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

In the Matter of

5 N&A DEVELOPMENT

7 Project No. 15-8003  
8 Section 108.4; Block 6; Lot 29.310

PUBLIC HEARING  
SKETCH - LOT LINE REVISION

Date: September 8, 2015  
Time: 7:30 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

15                   BOARD MEMBERS:     JOEL TRUNCALI, Chairman  
16    BEN TRAPANI  
17    CINDY LANZETTA  
18    STEVEN CLARK  
19    EMANUEL CAUCHI  
20    JOSEPH LOFARO

19 ALSO PRESENT: RONALD BLASS, ESQ.  
20 PATRICK HINES  
KATHY WILKLOW  
MICHAEL MUSSO

APPLICANT'S REPRESENTATIVE: NICHOLAS GALELLA

2 CHAIRMAN TRUNCALI: We're going to  
3 start the meeting. If we could all rise for  
4 the Pledge to the flag.

5 (Pledge of Allegiance.)

6 CHAIRMAN TRUNCALI: "Agenda, Town of  
7 Marlborough Planning Board, September 8, 2015.  
8 Regular meeting 7:30 p.m. Approval of  
9 stenographic minutes for 7/6 and 7/20. N&A  
10 Development, sketch, lot line revision; New  
11 Cingular Wireless, public hearing, site plan;  
12 Cellco Partnership, sketch, amended site plan; M.  
13 Levesque Amended Site Plan, sketch. Next  
14 deadline, Friday, September 11. Next scheduled  
15 meeting: Monday, September 21."

16 MR. HINES: Joel, just for the record,  
17 the first and third items are actually public  
18 hearings tonight. They're on the agenda as  
19 sketch but they were scheduled for public  
20 hearings.

21 UNIDENTIFIED SPEAKER: I really can't  
22 hear you back here.

23 CHAIRMAN TRUNCALI: You can move  
24 closer.

25 I'd like to welcome our new Board

2 Member, Joe Lofaro.

3 First up is N&A Development, public  
4 hearing, lot line revision.5 MR. GALELLA: The notifications were  
6 sent out. There were thirty-nine sent out and  
7 twenty-eight returned.8 CHAIRMAN TRUNCALI: Thirty-nine sent,  
9 twenty-eight returned, one undeliverable.10 MR. GALELLA: My name is Nicholas  
11 Galella, I'm the property owner. The map shows  
12 what I'm going to do. It's on Summit Drive.13 I own the property, this seven-acre  
14 parcel here, along with two lots at the end of  
15 Summit Drive. I'm looking to have an access  
16 strip of fifty feet wide connected to --

17 MS. LANZETTA: Let me hold that.

18 MR. GALELLA: I have clips if you have  
19 a board.20 MS. LANZETTA: I'll hold it up. I'll  
21 hold it while you do this.22 MR. GALELLA: So here's the cul-de-sac  
23 for Summit Drive, a seven-acre piece. I own the  
24 two end lots and this seven-acre parcel. The  
25 fifty-foot strip is approximately 5,000 square

2 feet. It would be taken from this lot here,  
3 which is lot 6. So we're adding 5,000 square  
4 feet to this larger piece accessing Summit Drive.

5 UNIDENTIFIED SPEAKER: Where is Orchard  
6 Street in relation to that? Can you talk louder?

7 UNIDENTIFIED SPEAKER: I think it's the  
8 acoustics in here.

9 MR. GALELLA: Orchard Street is -- this  
10 is Grand. Grand Street to the south. Orchard  
11 Street would be up in here. Orchard. Is it  
12 Orange?

13 UNIDENTIFIED SPEAKER: Orange is below.

14 MR. GALELLA: Orchard would be north in  
15 this section here.

16 MS. LANZETTA: We can put it on the  
17 board now.

18 UNIDENTIFIED SPEAKER: Orchard Street  
19 goes into Tommy's house.

20 CHAIRMAN TRUNCALI: We did receive a  
21 letter from the highway superintendent. Pat,  
22 would you like to comment on that?

23 MR. HINES: The highway superintendent  
24 has weighed in. He had a couple versions of the  
25 previous proposed subdivision -- schematic

2 subdivisions. He has a concern identified in the  
3 letter that any access off of Grand Street, which  
4 is not subject to what we're doing tonight.

5 Tonight you're only dealing with a lot line  
6 change, making the lot .2 acres -- less than .2  
7 acres larger. Any access off of Grand Street,  
8 his comment, and it's good for the developer to  
9 hear now rather than later, that any potential  
10 development has an issue. He's concerned about  
11 stormwater flow from the site. This lot drops  
12 from Summit Avenue, the proposed access, in an  
13 easterly direction across the entire site, and  
14 he's identified a concern regarding drainage onto  
15 Grand Street. Any future development is going to  
16 have to address stormwater management.

