

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

2 -----X
3 In the Matter of

4 - APPROVAL OF 2/6/23 MINUTES

5 -----X

6 BOARD BUSINESS

7 Date: February 21, 2023
8 Time: 7:30 p.m.
9 Place: Town of Marlborough
10 Town Hall
11 21 Milton Turnpike
12 Milton, New York 12547

13 BOARD MEMBERS: CHRIS BRAND, Chairperson
14 CINDY LANZETTA
15 JAMES GAROFALO
16 FRED CALLO
17 STEPHEN JENNISON
18 JOE LOFARO
19 BOB TRONCILLITO

20 ALSO PRESENT: MEGHAN CLEMENTE, ESQ.
21 PATRICK HINES, ENGINEER
22 JEN FLYNN, PLANNING BOARD SECRETARY

23

24

25

-----X

Stacie Sullivan, CSR
staciesullivan@rocketmail.com

BOARD BUSINESS

1 CHAIRMAN BRAND: I'd like to call the
2 meeting to order with the Pledge of Allegiance to
3 the flag of our country.

4 (Pledge of Allegiance.)

5 CHAIRMAN BRAND: Agenda, Town of
6 Marlborough Planning Board, Tuesday,
7 February 21st, 2023, regular meeting at 7:30 p.m.

25 I'd like to have a motion to approve the

BOARD BUSINESS

1 stenographic minutes for February the 6th, please.

2 MR. GAROFALO: I'll make that motion.

3 CHAIRMAN BRAND: Mr. Garofalo. Is there
4 a second?

5 MR. CALLO: I'll second it.

6 CHAIRMAN BRAND: Any discussion?

7 (No response.)

8 CHAIRMAN BRAND: Any objection?

9 (No response.)

10 CHAIRMAN BRAND: So carried.

11 (Time noted: 7:31 p.m.)

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C E R T I F I C A T E

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3 I, STACIE SULLIVAN, a shorthand reporter and
4 Notary Public within and for the State of New
5 York, do hereby certify:

6

That I reported the proceedings in the
within-entitled matter and that the within
transcript is a true and accurate record to the
best of my knowledge and ability.

7

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

8

IN WITNESS WHEREOF, I have hereunto set my

9

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Stacie Sullivan

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Stacie Sullivan, CSR

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

2 -----X
3 In the Matter of

4 TERENCE AND LAURA CUDDY

5 Project No. 22-6020
5 50 Baileys Gap Road, Highland
6 Section 95.4; Block 1; Lot 14

7 -----X
8 PRELIMINARY - SUBDIVISION

9 Date: February 21, 2023
10 Time: 7:32 p.m.
10 Place: Town of Marlborough
11 Town Hall
11 21 Milton Turnpike
12 Milton, New York 12547

13 BOARD MEMBERS: CHRIS BRAND, Chairperson
14 CINDY LANZETTA
14 JAMES GAROFALO
15 FRED CALLO
15 STEPHEN JENNISON
16 JOE LOFARO
16 BOB TRONCILLITO

17 ALSO PRESENT: MEGHAN CLEMENTE, ESQ.
18 PATRICK HINES, ENGINEER
18 JEN FLYNN, PLANNING BOARD SECRETARY
19

20 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

21

22

23

24

25 -----X
25 Stacie Sullivan, CSR
staciesullivan@rocketmail.com

CUDDY - PRELIMINARY SUBDIVISION

1 CHAIRMAN BRAND: First up, Terence and
2 Laura Cuddy, preliminary subdivision at 50 Baileys
3 Gap Road in Highland.

4 MS. BROOKS: So just to refresh the
5 Board's memory, this is a two-lot subdivision of a
6 13.32 acre parcel of land. We're creating a new
7 2.175 acre parcel for new construction, and the
8 existing lot with the house will be 11.145 acres.
9 We did hold a public hearing on this on
10 February 6th. There were some outstanding issues
11 that needed to be addressed. So, in accordance
12 with my notes, the public hearing was closed, but
13 a neg dec was not granted until we resolved some
14 of those issues.

15 CHAIRMAN BRAND: Correct. Pat, did you
16 want to run through your comments?

CUDDY - PRELIMINARY SUBDIVISION

1 then my last comment is moot because we did have
2 the public hearing.

3 CHAIRMAN BRAND: Meghan, did your office
4 receive the access and maintenance agreements to
5 review?

6 MS. CLEMENTE: No.

7 MS. BROOKS: No. They have contracted
8 with an attorney to prepare those easements, but
9 we have not received them yet.

10 CHAIRMAN BRAND: Comments or questions
11 from the Board?

12 (No response.)

13 CHAIRMAN BRAND: Nothing. So, Meghan,
14 would it be -- you would be in agreement that
15 should we receive those maintenance agreements and
16 easements we'd be ready to do the neg dec and the
17 resolution of approval?

18 MS. CLEMENTE: Yes. Absolutely.

19 MS. BROOKS: So I guess the question --
20 is it appropriate to do the neg dec at this point?
21 I mean, I guess if the only --

22 MR. HINES: I don't see the easements
23 being an environmental issue. It's more of a
24 legal and procedural matter.

25 MS. CLEMENTE: I think you could do the

CUDDY - PRELIMINARY SUBDIVISION

1 neg dec tonight.

2 MR. HINES: Unless you want to do a
3 written one.

4 CHAIRMAN BRAND: Yeah. Typically our
5 Board does the written one.

6 MS. LANZETTA: We do them together.

7 MS. CLEMENTE: Okay.

8 CHAIRMAN BRAND: So could I have a
9 motion to authorize the attorney to have those
10 prepared for the next meeting?

11 MR. JENNISON: I'll make the motion.

12 MR. GAROFALO: I'll second it.

13 CHAIRMAN BRAND: Any discussion?

14 (No response.)

15 CHAIRMAN BRAND: Any objection?

16 (No response.)

17 MS. BROOKS: So I guess my question
18 would be if -- because I don't know how long it's
19 going to take the attorney to draft the agreement.
20 Would it be appropriate to make it a condition of
21 final approval in the resolution?

22 MS. CLEMENTE: Yes. That would be fine.
23 As long as it's okay with the Board, that's fine
24 with me.

25 CHAIRMAN BRAND: There's no objection to

CUDDY - PRELIMINARY SUBDIVISION

1 that.

2 MS. LANZETTA: We've done that in the
3 past.

4 (Time noted: 7:34 p.m.)

