next meeting.  
3 MR. TODER: Thank you.  
4 CHAIRMAN GIAMETTA: Which is going  
5 to be May --  
6 MS. CASHMAN: May 12th. We should  
7 be downstairs in the courtroom.  
8 CHAIRMAN GIAMETTA: Wonderful,  
9 6:00 P.M.  
10 MR. TODER: Thank you very much.  
11 CHAIRMAN GIAMETTA: Anything

12 further, gentlemen? Any old business,  
13 new business?  
14 (No audible response)  
15 CHAIRMAN GIAMETTA: Meeting is  
16 adjourned. Thank you, Ms. Rosso.  
17 (Whereupon, at 6:25 P.M., the  
18 Hearing was adjourned.)  
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20 ? ? ? ?  
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1 DAVID TODER - WORKSHOP  
2 C E R T I F I C A T E  
3  
4 STATE OF NEW YORK )  
: SS.:  
5 COUNTY OF ULSTER )  
6  
7 I, LISA M. ROSSO, a Notary Public for  
8 and within the State of New York, do hereby  
9 certify:  
10 That the witness whose examination is  
11 hereinbefore set forth was duly sworn and  
12 that such examination is a true record of  
13 the testimony given by that witness.  
14 I further certify that I am not related  
15 to any of the parties to this action by  
16 blood or by marriage and that I am in no way  
17 interested in the outcome of this matter.  
18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 5th day of May 2022.  
20  
21  
22 \_\_\_\_\_  
LISA M. ROSSO

23

24

25

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