17 He was reviewing in his file the  
18 formerly proposed sketch of the five-lot  
19 subdivision that showed one driveway coming off  
20 the site and he identified the forty-foot  
21 elevation difference between Grand Street and the  
22 proposed house location with the driveway running  
23 perpendicular to the contours which would have  
24 created a direct path for stormwater onto Grand  
25 Street. Rightfully so, his comment addressing

2 the drainage is valid.

6 CHAIRMAN TRUNCALI: He doesn't have  
7 any problem -- his letter doesn't have any  
8 problem with the lot line change?

9 MR. HINES: It doesn't address that.

10 The lot line change merely changes lines on the  
11 map and kind of imaginary lines in the field.

12 The actual property lines out there. Any future  
13 submissions, if the site is to be developed with  
14 anything other than a one single-family house  
15 will have to come before the Board, and at that  
16 time both the Town and DEC stormwater regulations  
17 will be reviewed for compliance. Any disturbance  
18 greater than an acre on the site will have to be  
19 addressed, both water quality and quantity, and  
20 the green infrastructure runoff reduction  
21 requirement.

22 MS. LANZETTA: If somebody puts one  
23 house on there they don't have to take into  
24 account his concerns about --

25 MR. HINES: Correct.

2 MS. LANZETTA: -- water?

3 MR. HINES: Today they can go get one  
4 building permit on that lot. They do need a  
5 driveway permit from him. His concerns can't be  
6 disregarded. They do have to get a road cut  
7 driveway access permit from him.8 Today the applicant could apply to the  
9 building inspector for one structure on that  
10 site, one residential structure, without approval  
11 of this Board.12 CHAIRMAN TRUNCALI: This is a public  
13 hearing. We'll take comments from the audience.  
14 Please state your name for the record for the  
15 Stenographer.16 MR. GAROFALO: James Garofalo. Just  
17 one quick question. Does a lot line change  
18 eliminate potential access anywhere?

19 MR. GALELLA: Eliminate?

20 MR. HINES: On the contrary. It's  
21 providing additional access to the lot.

22 MR. GAROFALO: It's not eliminating?

23 MR. HINES: It's proposing access.  
24 It's creating a fifty-foot wide strip to the  
25 cul-de-sac of Summit Drive which the 7.1 acre lot

2 currently does not have. The only access is  
3 Grand Street at the location where the highway  
4 superintendent's concern is. If the Board was to  
5 approve this subdivision, it provides a  
6 fifty-foot access strip to Summit Drive, an  
7 existing Town road.

8 UNIDENTIFIED SPEAKER: Just exactly  
9 where on that map are the houses going?

10 MR. GALELLA: Nothing is being proposed  
11 to construct.

12 MR. HINES: There's no proposed houses  
13 at this time. It's merely a lot line change. A  
14 subdivision. Any future use of the parcel, as I  
15 just said, other than one single-family house,  
16 will have to come back before this Board for  
17 review.

18 UNIDENTIFIED SPEAKER: And you're  
19 dividing what part of that?

20 MR. GALELLA: It's coming off of this  
21 lot here, which is lot 7 -- lot 6 on the previous  
22 subdivision. This house is up. I don't know if  
23 you've been on that street, Summit Drive, at all.  
24 This house is built. I just have a buyer for it  
25 now. In order to build the next house I would

2 want to have the boundary established. That's  
3 one of the reasons why.

4 UNIDENTIFIED SPEAKER: That piece  
5 underneath there, that's the seven acres, do you  
6 have plans for that?

7 MR. GALELLA: Excuse me. This is the  
8 large --

9 MR. HINES: The question is what do you  
10 have planned for the seven acres.

11 MR. GALELLA: I have some ideas but  
12 nothing proposed. It could stay like this for  
13 the next five, ten years. I had something as far  
14 as multi-family, I had something as far as four  
15 lots, five lots. The market isn't prime, it's  
16 not ready for anything to be developed. Like I  
17 said, I'd like to have a boundary set for this  
18 lot to put that house up.

19 MR. MAZZA: I have a question. When  
20 you --

21 CHAIRMAN TRUNCALI: State your name.

22 MR. MAZZA: I'm sorry. Steve Mazza.  
23 We're on the end of the Overlook Bluff. When you  
24 add this land to the current lot, is that going  
25 to allow like some monstrosity to be built? Is

2 there a reason why you need the extra .2 acres?

3 MR. GALELLA: The acreage is just being  
4 added to here. Whatever this is, this twenty-  
5 foot strip gets added to this. This doesn't get  
6 any further land for anything.