5

6 C E R T I F I C A T E
7

8 I, STACIE SULLIVAN, a shorthand reporter and
9 Notary Public within and for the State of New
10 York, do hereby certify:

11 That I reported the proceedings in the
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13 transcript is a true and accurate record to the
14 best of my knowledge and ability.

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

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand.

21

22

Stacie Sullivan

23

Stacie Sullivan, CSR

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25

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

2 -----X
3 In the Matter of

4 MAD BATTERS/BAKERS TALE

5 Project No. 21-5028
5 78 Route 44/55, Highland
6 Section 95.2; Block 2; Lot 10

7 -----X
8 SKETCH - SITE PLAN

9 Date: February 21, 2023
10 Time: 7:35 p.m.
11 Place: Town of Marlborough
12 Town Hall
13 21 Milton Turnpike
14 Milton, New York 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairperson
16 CINDY LANZETTA
17 JAMES GAROFALO
18 FRED CALLO
19 STEPHEN JENNISON
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21 BOB TRONCILLITO

22 ALSO PRESENT: MEGHAN CLEMENTE, ESQ.
23 PATRICK HINES, ENGINEER
24 JEN FLYNN, PLANNING BOARD SECRETARY

25 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

26 -----X
27 Stacie Sullivan, CSR
28 staciesullivan@rocketmail.com

MAD BATTERS - SKETCH SITE PLAN

1 CHAIRMAN BRAND: All right. Great.

2 Moving right along. Mad Batters/Bakers Tale for a
3 sketch of a site plan at 578 Route 44/55 in
4 Highland.

5 Pat, did you want to start off?

6 MR. HINES: Sure. This plan has
7 proceeded along. The DOT has issued a Highway
8 Work Permit dated January 11th. County Planning
9 Board referral is required, and that's something
10 we can do tonight.

11 Health Department approval for the
12 septic system. The septic system is proposed to
13 be relocated on the site, so that needs new Health
14 Department approval.

15 There was some discussion at a previous
16 meeting regarding some large boulders that kind of
17 defined the existing driveway that are proposed to
18 be removed. They have been shown where they're
19 going to be relocated.

20 The dumpster enclosure has been proposed
21 to the rear, moving the dumpsters from the access
22 drive. We're looking for a detail of that
23 dumpster enclosure on future plans. Access to the
24 dumpster may be restricted if there's a vehicle in
25 parking space number 5. However, I'm sure -- it's

MAD BATTERS - SKETCH SITE PLAN

1 a small site plan -- they can coordinate when the
2 dumpster is going to be there and who is going to
3 park there. So I don't see that as a major issue.

4 There's no new lighting proposed.

5 Parking has been restricted. Currently the
6 parking is right in the front, in the State
7 highway right-of-way. So that's been restricted.

8 The front area has been identified as a loading
9 dock, which was addressed in the DOT permit. The
10 proposed parking area is identified as to be
11 paved. They are not proposing curbing because
12 they feel that it will cause a drainage issue.

13 Right now the whole site sheet flows off on its
14 own. If it was to be curbed, they would have to
15 put in enclosed pipe drainage structures to
16 somewhere.

17 The bulk table shows a 200-foot minimum
18 parking space still. That needs to be revised.
19 And then the Planning Board may want to consider
20 setting the public hearing.

21 CHAIRMAN BRAND: Comments? Or do you
22 have anything to add, Patty?

23 MS. BROOKS: Yeah. I just wanted to
24 state that, you know, I know it's been some time
25 since we've been before the Board because we were

MAD BATTERS - SKETCH SITE PLAN

1 waiting for Board of Health. We think we're very
2 close to that now. And I felt that, you know, we
3 needed to come back to the Board and let you know
4 where we stood and what we've been able to
5 accomplish. So if we're able to make the referral
6 to the Ulster County Planning Board and schedule a
7 public hearing, it would be greatly appreciated.

8 MR. HINES: Yeah. The DOT permit goes
9 along with it too. We had some issues with DOT,
10 to make sure they were on board.

11 CHAIRMAN BRAND: The DOT permit, does it
12 reference curbing at all on there?

13 MR. HINES: It doesn't. And this
14 curbing is in the rear, that I'm talking about,
15 the new parking lot. Typically, this Board
16 requires curbing, but it makes sense here to allow
17 the drainage to sheet flow, rather than having to
18 put catch basins in. There's not even a lot of
19 grade to work with to get it to flow anywhere.

20 CHAIRMAN BRAND: Okay. Comments or
21 questions from the Board?

22 MS. LANZETTA: I just was wondering, all
23 the parking along the side here if it's really
24 necessary, because it says that you're required to
25 have eight parking spaces. You've got 19. I'm

MAD BATTERS - SKETCH SITE PLAN

1 wondering why we have to have the parking in that
2 area, which would also make it more difficult for
3 other cars going in and out there.

4 MS. BROOKS: The applicant has requested
5 that number of parking spaces. I don't know why.
6 I think that she has -- because as a baking
7 business, they have very odd hours. So she has
8 people coming in and out at irregular hours,
9 sometimes overlapping one another, and she felt
10 that she wanted as much parking as possible.
11 Obviously, there's no parking -- they don't have a
12 restaurant there. They don't have a lot of retail
13 sales there. It's primarily -- so I can't answer
14 that question other than the fact that the
15 applicant requested that amount of parking.

16 MS. LANZETTA: I personally would prefer
17 to see those not there, because there really isn't
18 a safe crossing to get to --

19 MS. BROOKS: For parking spaces 1
20 through 5?

21 MS. LANZETTA: Yes. As I said, it's
22 going to make it difficult for trucks to get in
23 there, and then for those people to access the
24 blacktop walking path, there's, you know, no
25 identified way to cross over to there. And, you

MAD BATTERS - SKETCH SITE PLAN

1 know, it's just -- I think it will make for better
2 traffic flow if you don't have anything there.

3 MR. GAROFALO: I have a bunch of
4 comments, some of which I had mentioned at one of
5 the previous meetings. Have you talked to the
6 neighbor about that one boulder that's on -- that
7 appears to be on their property? Is that one of
8 the ones you're going to move or leave? Because I
9 notice you have 14 boulders being moved.

10 MS. BROOKS: All of the boulders are to
11 be relocated onto the applicant's property.

12 MR. GAROFALO: Okay. So it's going to
13 be taken off of the DOT property?

14 MS. BROOKS: Yes. I think it shows --
15 it's there in gray. Then it's relocated in red.

16 MR. GAROFALO: Okay. You actually show
17 14 in red, and there's actually 15 if you include
18 the one that angles out parallel to the parking.