7 MR. HINES: It greatly enhances the  
8 access. Right now --

9 MR. MAZZA: I understand the access.  
10 I'm also curious if that puts you like over some  
11 limit how you can build like a huge --

12 MR. HINES: The topography of the site  
13 drops dramatically from the proposed new access  
14 point to Grand Street. There was a relatively  
15 flat area behind your residence and the other  
16 residences.

17 MR. MAZZA: I know the back. It's old  
18 snowmobile land back before --

19 MR. GALELLA: The access is for me to  
20 maintain the property as well. I don't know if  
21 you noticed --

22 MR. MAZZA: It's right behind our house  
23 actually.

24 MR. GALELLA: -- there's three homes  
25 back there.

2 MR. MAZZA: Yup. Are you looking to  
3 maintain the same kind of structures or are you  
4 looking -- is it going to be some highrise?

5 MR. GALELLA: Are you familiar with  
6 Summit Drive? I want to keep it --

7 MR. MAZZA: Like single-family or two-  
8 family maybe?

9 MR. GALELLA: Single.

10 MR. MAZZA: Okay. Thank you.

11 UNIDENTIFIED SPEAKER: These houses are  
12 huge.

13 CHAIRMAN TRUNCALI: Are there any other  
14 comments from the public?

15 (No response.)

16 CHAIRMAN TRUNCALI: If not, I'll  
17 entertain a motion to close the public hearing.

18 MR. TRAPANI: I'll make that motion.

19 CHAIRMAN TRUNCALI: A second?

20 MR. CLARK: I'll second it.

21 CHAIRMAN TRUNCALI: Steve seconds.

22 All in favor?

23 MR. TRAPANI: Aye.

24 MS. LANZETTA: Aye.

25 MR. CLARK: Aye.

2 MR. CAUCHI: Aye.

3 MR. LOFARO: Aye.

4 CHAIRMAN TRUNCALI: Aye.

5 All opposed?

6 (No response.)

7 CHAIRMAN TRUNCALI: So carried.

8 Does the Board have any other comments?

9 MR. CLARK: My only comment would be --

10 I don't have a problem with the lot line  
11 revision. I may in the future, depending what is  
12 proposed, I think this better be like you're  
13 developing. Obviously there's concerns about  
14 runoff. From my perspective, keep that in mind.

15 MR. GALELLA: As far as what?

16 MR. CLARK: Because of the runoff  
17 issues that have been addressed by the highway  
18 superintendent. From my personal point of view,  
19 if you want to come back to this Board and I'm  
20 still on it, you better come back prepared.

21 MR. GALELLA: It's most likely. Coming  
22 from off of Summit Drive makes the runoff less.  
23 Coming from Grand Street as well, if there was  
24 something developable.

25 CHAIRMAN TRUNCALI: Any other comments?

2 (No response.)

3 CHAIRMAN TRUNCALI: I guess the Board  
4 could entertain a motion to approve the lot line  
5 revision.

6 MR. HINES: First would be a neg dec.

7 The applicant has submitted a short environmental  
8 assessment form for the project. Based on the  
9 minor lot line change, we would recommend a  
10 negative declaration. There's no construction  
11 proposed under this phase of the project.12 CHAIRMAN TRUNCALI: Okay. Would the  
13 Board entertain --

14 MR. TRAPANI: I'll make that motion.

15 CHAIRMAN TRUNCALI: -- a negative  
16 declaration. I have a motion for a negative dec.  
17 Ben makes it. A second?

18 MR. CLARK: I'll second it.

19 CHAIRMAN TRUNCALI: All in favor?

20 MR. TRAPANI: Aye.

21 MS. LANZETTA: Aye.

22 MR. CLARK: Aye.

23 MR. CAUCHI: Aye.

24 MR. LOFARO: Aye.

25 CHAIRMAN TRUNCALI: Aye.

2 All opposed?

3 (No response.)

4 CHAIRMAN TRUNCALI: All right. Now we  
5 can have a motion to approve the lot line  
6 revision.7 MR. CLARK: I would make that motion as  
8 proposed.

9 CHAIRMAN TRUNCALI: A second?

10 MR. TRAPANI: I'll second.

11 CHAIRMAN TRUNCALI: All in favor?

12 MR. TRAPANI: Aye.

13 MS. LANZETTA: Aye.

14 MR. CLARK: Aye.

15 MR. CAUCHI: Aye.

16 MR. LOFARO: Aye.

17 CHAIRMAN TRUNCALI: Aye.

18 All opposed?

19 (No response.)

20 MR. GALELLA: Thank you.

21

22 (Time noted: 7:44 p.m.)

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## C E R T I F I C A T E

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4 STATE OF NEW YORK ) : SS.:

5 COUNTY OF ULMSTER )

6

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

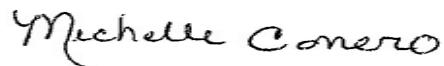
10 That the witness whose examination  
11 is hereinbefore set forth was duly sworn and that  
12 such examination is a true record of the testimony  
13 given by that witness.

14 I further certify that I am not  
15 related 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  
19 set my hand this 2nd day of October 2015.

20

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MICHELLE CONERO

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

In the Matter of

5 NEW CINGULAR WIRELESS, PC, LLC

7 Project No. 14-7005  
10 Ann Kaley Lane  
8 Section 108.2; Block 4; Lot 43.410

# PUBLIC HEARING

## SITE PLAN

12 Date: September 8, 2015  
13 Time: 7:45 p.m.  
14 Place: Town of Marlborough  
13 Town Hall  
21 Milton Turnpike  
14 Milton, NY 12547

19 ALSO PRESENT: RONALD BLASS, ESQ.  
20 PATRICK HINES  
KATHY WILKLOW  
MICHAEL MUSSO

2 CHAIRMAN TRUNCALI: Next up is Cingular  
3 Wireless, a public hearing. I believe they're  
4 not here tonight.

5 Is there any comment? This is a public  
6 hearing. We'll take any comment if there is any.

7 MR. HINES: They did advise the Board  
8 -- they did submit a letter requesting that they  
9 be given additional time to address Mr. Musso's  
10 submittal, who is here tonight, until October  
11 5th. It is a public hearing.

12 MR. BLASS: I think I'd like the record  
13 to reflect that the reason there's a request by  
14 the applicant to put off or to adjourn the public  
15 hearing to October 5th is because of the  
16 applicant's failure to submit supplemental  
17 material as it represented that it would. So  
18 there's no delay attributable to the Town or the  
19 Town's consultants. In fact, the delay is  
20 attributable to the applicant.

21 MS. LANZETTA: Thank you.

22 CHAIRMAN TRUNCALI: So then the Board  
23 will adjourn the public hearing to October 5th.

24 MS. LANZETTA: Can I just ask; Mike,  
25 were you prepared to speak on this tonight or --

2 MR. MUSSO: No. I mean I can give you  
3 an update but really there's no real update to  
4 give. We're still waiting for a number of things  
5 to be submitted.

6 MS. LANZETTA: Thank you.

7 CHAIRMAN TRUNCALI: Do we put that in  
8 the form of a motion?

9 MR. BLASS: Yes.

10 CHAIRMAN TRUNCALI: Do we have a  
11 motion to adjourn the public hearing to  
12 October 5th?

13 MS. LANZETTA: I would make the motion  
14 to adjourn the public hearing to October 5th to  
15 allow sufficient time for the applicant to get  
16 the necessary supplemental materials to our  
17 engineer.

18 MR. CAUCHI: I'll second that motion.

19 CHAIRMAN TRUNCALI: All in favor?

20 MR. TRAPANI: Aye.

21 MS. LANZETTA: Aye.

22 MR. CLARK: Aye.

23 MR. CAUCHI: Aye.

24 MR. LOFARO: Aye.

25 CHAIRMAN TRUNCALI: Aye.



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

3

4 STATE OF NEW YORK ) : SS.:  
5 COUNTY OF ULMSTER )

6

7 I, MICHELLE CONERO, a Notary Public  
8 for and within the State of New York, do hereby  
9 certify:10 That the witness whose examination  
11 is hereinbefore set forth was duly sworn and that  
12 such examination is a true record of the testimony  
13 given by that witness.14 I further certify that I am not  
15 related 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  
19 set my hand this 2nd day of October 2015.

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MICHELLE CONERO

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

In the Matter of

SKETCH  
AMENDED SITE PLAN

19 ALSO PRESENT: RONALD BLASS, ESQ.  
20 PATRICK HINES  
KATHY WILKLOW  
MICHAEL MUSSO

22 APPLICANT'S REPRESENTATIVE: HYDE CLARK

2 CHAIRMAN TRUNCALI: Next up is Cellco  
3 Partnership, Verizon Wireless. This is a public  
4 hearing for an amended site plan.

5 MR. HYDE CLARK: My name is Hyde Clark,  
6 Attorney with the law firm of Young, Sommer, here  
7 on behalf of Cellco Partnership, d/b/a Verizon  
8 Wireless.

9 I understand that the Board asked us to  
10 bring in the capability of showing some images.  
11 I can get that set up now if you'd like.

12 MR. CLARK: While you're setting up, an  
13 issue that was raised to me that I would ask you  
14 to answer, these proposed new modules that are  
15 going up on the cell tower, what is the affect of  
16 electromagnetic affects and radiation affects and  
17 how far does it go?