19 MS. BROOKS: I can put a note on the
20 plan that all boulders are to be relocated onto
21 applicant's property.

22 MR. GAROFALO: Have you talked to the
23 neighbor about getting onto their property and
24 moving a boulder which is on their property?

25 MS. BROOKS: No. Because it was

MAD BATTERS - SKETCH SITE PLAN

1 obviously put onto their property already.

2 MR. GAROFALO: It might be a good idea
3 to stake a line when you put --

4 MS. BROOKS: We've already staked the
5 line.

6 MR. GAROFALO: Excellent. Thank you.

7 One of the things that I had mentioned before was
8 the driveway width. And it seems to vary a little
9 bit from the entrance to the end. I'd like to see
10 some dimensions on the driveway width.

11 Understandably, it should be wider near the end
12 because the truck is going to come in there and
13 possibly have to back out into the driveway in
14 order to drive out onto Route 44/55.

15 We should also get the dimensions of
16 that loading area. The Town Board in their new
17 regulation I think gave us a lot of latitude in
18 the size of the loading areas. There, I'm
19 concerned about, A, what they need in order to
20 back out, but also if you have a truck there with
21 only five feet of green space, that's not enough
22 for a driver not to be blocked by a truck that is
23 sitting there.

24 MS. BROOKS: So I striped that as a
25 loading area so that nobody would park there. In

MAD BATTERS - SKETCH SITE PLAN

1 actuality, what's happening with the trucks right
2 now, and will continue to happen, is they drive
3 all the way to the back of the site, they turn
4 around, and they park in the blacktop driveway,
5 because in the back where it says patio and shared
6 well, that's where the doorway is that they unload
7 into. Where we put the first floor elevation,
8 that's where the door is, and that's where the
9 trucks unload.

10 MR. GAROFALO: So they're not unloading
11 in the loading area?

12 MS. BROOKS: That's going to be striped
13 so that people don't park there. We're going to
14 call it a loading area because we don't want
15 anybody parking there.

16 MR. GAROFALO: Okay.

17 MS. BROOKS: Are we going to label it as
18 a loading area and can a truck park there if they
19 want to? Yes. Are they doing that at this point
20 in time and will they in the future? Probably
21 not, because --

22 MR. GAROFALO: It should also be signed,
23 because there will be times when that may get
24 covered with snow or rain or whatever, and a sign
25 would make that a little bit more visible.

MAD BATTERS - SKETCH SITE PLAN

1 Is that patio -- are those solid bricks
2 covering the well, or is that just bricks that
3 are --

4 MS. BROOKS: Yes. The well is not
5 visible from the ground.

6 MR. GAROFALO: No. But is it like --
7 are the bricks solid there, or are they just laid?

8 MS. BROOKS: Just laid.

9 MR. GAROFALO: Just laid. So they would
10 have access.

11 MS. BROOKS: The Board of Health is
12 actually reviewing both the water supply and the
13 septic, because this is a restaurant. It's a
14 bakery. So not only do we have sanitary health
15 involved, but we also have food services involved
16 in the review, which is why it's taking a little
17 bit longer.

18 MR. GAROFALO: One of the things that I
19 had suggested before was for parking spaces 1
20 through 5, to re-angle them.

21 MS. BROOKS: We did. They have been
22 angled quite a bit steeper than they were before,
23 but if we end up removing them, that won't be an
24 issue.

25 MR. GAROFALO: Okay. I was thinking

MAD BATTERS - SKETCH SITE PLAN

1 more to provide easier access to the dumpster.

2 The other thing that I noticed is the
3 accessible parking space. And I see that where
4 you have it as potentially being a problem, but
5 I'm going to go to another question about how we
6 can -- might be able to fix that. And, that is,
7 where you have the retaining wall, that's like a
8 foot or two down from the parking lot down to the
9 ground, the retaining wall in the back.

10 MS. BROOKS: That would not be an
11 appropriate place for the parking space. There is
12 where DOT approved it. We originally had it
13 perpendicular. They requested that we relocate it
14 in this area. That's where people are parking
15 right now for handicapped. And I can tell you
16 right now, based on my site visit, it would not be
17 appropriate to put the handicapped parking space
18 in the rear.

19 MR. GAROFALO: Is that because you can't
20 grade it to provide a surface for them to walk to
21 the ramp?

22 MS. BROOKS: It would be grading. It
23 would be distance. You were talking about the
24 wintertime and snow, and you're now asking that we
25 revise the parking space so that instead of being

MAD BATTERS - SKETCH SITE PLAN

1 ten feet from the door, it would be 80 or 90 feet
2 from the door. I don't think that's appropriate.

3 MR. GAROFALO: Well, what I'm worried
4 about is that other driveway being more of a
5 hazard than the hazard of making them go a little
6 bit further.

7 MS. BROOKS: I'm sorry. I disagree.

8 MR. GAROFALO: Okay.

9 MS. BROOKS: And DOT did as well. And
10 the architect as well. I mean, we've been working
11 on this for several months. I have to
12 respectfully disagree with your opinion.

13 MR. GAROFALO: Okay. The other thing
14 that I had asked for was the aisle distance, the
15 distance between the parking rows.

16 MS. BROOKS: It's shown as 24 feet.

17 MR. GAROFALO: You're right. I stand
18 corrected on that. That is all of my questions.
19 Hopefully we can get some of the other dimensions
20 for the driveway put on there. And maybe it would
21 be a good idea, if they are loading near the
22 patio, to take a look at, if a truck were there,
23 would you be able to get by with those parking
24 spaces.

25 MS. BROOKS: Probably not, which is why

MAD BATTERS - SKETCH SITE PLAN

1 we're not delineating that as the loading area.

2 We are providing an option that if somebody needed
3 to come in, there was someplace for the truck to
4 pull into.

5 CHAIRMAN BRAND: Cindy, when is the next
6 Ulster County Planning Board meeting?

7 MS. LANZETTA: The first Wednesday in
8 March, which is like --

9 MS. BROOKS: Like a week away.

10 MR. HINES: It's the 1st.

11 MR. GAROFALO: That might be another
12 good reason to eliminate some of those parking
13 spaces or at least make it parallel to the curb
14 instead of angled in order to be able to have a
15 truck and a car parked there, to be able to get
16 around.