18 MR. HYDE CLARK: As part of our  
19 supplemental, I believe we did submit an RF  
20 safety. That's our radiofrequency safety. As  
21 part of our FCC licenses we have to operate  
22 within a certain frequency that's safe for  
23 everyone surrounding that area. Verizon Wireless  
24 operates at a very small percentage of that. I'm  
25 sure Mr. Musso may talk to that more -- speak to

2                   that more. I mean there's no impact. Our RF  
3                   safety professional has come up with that and  
4                   prepared that for you, as well as Mr. -- I'm sure  
5                   your consultant will probably speak to that as  
6                   well.

7                   MR. CLARK: Thank you.

8                   MS. LANZETTA: Mike, do you want to  
9                   just briefly address that? That's a concern, a  
10                  health concern that you addressed once before for  
11                  your us.

12                  MR. MUSSO: I'd be happy to give a  
13                  status report. I was here last month. I gave  
14                  the Board an overview of some information that  
15                  was requested, what was received, and some things  
16                  that were still outstanding. You haven't seen  
17                  the tech memo from me. I promise you it will be  
18                  much shorter than the last one for AT&T for the  
19                  alternate sites.

20                  One thing that we're waiting on out of  
21                  the number of things we asked for is a post-  
22                  modification structural certification on the  
23                  tower. The tower accommodates AT&T antennas at  
24                  the current time. This is a 260 foot cable state  
25                  lattice tower off of Mt. Zion Road. It also

2 accommodates a number of other operators, radio  
3 stations. Some things are in use by other  
4 people. There's probably some old antennas up on  
5 the tower as well.

6 So 260 foot. Verizon is proposing an  
7 antenna array at 160 feet. So not at the top,  
8 sort of closer to the midpoint. There's no  
9 increase in the tower height. We're confirming  
10 the structural analysis that there's nothing more  
11 that needs to be done in terms of the structural  
12 integrity to accommodate.

13 We looked at a number of issues. To  
14 get to the radiofrequency emissions, the  
15 applicant rep tonight I think gave a decent  
16 summary of it. All wireless carriers, such as  
17 Verizon or AT&T who has co-located on that  
18 structure now, and other operators are licensed  
19 by the Federal Communications Commission. In the  
20 world of mobile telecommunications services,  
21 which initially was phones but now it's a number  
22 of different things, all sorts of data  
23 transmittal, e-mails, paging, internet,  
24 et cetera, et cetera. You see the commercials on  
25 TV I'm sure. The power frequency or the power

2 levels have to be within what's called a maximum  
3 permissible exposure health level.

4 Modeling was done for this site. That  
5 was one of the things that we asked for that  
6 included the proposed Verizon. It also accounted  
7 for AT&T that exists. It also inventoried other  
8 antennas on that tower. So we're happy that it's  
9 a full cumulative analysis.

10 So then the question is where are  
11 people around that tower. Not including the  
12 tower climber who is doing maintenance. They  
13 have special training and special measures that  
14 they do when they get in very close proximity.  
15 Normally modeling is done within about a 500 foot  
16 distance from the tower looking at the ground  
17 level. It's proven that after that the signal  
18 really dies off significantly, from 100 or 160  
19 feet down to the ground level. So the cumulative  
20 analysis in this case is on the order of one  
21 percent of the maximum permissible exposure  
22 limit, the MPE limit. We're happy with that  
23 analysis. We're very comfortable that even with  
24 Verizon co-locating, should that happen, the  
25 tower site itself will still be in full

2 compliance with the Federal levels of health.

3 MR. BLASS: Mike, you might want to  
4 address the extent to which this Board can delve  
5 into that issue under the Federal Communications  
6 Act.

7 MR. MUSSO: A quick note on that.

8 Municipalities like the Town of Marlborough have  
9 ordinances that are written for smart intelligent  
10 citing and regulations of such facilities. You  
11 have say into what things might look like for  
12 alternate A over alternate B, et cetera,  
13 et cetera. You also have a priority of preferred  
14 sites. So co-locating on an existing structure  
15 or co-locating on a tower that's already built  
16 would make more sense, obviously, than a new cell  
17 tower in a residential area. Sometimes that's  
18 not an option. In this case for Verizon it is an  
19 option. They provided coverage maps that show  
20 where there's a gap in service. This site would  
21 cover much of the northern half, particularly  
22 west of the Route 9W corridor, but even  
23 approaching down south in towards the hamlet  
24 area. This would be the first Verizon facility  
25 within the Town of Marlborough, within it's

2 limits at least. There's others across the river,  
3 in Plattekill, Newburgh and points north.

4                   When it gets to the radiofrequency  
5                   emissions, there are certain things that are  
6                   exempted by Federal law. This has been played  
7                   out, as Ron could attest to, in case law. Things  
8                   like interference and things like the  
9                   radiofrequency emissions are what the Federal  
10                  Government refers to as categorically excluded  
11                  from municipal review.

12                  My stance, and HDR works only on behalf  
13                  of municipalities, we don't work for the  
14                  carriers, we always like to have something on the  
15                  record. If a neighbor or someone from the Town  
16                  says gee what are those levels, what's the  
17                  modeling, what are the calculations, we always  
18                  like to see that. Probably ninety-eight out of a  
19                  hundred times it's readily been provided by the  
20                  carriers. However, decisions to prove or deny an  
21                  application can not be based on radiofrequency  
22                  emissions as long as they're within that MPE  
23                  levels. There have been of course cases that  
24                  have come up where there has been reports like  
25                  the one provided that are submitted, but then the

2                   idea is well, we just don't believe the science  
3                   or don't want to pay attention to the Federal  
4                   laws and we're going to take action denying the  
5                   application because of that. That's been played  
6                   out. I think what Ron is referring to is there's  
7                   this overlay with a town specific ordinance and  
8                   Federal items such as radiofrequency emissions  
9                   and interference.

10                  I'm happy with what's been provided,  
11                  with all that said.

12                  MR. HYDE CLARK: If the Board would  
13                  like, I could give a brief overview just from  
14                  where we were before.

15                  CHAIRMAN TRUNCALI: Sure.

16                  MR. HYDE CLARK: So this is again a  
17                  proposal to co-locate off Mt. Zion Road. The  
18                  current tower is 260 feet. We're proposing to  
19                  co-locate 160 feet. On the wall right now is  
20                  just the coverage that will be provided. That's  
21                  the latest type of coverage that we provide. In  
22                  the green area will be what the new coverage  
23                  would be with this co-location.

24                  This is an application again for  
25                  amended site plan review and special use permit.

2 We're going to be proposing to co-locate twelve  
3 antennas on that tower with associated equipment.  
4 Per the Town law, this is the second highest  
5 priority, second only to Town-owned property.  
6 Hopefully this co-location is something we think  
7 that allows us to provide coverage that we're  
8 mandated to provide and without building a new  
9 tower or -- essentially just being able to  
10 provide that coverage within the Town's  
11 preferences.

12 At the last meeting we did have some  
13 additional information that Mr. Musso did  
14 require. As he stated, we're still waiting for a  
15 post-modification structural report. That will  
16 just go through the changes to the tower that  
17 were actually made and go through what the  
18 capacity is for that in terms of the new  
19 equipment that's going to be added.

20 There was also a request for more  
21 generator information. We provided a noise  
22 report. Again, Mr. Musso probably will go  
23 through that as well.

24 I would like to provide the Board with  
25 a copy of those reports that we did submit to

2 him.

3 MR. CLARK: You have three photos on  
4 the map. It's pretty obvious. What's the  
5 difference between the white and light purple?6 MR. HYDE CLARK: The purple is the  
7 coverage that already exists. The white is our  
8 gaps. The green is where those gaps are being  
9 filled in.10 If I can approach just so the Board can  
11 have a copy of the report. That has the  
12 generator information.13 This is a public hearing and I also  
14 have the affidavit of mailing. To the clerk?

15 MS. LANZETTA: Over there.

16 MR. HYDE CLARK: This is just  
17 confirming the proper notices were sent.18 At this point, since this is our third  
19 time, I'm willing to take any questions or  
20 comments from the public or from the consultant.21 MR. TRAPANI: You said the white was  
22 what?23 MR. HYDE CLARK: Those are the coverage  
24 gaps currently. Purple is what's already --  
25 what's currently being provided. The green fills

2 in the gaps.

3 MR. CLARK: You're still going to drop  
4 calls by Maggie's.

5 MR. TRAPANI: Where we live, we're in  
6 the white.

7 MR. CLARK: You too.

8 MR. TRAPANI: I can see that light  
9 blinking all the time.

10 MR. MUSSO: Do you have the previous  
11 slide that show --

12 MR. HYDE CLARK: Yes.

13 MR. MUSSO: -- without the green?

14 MR. HYDE CLARK: Yes.

15 MR. MUSSO: If I could just orient you  
16 a little better. This is the Town of Marlborough  
17 boundaries in red here, and the river. So before  
18 that map this is what exists now for Verizon.

19 Blue being some existing coverage. You can see  
20 the 9W corridor. This is probably being covered  
21 from across the river. These are the gaps here.  
22 What the applicant put up is an overlay on top of  
23 that. The white are gap areas. They certainly  
24 do get better. This is based on the 4G service.  
25 Verizon operates at a few different frequencies

2 that they're licensed to operate on. We did ask  
3 for maps that show open area, like if you're  
4 walking outside, in your driveway type of  
5 coverage. We also asked for maps in vehicle,  
6 which is a little less optimistic in terms of  
7 coverage pattern because it accounts for some  
8 loss getting into the vehicle, going through a  
9 metal roof or your windows or whatever. The  
10 punch line is there is a gap here in this area.  
11 It appears to me to be, you know, in accordance  
12 -- in general accordance with the Town's code to  
13 utilize that structure. The overlays with the  
14 green and the other map had an overlay, you could  
15 see the different coverage, different services  
16 that would be presented. Just to orient you,  
17 that's kind of the delta. That would be the  
18 differential between the two.