17 CHAIRMAN BRAND: Will we have time to
18 submit it for that first meeting in March?

19 MS. BROOKS: So it should -- on
20 September 19th, the Planning Board declared intent
21 to be lead agent and to circulate to the Ulster
22 County Planning Board, so it may have already
23 gone.

24 MS. FLYNN: You didn't give me a packet.
25 You said you were going to give me a packet.

MAD BATTERS - SKETCH SITE PLAN

1 MS. BROOKS: Okay. And we didn't have
2 all the final plans.

3 CHAIRMAN BRAND: So do we have time to
4 do that for the 1st?

5 MS. BROOKS: Not for March, no, because
6 they require --

7 MS. CLEMENTE: My office, we put
8 together the information, and I think we might
9 have sent it to you.

10 MS. FLYNN: You did. I do have the
11 cover letter, but I didn't get the packet. You
12 might want to change the date on that for me.

13 MS. CLEMENTE: Done.

14 MS. BROOKS: We knew we were missing too
15 many items and the Ulster County Planning Board
16 would just say give us more information, so we
17 wanted to wait until we had it.

18 CHAIRMAN BRAND: So we're going to shoot
19 for the first Ulster County Planning Board in
20 April?

21 MS. BROOKS: April, yes.

22 CHAIRMAN BRAND: Then we can do the
23 public hearing after that, the second meeting;
24 right? You want to hear back from them.

25 MS. BROOKS: Uh-huh.

MAD BATTERS - SKETCH SITE PLAN

1 CHAIRMAN BRAND: Jen, do we have that
2 date?

3 MS. FLYNN: It's April 17th.

4 CHAIRMAN BRAND: Does that work for you
5 too, Patty, April 17th?

6 MS. BROOKS: That would be fine.

7 CHAIRMAN BRAND: So let's shoot for
8 that. We'll try to get everything together to
9 send to the County for their first meeting in
10 April, and then we will tentatively schedule the
11 public hearing for April 17th if all goes well.

12 MS. BROOKS: Cindy, did you have another
13 question?

14 MS. LANZETTA: I was just going to say,
15 I can almost guarantee that the County is not --
16 is going to raise similar issues to what I raised.
17 So if your applicant is not willing to eliminate
18 these spaces, then I would suggest that you make
19 sure that you have a way for people to get from
20 this area over to the blacktop area.

21 MS. BROOKS: Okay.

22 CHAIRMAN BRAND: Anything else?

23 (No response.)

24 CHAIRMAN BRAND: No. All right.

25 (Time noted: 7:48 p.m.)

1

C E R T I F I C A T E

2

3 I, STACIE SULLIVAN, a shorthand reporter and
4 Notary Public within and for the State of New
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1 STATE OF NEW YORK : COUNTY OF ULSTER
2 TOWN OF MARLBOROUGH PLANNING BOARD

2 -----X
3 In the Matter of

4 SARINSKY EASTSIDE RIDGE ROAD

5 Project No. 22-6017
6 191 Ridge Road, Marlboro
7 Section 103.3; Block 4; Lot 51

8 SKETCH - SUBDIVISION

9 Date: February 21, 2023
10 Time: 7:49 p.m.
11 Place: Town of Marlborough
12 Town Hall
13 21 Milton Turnpike
14 Milton, New York 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairperson
16 CINDY LANZETTA
17 JAMES GAROFALO
18 FRED CALLO
19 STEPHEN JENNISON
20 JOE LOFARO
21 BOB TRONCILLITO

22 ALSO PRESENT: MEGHAN CLEMENTE, ESQ.
23 PATRICK HINES, ENGINEER
24 JEN FLYNN, PLANNING BOARD SECRETARY

25 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

26 -----X
27 Stacie Sullivan, CSR
28 staciesullivan@rocketmail.com

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 CHAIRMAN BRAND: Next up, Sarinsky
2 Eastside Ridge Road, sketch of a subdivision, 191
3 Ridge Road, Marlboro. I'll let you start us off
4 with this one, Patty, once you get your folders
5 situated.

6 MS. BROOKS: So this is a three-lot
7 subdivision with a lot line revision. We have a
8 25.71 acre parcel of land which we are separating
9 off two two-acre building lots. We are combining
10 the resultant 21.71 acres with an adjacent
11 landlocked 30.61 acre parcel for a total acreage
12 of 52 acres. We tried to clarify the map by
13 delineating them as lot 1, lot 2, and lot 3, to
14 make it clearer how the combinations of the
15 parcels are going to be. We did, after the
16 initial submission, receive the Ulster County
17 Board of Health permits, which I think I might
18 have. There's a copy for you, Pat. I emailed
19 them.

20 CHAIRMAN BRAND: You did get the
21 approval from them?

22 MS. BROOKS: We did get the permits
23 themselves. I just gave copies to Pat, and I
24 think I emailed them to you.

25 MS. FLYNN: Okay.

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 MS. BROOKS: We did have the highway
2 superintendent at the site. He did sign off on
3 the driveway locations for 1 and 2. The sight
4 distances on the proposed driveways are shown on
5 the plan. And I note that we'll mark it as a
6 35-mile an hour speed limit.

7 And I think we'll go to -- unless the
8 Board has anything else for me, we can go to Pat's
9 questions.

10 CHAIRMAN BRAND: Yes. Pat.

11 MR. HINES: So Patty touched on most of
12 them. The highway superintendent signed off. It
13 was received February 10th. Subsurface sanitary
14 sewer disposal, we just got handed those tonight,
15 and they are in order for the two -- lot 1 and 2.
16 They are going to connect to the Town of
17 Marlboro's water system. They won't have wells.
18 They'll be connected to the Town water. The
19 fourth items were items we discussed at the
20 meeting regarding the checklist, the EAF, speed
21 limit, and the right-of-way to be identified.

22 MS. BROOKS: I guess I was -- maybe I
23 was not at that meeting. So item 8 on the
24 checklist -- there's two items 8. One is the ag
25 data statement, which we submitted. And the other

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 is item 8 is date of plat preparation or plat
2 revisions. So I'm not sure.

3 MR. HINES: I'm just looking at my
4 notes. It was one of Mr. Garofalo's comments,
5 item 8 on the checklist. Item 9 was the second
6 one, the Energy Code.