19 MR. TRAPANI: That white area up  
20 there --

21 MR. MUSSO: This one?

22 MR. TRAPANI: Yup. This is Milton  
23 Turnpike coming down here. On the other map we  
24 can see. This is Milton. This is all white in  
25 here. So it's not going to be covered? It goes

2                   down. Milton Turnpike down here by the Dome.

3                   None of this area is still going to be covered.

4                   MS. LANZETTA: The Dome is further  
5                   down.

6                   MR. MUSSO: This is 9W here. So this is  
7                   9W. So the Dome I'm guessing is --

8                   MR. TRAPANI: That's the Dome right  
9                   here?

10                  MR. MUSSO: I'm guessing it's in this  
11                  area.

12                  MR. TRAPANI: I'm sorry. I'm sorry.  
13                  This is it. This is Mulberry Lane right here.  
14                  Okay, good.

15                  MR. MUSSO: To the west of the Town  
16                  border is something else.

17                  MR. HINES: It's on the other side of  
18                  the mountain there.

19                  MR. MUSSO: That's why I want to get  
20                  you oriented. This is the river. This is 9W.

21                  MR. TRAPANI: Thank you.

22                  MR. CLARK: I can see you but I can't  
23                  talk to you.

24                  MR. HINES: That brings up the issue we  
25                  talked about, how high do you go and what

2 coverage. They basically have to do a cost  
3 benefit. There are other carriers up there.  
4 They could go on top of the 200 something foot  
5 tower. I don't know if they can, they have  
6 leases, but they can get different coverage maps.  
7 I think that they struck a balance because there  
8 are other carriers above them. Those spots are  
9 currently leased. I think they are as high as  
10 they can get based on the guide wires of the  
11 carriers above them.

12 MR. BAKER: You're saying that's the  
13 best they can do?

14 MR. MUSSO: American Tower Company,  
15 which is a very large national tower and  
16 infrastructure company, they own this tower.  
17 Obviously they have lease agreements with AT&T  
18 that has a similar array that's up there now.  
19 They're the only commercial carrier. There's a  
20 number of other antennas at the top and along.  
21 So they are subject to a lease agreement.

22 The other thing I put into that is for  
23 this site for Verizon to work there would be a  
24 trade off between existing sites in the region,  
25 over in Plattekill, perhaps up further north,

2 too. In that balancing act, the fine tuning site  
3 to site and how they communicate, this is  
4 probably an optimal height. A lot of towers,  
5 even though this sits up on a higher elevation,  
6 the distance from ground is 160 feet. We don't  
7 see much of that any more. Most towers -- the  
8 older ones were built in the '90s, early 2000s.  
9 Now the towers are generally a little shorter.  
10 When we see new tower siting going on, it's  
11 usually in the 100 to 130 foot level. That gives  
12 a good cross section of what's happening on the  
13 tower.

14 MR. BAKER: Do you know of other plans  
15 that would help us fill in those white spots? I  
16 think we're hoping to get all of the Town  
17 covered. So I guess something across the river  
18 that would beam this way might help us, or is  
19 there something in Plattekill that might help us?

20 MR. MUSSO: It's really tough because  
21 those color maps that you saw there, they're  
22 based on a number of things including specific  
23 topography in an area. There's some touching up  
24 that's done with treeline. The Town of  
25 Marlborough, you know better than anyone, the

2 changes in topography, even going up from 9W and  
3 even up at different elevations you have  
4 different shading and shadowing that goes on.

5 MR. HINES: This is probably one of the  
6 highest tower sites you're ever going to get.

7 MR. MUSSO: These maps -- I have to say  
8 this, though. These maps are a projection of  
9 successful communication. So even within some of  
10 these areas here, depending on when it is, you  
11 may be able to get through with the call. It  
12 could also be seasonal, leaf-off conditions. It  
13 does change a little bit. But certainly what the  
14 applicant is depicting are these white areas that  
15 are staying white. That's what they would term  
16 as an area to be successfully served or optimally  
17 served. You still might get some signal in  
18 there. Then it's a priority of the carriers of,  
19 you know, network buildouts within a town or  
20 within a region like the Hudson Valley. And  
21 what's the second wave to go back. We're  
22 starting to see that a little now. Here, this is  
23 the first proposed -- well, first Verizon  
24 facility, potentially, in the Town. So that says  
25 something where they are within Ulster County.