7 MS. CLEMENTE: I also have item 28, but
8 that's been done. It's the sight distance.

9 CHAIRMAN BRAND: And the farm road
10 identified, was that updated on the plan?

11 MS. BROOKS: So basically we put on a
12 note, and we did also submit a copy of the
13 right-of-way agreement. That right-of-way
14 agreement refers to something that was created in
15 1946 -- again, we put it on the map -- between
16 Jack Squillace. And it was a parcel extending
17 from Route 9W. Looking at the Parcel Viewer, it
18 was for a farm lane, and that property is not
19 farmed anymore. But, as a surveyor, I'm not
20 allowed to remove that right-of-way. That's a
21 legal document that still affects the property and
22 I'm bound to put on the map whether or not it
23 currently is being used. There is no evidence of
24 it being used at this point in time. But, again,
25 I have to highlight it as a surveyor.

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 MR. GAROFALO: The item 8 was not item
2 8. It was item 28, which was empty on the form.

3 MS. BROOKS: So, again, you know, this
4 is something that I'm not -- that I have a
5 difficulty with it being on the checklist, because
6 you're asking for any houses, accessory
7 structures, wells, and septic systems on and
8 within 200 feet of the parcel to be subdivided.
9 That is incredibly burdensome on the applicant and
0 sometimes nearly impossible for a surveyor to be
1 able to accomplish. So I leave it blank because I
2 can't say that it's not applicable, because it's
3 part of your code and some things are not
4 applicable, but I don't understand the reasoning
5 for it.

16 MR. GAROFALO: You can ask for a waiver,
17 and the Board can consider whether or not they
18 want to waive that, I believe.

19 MS. BROOKS: I would like the Board to
20 consider it as a checklist item to begin with. In
21 accordance with surveying standards, we have to
22 show anything within ten feet of a property line.
23 Anything within 200 feet, I'm not sure how you're
24 expecting that to be done.

25 MR. HINES: Is that something that could

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 be submitted maybe on an aerial? It kind of helps
2 at the public hearings.

3 MS. BROOKS: Yeah. It's certainly not
4 going to show the details of wells and septic
5 systems.

6 MR. HINES: Yeah. No, it's not going to
7 show that, but it will show the house locations.

8 MR. TRONCILLITO: It sounds like
9 something that should be changed.

10 MS. LANZETTA: Well, I think it's there
11 because we have to be careful that we don't allow
12 a septic system to be sited next to somebody's
13 well either.

14 MS. BROOKS: That's up to the Board of
15 Health. They review that.

16 MR. TRONCILLITO: The problem you got
17 is --

18 MS. LANZETTA: Oh, really?

19 MS. BROOKS: Yeah.

20 MR. TRONCILLITO: -- people aren't going
21 to allow you to go on their property. That's the
22 other thing.

23 MS. BROOKS: Correct.

24 MR. HINES: Yeah, that's where an aerial
25 submission would -- you don't need -- publicly

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 available information would show -- at least when
2 people come to the public hearing, we can say,
3 here's your house, here's your house, you know,
4 when they ask that. I think that's the intent.

5 MS. BROOKS: I have no issue with doing
6 that. It would show existing houses and accessory
7 structures to the extent possible, where they're
8 not tree covered, but it's not going to show wells
9 and septic.

10 CHAIRMAN BRAND: I think that's fine.

11 MS. LANZETTA: Are we keeping a list of
12 things that we want to bring up with the Town
13 Board?

14 CHAIRMAN BRAND: I just made a note.

15 MS. LANZETTA: Okay. Great.

16 MR. JENNISON: But you're not going to
17 be there.

18 CHAIRMAN BRAND: I will not, but I will
19 include it in the report.

20 MR. GAROFALO: Can we agree to waive
21 that if she brings an aerial to the meeting?

22 CHAIRMAN BRAND: We have a motion. Is
23 there a second?

24 MR. TRONCILLITO: I'll second that.

25 CHAIRMAN BRAND: Any objection?

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 (No response.)

2 CHAIRMAN BRAND: We'll waive that.

3 MS. BROOKS: We do an aerial on every
4 one of our projects.

5 CHAIRMAN BRAND: So we'll waive number
6 28. Any other questions or comments from the
7 Board?

8 MS. LANZETTA: Also there was a request
9 for a waiver regarding the landlocked property not
10 being surveyed.

11 MS. BROOKS: That was -- I thought that
12 was granted.

13 MR. HINES: Yes.

14 MS. LANZETTA: I thought we had granted
15 it. Then I saw it on -- listed on the thing.
16 Okay. Good.

17 MS. CLEMENTE: Yes.

18 MS. LANZETTA: Great.

19 CHAIRMAN BRAND: Any other questions or
20 comments from the Board?

21 MS. BROOKS: I do have a question. It
22 says, "EAF Item 9 regarding Energy Codes should be
23 revised." In what way does it need to be revised?

24 MR. HINES: So it says do you meet the
25 Energy Code, and I think it said no, and the

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 intent is to say "yes" in that location.

2 MS. BROOKS: Again, basically, what we
3 said is no construction is proposed at this time.
4 Any future construction will meet all applicable
5 State codes. So at this point in time, does it
6 meet or exceed them? No, because there's no
7 construction proposed. It's always difficult to
8 know how to answer those. So should it be yes,
9 but that we're not going to meet it because we're
10 not proposing anything?

11 MR. HINES: I think the intent there is
12 yes, that it's going to be meet the Energy Code,
13 even though it's not proposed at this time.

14 MS. BROOKS: Okay.

15 MR. GAROFALO: Can you bring a blow-up
16 of that when we have the public hearing
17 (indicating)?

18 MS. BROOKS: Absolutely.

19 MR. GAROFALO: Thank you.

20 CHAIRMAN BRAND: So, Pat, where are we
21 with this one? Schedule a public hearing?

22 MR. HINES: Schedule a public hearing.

23 CHAIRMAN BRAND: When would you be ready
24 to do that, Patty?

25 MS. BROOKS: I'm ready now.

SARINSKY EASTSIDE - SKETCH SUBDIVISION

1 CHAIRMAN BRAND: When is our first
2 available for that?

3 MS. FLYNN: March 20th.

4 CHAIRMAN BRAND: March 20th?

5 MS. BROOKS: Yes.

6 MS. FLYNN: Patty, if you email me that,
7 I can have it for the TV. Send me a PDF.

8 MS. BROOKS: Yes. When we send out the
9 certified letters, we also send out a map. That
10 way they can see where they are in relationship to
11 the property. We always do that.

12 CHAIRMAN BRAND: Great. So we will
13 schedule the public hearing for March the 20th for
14 this.

15 MS. FLYNN: Yes.

16 CHAIRMAN BRAND: Good. Okay.

17 (Time noted: 7:57 p.m.)

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1 C E R T I F I C A T E

2

3 I, STACIE SULLIVAN, a shorthand reporter and
4 Notary Public within and for the State of New
5 York, do hereby certify:

6 That I reported the proceedings in the
7 within-entitled matter and that the within
8 transcript is a true and accurate record to the
9 best of my knowledge and ability.

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

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand.

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Stacie Sullivan

Stacie Sullivan, CSR

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

2 -----X
3 In the Matter of

4 MARLBOROUGH FIRE DISTRICT

5 Project No. 23-1002
6 Orange and Grand Street, Marlboro
7 Section 108.2; Block 1; Lot 17 and 18

8 SKETCH - LOT LINE

9 Date: February 21, 2023
10 Time: 7:58 p.m.
11 Place: Town of Marlborough
12 Town Hall
13 21 Milton Turnpike
14 Milton, New York 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairperson
16 CINDY LANZETTA
17 JAMES GAROFALO
18 FRED CALLO
19 STEPHEN JENNISON
20 JOE LOFARO
21 BOB TRONCILLITO

22 ALSO PRESENT: MEGHAN CLEMENTE, ESQ.
23 PATRICK HINES, ENGINEER
24 JEN FLYNN, PLANNING BOARD SECRETARY

25 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

26 -----X
27 Stacie Sullivan, CSR
28 staciesullivan@rocketmail.com

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 CHAIRMAN BRAND: Next up, Marlborough
2 Fire District, sketch of a lot line at Orange and
3 Grand Street in Marlboro.

4 Pat, I'll let you just go through your
5 comments.

12 MS. BROOKS: Yes. The tax map geometry
13 is very odd in that area because when we did the
14 survey for Joe Marden, we discovered that that
15 little dog-leg piece was included in the deed for
16 both of their parcels. That's why you'll note
17 that in the reference deeds there's actually two
18 deeds listed for lot 17, because the second deed
19 is a correction deed to clarify that that parcel
20 was intended to be part of tax lot 17 and not part
21 of tax lot 14. So the tax map has not been
22 corrected yet because it was a new deed just
23 filed.

24 MR. HINES: The application meets the
25 Town's streamline lot line regulations. It's a

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 type II action under SEQR. And we really don't
2 have any other comments. I think it could be set
3 up for an approval, resolution through Meghan.

4 MR. GAROFALO: I have one comment. And
5 that is, that part of parcel -- the existing
6 parcel A is in Orange Street, and normally we'd
7 want to have that dedicated to the Town, but I see
8 that might be a problem in the fact that you would
9 be under 10,000 square feet, if that were ever
10 done. So I've got a question about that
11 particular oddity.

12 MR. TRONCILLITO: I don't understand
13 that. Can you explain that, Jim, for me, please?

14 MR. GAROFALO: Okay. The parcel,
15 there's a piece that's in the road, okay, and if
16 that were to be removed from the parcel, the
17 parcel might be under 10,000 square feet.

18 MR. TRONCILLITO: I see.

19 MR. GAROFALO: And I would suspect that
20 the Town might waive that, because they might be
21 getting the property, but I would be concerned
22 about making sure that this was an instance where
23 we're not creating a problem for the owner.

24 MS. BROOKS: This was quite an
25 interesting project, because these lots were

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 created in the late 1800s, early 1900s. And
2 Orange Street was supposed to be a straight road,
3 and it's straight on the filed maps. And the Town
4 didn't build it that way.

5 MR. HINES: Someone didn't.

6 MS. BROOKS: Or somebody didn't. And at
7 that point in time, they were showing them on
8 subdivision maps, but they weren't doing formal
9 dedications the way they do today. So I don't
10 know -- you know, if you look at the slope of the
11 road, I'm sure that they got to that point and
12 said, oh, it will be a lot easier to swing this
13 road to the right. However, they never remedied
14 any of the deeds. So even the deeds on the
15 westerly side of the road are shifted that way,
16 and they don't own all the way up to Orange
17 Street.

18 MR. GAROFALO: This is --

19 MS. BROOKS: It's a conundrum.

20 MR. GAROFALO: The other questions that
21 I have are the waiver of the Planning Board fees.
22 I think that -- would that -- that would have to
23 be approved by the Town?

24 MR. TRONCILLITO: It's already been
25 done.

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 MR. HINES: They sent a letter to the
2 Town Board.

3 MR. TRONCILLITO: The Town has already
4 approved it.

5 MR. GAROFALO: Excellent. Does there
6 become a question, in terms of the Fire District
7 owning that new parcel and that being removed from
8 the tax rolls? Is that something that the Town
9 has to approve?

10 MR. HINES: No.

11 MR. TRONCILLITO: We're looking at less
12 than .07, Jim. Come on, for God's sakes. Listen,
13 I'll throw the \$20 in a year to pay for the damn
14 thing.

15 MR. GAROFALO: I just wanted to make
16 sure that's not a problem and we don't get into a
17 problem with the Town Board.

18 MR. HINES: This is just a standard real
19 estate transaction. One of them happens to be a
20 political subdivision. It's not something the
21 Town Board has any say over.

22 MR. TRONCILLITO: I make a motion that
23 we approve this damn thing.

24 CHAIRMAN BRAND: There's a motion to
25 authorize the attorney to draft a resolution of

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 approval for this.

2 MS. CLEMENTE: Yes.

3 MR. JENNISON: I'll second it.

4 CHAIRMAN BRAND: I just have one
5 question on the discussion. As far as that Orange
6 Street issue comes up, do you see that as being an
7 issue at all?

8 MS. CLEMENTE: No. I'll look into it a
9 little bit and I'll talk to some other people in
10 my office, but I don't think that will be a
11 problem.

12 CHAIRMAN BRAND: Okay.

13 MS. CLEMENTE: I did want to add,
14 though, the ethics disclosure for Joe Marden, it
15 does not reflect the name of the owner that is on
16 the first page, the name of the applicant. So one
17 of those things needs to be changed.

18 MS. BROOKS: Okay. It should be --

19 MS. CLEMENTE: The applicant has to sign
20 the ethics -- this (indicating).

21 MR. JENNISON: The commissioner signed
22 it.

23 MS. BROOKS: It's the woman.

24 MS. CLEMENTE: Okay. She has to be
25 reflected as the applicant.

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 MS. LANZETTA: Mrs. Cappillino?

2 MS. BROOKS: Yes.

3 MS. CLEMENTE: Not Frank Fisher.

4 MS. BROOKS: And not Frank Fisher. Yes.

5 MS. CLEMENTE: They can have someone

6 represent them, that is perfectly fine, but

7 whoever the applicant is has to sign the ethics

8 disclosure.

9 MS. BROOKS: And I believe she signed
10 it.

11 MS. CLEMENTE: She did.

12 MS. BROOKS: I believe I have the
13 incorrect name on it. So I will correct that.

14 CHAIRMAN BRAND: So that being said, is
15 there any objection to authorize the attorney to
16 file the resolution of approval and negative
17 declaration for this?

18 (No response.)

19 CHAIRMAN BRAND: All right. We will do
20 that at the next meeting.

21 MR. TRONCILLITO: Thank you,
22 Mr. Chairman.

23 CHAIRMAN BRAND: Thank you.

24 MS. BROOKS: That would be the March 6th
25 meeting?

MARLBOROUGH FIRE DISTRICT - SKETCH LOT LINE

1 MS. FLYNN: Sixth.

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

3

4 C E R T I F I C A T E

5

6 I, STACIE SULLIVAN, a shorthand reporter and
7 Notary Public within and for the State of New
8 York, do hereby certify:

9 That I reported the proceedings in the
10 within-entitled matter and that the within
11 transcript is a true and accurate record to the
12 best of my knowledge and ability.

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

17 IN WITNESS WHEREOF, I have hereunto set my
18 hand.

19

20 Stacie Sullivan
21 Stacie Sullivan, CSR

22

23

24

25

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

2 -----X
3 In the Matter of

4 KEEBOMED, INC.

5 Project No. 21-5014
6 Old Indian and 9W, Milton
7 Section 103.3; Block 1; Lot 17.110

8 SKETCH - SITE PLAN

9 Date: February 21, 2023
10 Time: 8:04 p.m.
11 Place: Town of Marlborough
12 Town Hall
13 21 Milton Turnpike
14 Milton, New York 12547

15 BOARD MEMBERS: CHRIS BRAND, Chairperson
16 CINDY LANZETTA
17 JAMES GAROFALO
18 FRED CALLO
19 STEPHEN JENNISON
20 JOE LOFARO
21 BOB TRONCILLITO

22 ALSO PRESENT: MEGHAN CLEMENTE, ESQ.
23 PATRICK HINES, ENGINEER
24 JEN FLYNN, PLANNING BOARD SECRETARY

25 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

26 MEMBERS OF THE PUBLIC: DON SMERDON
27 RICHARD HEILWEIL

28

29

30 -----X
31 Stacie Sullivan, CSR
32 staciesullivan@rocketmail.com

KEEBOMED - SKETCH SITE PLAN

1 CHAIRMAN BRAND: Finally, moving right
2 along, Keebomed Incorporated for a sketch of the
3 site plan at Old Indian and 9W in Milton.

4 MS. BROOKS: Again, this is one that
5 it's been some time since we were before the
6 Board, so even though I know we still have a ways
7 to go, we wanted to make sure before the
8 engineering detail plan went any further that the
9 Board saw the application again, saw what we had
10 done to date, and felt comfortable about us moving
11 forward.

12 CHAIRMAN BRAND: Pat, did you want to
13 run through your comments?

14 MR. HINES: So the application has
15 received variances from the Zoning Board of
16 Appeals for the rear yard setback, which is the
17 Cubbard Road setback, as well as the location of
18 the driveway and the proximity to the two
19 intersections. So those have been granted.

20 The bulk table has been revised to say
21 that the building is less than 35 feet. It needs
22 to be less than 30 feet; otherwise, the access
23 road needs to be 26.

24 CHAIRMAN BRAND: That's in height,
25 obviously; right?

KEEBOMED - SKETCH SITE PLAN

1 MR. HINES: Height. Yes. And it kicks
2 in a fire code requirement above 30 feet.

3 There's -- I think there's an easement
4 shown, but it should be a dedication of Cubbard
5 Road.

6 MS. BROOKS: That was supposed to be
7 dedicated as part of the subdivision that never
8 occurred, yes.

9 MR. HINES: So if we could do that now,
10 it will clean that up.

11 The highway superintendent did sign off
12 on the driveway location after the ZBA approved
13 it.

14 The septic system needs to go to the
15 Board of Health.

16 There's curbing depicted on a limited
17 portion of the site, along the parking on the
18 9W -- parallel to 9W and over to the access road.
19 It's depicted as curbed. I just call that to the
20 Board's attention to see if they wanted the
21 driveway access road curbed or additional curbing
22 to be on there.

23 CHAIRMAN BRAND: Is there a reason why
24 it's not, Patty, just out of curiosity?

25 MS. BROOKS: That was the engineer's

KEEBOMED - SKETCH SITE PLAN

1 design. I did not specifically ask.

2 MR. HINES: The drainage goes toward the
3 curbing there.

4 CHAIRMAN BRAND: Right.

5 MR. HINES: So it's coming from
6 Cubbard -- from west to east, the grade drops, so
7 it will control the drainage.

8 CHAIRMAN BRAND: Running into 9W. Okay.

9 MR. HINES: That follows into the
10 discharge location for the proposed drainage
11 system, on site, ties into the Town's drainage
12 system, which then ties into, it looks like, DOT's
13 drainage system. So we will need DOT to weigh in
14 on the connection, discharging additional flow to
15 their culverts.

16 The property does front on 9W, so we're
17 suggesting that DOT should review the plan itself
18 based on them having common ownership of the
19 property line.

20 Future site development details, paving,
21 curbing, water, sanitary sewer, dumpster, parking
22 lot striping, et cetera, need to be on the plans.

23 We're dangerously close to the
24 requirement for a Stormwater Pollution Prevention
25 Plan by .02 acres. Actually, the Town regulation

KEEBOMED - SKETCH SITE PLAN

1 drops below that, to 10,000 square feet. I would
2 think that this project should do a Stormwater
3 Pollution Prevention Plan in compliance with based
4 on the very, very close to the amount of
5 disturbance that would require that. And that's
6 all we have.

7 CHAIRMAN BRAND: Questions or comments
8 from the Board?

9 MS. LANZETTA: I have some questions.
10 It says storage, packaging, and shipping of
11 veterinary supplies, but I don't see any loading
12 area. What kind of --

13 MR. HINES: It was in the front there.

14 MS. BROOKS: The loading area is on the
15 north end of the building.

16 MR. HINES: Right in the front. The Old
17 Indian side.

18 MS. LANZETTA: It says "door"?

19 MS. BROOKS: To the right of that, east
20 of that. I should label that as overhead.

21 MS. LANZETTA: All right. And I'm
22 wondering about the size of the trucks that would
23 be utilizing this business.

24 MS. BROOKS: They're box trucks, but
25 I'll put a size on them. I thought I had put that

KEEBOMED - SKETCH SITE PLAN

1 on the plan, but I guess not.

2 MS. LANZETTA: Because I'm just
3 wondering about turning radiiuses if one of those
4 trucks has to come out onto Old Indian Road and go
5 west, if there's going to be sufficient turning
6 radius. You know, I just -- that's not a good
7 spot to have to be making a left and heading up
8 there.

9 MS. BROOKS: I'm not sure there will be
10 too many people heading -- generally, they're
11 going to come in off of 9W and go back to 9W.
12 That was what the benefit of this site was to the
13 applicant, was the proximity to 9W and a major
14 thoroughfare.

15 MR. GAROFALO: I would be very concerned
16 if there were tractor trailers coming in and going
17 out of there, because at 55 to 70 feet, that would
18 leave you under a hundred feet between the back of
19 the truck --

20 MS. BROOKS: There are no tractor
21 trailers.

22 MR. GAROFALO: -- and the vehicles. I'm
23 glad to hear that.

24 MS. LANZETTA: I have a question, too,
25 about the same parking -- amount of parking. It

KEEBOMED - SKETCH SITE PLAN

1 says you're only required to have five spaces.

2 You've got 22. I'm just wondering if that's -- if
3 we really need to have that much area.

4 CHAIRMAN BRAND: That was my question as
5 well.

6 MS. BROOKS: I'll check in with the
7 applicant on that.

8 MS. CLEMENTE: Do they have ADA parking?

9 MS. BROOKS: We did have two spaces.

10 Again, maybe if we can reduce the amount of
11 parking and the blacktop area and the impervious
12 surface, that might be a benefit to the overall
13 site.

14 MS. LANZETTA: Yes.

15 MR. HINES: The further you can get away
16 from that .98.

17 MS. LANZETTA: The other thing, before
18 we send anything up, and I know you explained that
19 you don't want to invest in this until you get our
20 input, but we are going to need architectural
21 details. And we would suggest on the Town website
22 we do have designs, you know, suggestions, so the
23 applicant might want to take a look at that.

24 MS. BROOKS: On the Town website?

25 MS. LANZETTA: Yeah. There's also --

KEEBOMED - SKETCH SITE PLAN

1 we're going to need specifics on lighting and
2 signage too before it goes up to the County.

3 MS. BROOKS: Yes. Again, I know that we
4 are deficient at this point, but it has been some
5 time since I've been before the Board, and before
6 we got any further with those details, since it
7 had been some time, I wanted to get your feedback
8 and make sure that we incorporated everything into
9 it.

10 MR. GAROFALO: I certainly would define
11 that loading area.

12 MS. BROOKS: Yes. I made note of that.
13 Thank you. I think Ms. Lanzetta brought that
14 point up.

15 CHAIRMAN BRAND: Any other comments or
16 questions?

17 MR. SMERDON: Can I --

18 CHAIRMAN BRAND: We don't normally do
19 that, but, Mr. Smerdon, what have you got for us
20 today?

21 MR. SMERDON: I've got a question for
22 Number 4, because you've got two residents on
23 Cubbard Drive here. And we'd kind of like to know
24 what the explanation is for "gratuitous
25 dedication."

KEEBOMED - SKETCH SITE PLAN

1 MS. BROOKS: What the explanation is?

2 MR. HEILWEIL: What is it?

3 MR. SMERDON: What is it?

4 MS. BROOKS: Oh. So Cubbard Drive was
5 built, again, not in the proper location, so at
6 the time that this subdivision was approved, the
7 owner at that point in time had agreed to convey
8 additional land to the Town of Marlborough so that
9 the roadway would be fully on the Town property
10 and then I think ten feet off the edge of the
11 pavement. That was never done as part of the
12 subdivision approval, so it's going to have to be
13 done at this point in time, and that property will
14 be offered for dedication to the Town for road
15 purposes of Cubbard Drive.

16 MR. SMERDON: So that ten feet goes
17 towards -- is part of the Town's?

18 MS. BROOKS: Correct.

19 MR. HINES: Will become.

20 MR. SMERDON: Thank you.

21 MS. BROOKS: And then the setbacks from
22 the building to the boundary line would be to that
23 new line that's being dedicated to the Town.

24 MR. SMERDON: Great. Thank you. And
25 the access, the entry and everything, is still on

KEEBOMED - SKETCH SITE PLAN

1 Old Indian Road?

2 MS. BROOKS: Correct.

3 MR. SMERDON: Okay.

4 CHAIRMAN BRAND: All right. Nothing
5 else on this one, so I'm assuming you'll just
6 clear up some of those things.

7 MS. BROOKS: Absolutely. Unless -- you
8 know, I was looking for any other comments that
9 the Board had to assist with the design, if there
10 were any changes that they were looking for. If
11 not, we're going to continue in this vein.

12 MR. JENNISON: What will actually happen
13 to the entrance that they originally put out to
14 9W? Will that just be vacated?

15 MS. BROOKS: That's on a different
16 parcel.

17 MR. CALLO: That's the next parcel down.

18 MR. JENNISON: Okay. My bad.

19 CHAIRMAN BRAND: Thank you.

20 MS. BROOKS: Thank you very much.

21 CHAIRMAN BRAND: Do we have anything
22 this evening for the discussion on the
23 subdivision? Nothing at all. All right. Motion
24 to adjourn.

25 MR. LOFARO: I make the motion.

KEEBOMED - SKETCH SITE PLAN

1 MR. JENNISON: Second.

2 CHAIRMAN BRAND: Any objection?

3 (No response.)

4 CHAIRMAN BRAND: So moved.

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

6

C E R T I F I C A T E

8

9 I, STACIE SULLIVAN, a shorthand reporter and
10 Notary Public within and for the State of New
11 York, do hereby certify:

12 That I reported the proceedings in the
13 within-entitled matter and that the within
14 transcript is a true and accurate record to the
15 best of my knowledge and ability.

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

20 IN WITNESS WHEREOF, I have hereunto set my
21 hand.

22

23

34

25

Stacie Sullivan

Stacie Sullivan, CSR