2 MR. BAKER: There's a fair amount of  
3 kind of high -- it's a populated area there west  
4 of 9W that's not going to be covered, which is  
5 kind of disconcerting.

6 MR. MUSSO: Down here?

7 MR. BAKER: Down a little bit further.  
8 In there. Someone coming down into the hamlet --

9 MR. MUSSO: It does shoot -- you're  
10 right. It does shoot right across, across kind  
11 of to the southeast there a little bit. But it's  
12 not going to cover here.

13 MR. HINES: That has to do with the  
14 topography just off of 9W and then the next road  
15 over.

16 MR. MUSSO: It's consistent actually  
17 with what we saw with another application we were  
18 reviewing. Very consistent.

19 MR. BAKER: People off of Old Post Road  
20 are getting nothing. Is that right?

21 MR. MUSSO: Down here?

22 MR. BAKER: South of the hamlet.

23 MR. MUSSO: Down here. Yeah. That's a  
24 little something there. You're right. At least  
25 based on these maps.

2 CHAIRMAN TRUNCALI: Is there any other  
3 public comment?

4 MR. GAROFALO: James Garofalo. I'd  
5 just like to say that cell towers are really part  
6 of our critical communication infrastructure. I  
7 think these things are very important and you  
8 should look positively upon them. I don't know  
9 if it's the -- it's going to be fenced in, the  
10 facility?

11 MR. MUSSO: Well the facility will be  
12 within an enclosed shelter, locked and maintained  
13 and monitored remotely. One of the things we  
14 looked at, there will be an emergency generator  
15 that runs about forty-five minutes a week when  
16 needed. It's equipped with a 210 gallon tank  
17 with secondary containment capacity to -- for 125  
18 percent of that tank's capacity. That also is  
19 within the shelter. So it's in Verizon's  
20 interest to really protect and make sure nothing  
21 can damage these facilities.

22 MR. GAROFALO: Is the property around  
23 it fenced?

24 MR. MUSSO: The property around it is  
25 not completely fenced.

2 MR. GAROFALO: Can it be posted?

3 MR. MUSSO: Absolutely.

4 MR. HINES: The reason we say it's not  
5 fenced is there's an existing fenced compound.  
6 This control structure they're proposing is going  
7 to stick out like a peninsula out of the fence.  
8 It's going to be entirely secured. They would  
9 have to break through the precast concrete walls.  
10 There is an existing compound that they'll expand  
11 slightly, and this structure will also be  
12 secured.

13 MR. MUSSO: Warning signage for  
14 radiofrequency and also contact information has  
15 to be posted by law. That's a Federal law. That  
16 would be up there as well.

17 MR. GAROFALO: I was wondering like no  
18 trespassing signs so the police could come in  
19 there and remove people who would not be -- are  
20 not supposed to be on the property.

21 MR. MUSSO: I don't know.

22 CHAIRMAN TRUNCALI: Is there any other  
23 public comment?

24 (No response.)

25 CHAIRMAN TRUNCALI: If not, can I have

2 a motion to close the public hearing?

3 MR. CLARK: So moved.

4 MR. TRAPANI: I'll second.

5 CHAIRMAN TRUNCALI: All in favor?

6 MR. TRAPANI: Aye.

7 MS. LANZETTA: Aye.

8 MR. CLARK: Aye.

9 MR. CAUCHI: Aye.

10 MR. LOFARO: Aye.

11 CHAIRMAN TRUNCALI: Aye.

12 Opposed?

13 (No response.)

14 CHAIRMAN TRUNCALI: The public hearing  
15 is closed.

16 MR. HINES: We have to wait for  
17 additional structural information. They can  
18 maybe come back to the next meeting.

19 MR. BLASS: That's a timing issue as to  
20 the timing of additional applicant submissions,  
21 if any, and Mike's turnaround time. Is two weeks  
22 enough? Four weeks?

23 MR. MUSSO: Do you know anything more  
24 on the post-modification structural?

25 MR. HYDE CLARK: We've been in contact

2                   with the tower owner for pretty much the last  
3                   month to try to get this. I, you know, tried  
4                   again today. He still didn't have it today. It  
5                   should be any time now.

6                   MR. HINES: I guess the question is  
7                   there's a meeting in roughly two weeks and a  
8                   month from tonight.

9                   MR. CLARK: What's that?

10                  MR. HINES: There's a meeting roughly  
11                  two weeks from tonight and a meeting roughly a  
12                  month from tonight. It would have to be in by  
13                  this Friday for the Monday, the 21st meeting, or  
14                  sometime right after the 21st of September for  
15                  the first meeting in October, which is the first  
16                  Monday in October.

17                  MR. MUSSO: I'm not around on the 21st.

18                  MR. HINES: So I would suggest we just  
19                  put it off until October, the first meeting in  
20                  October.

21                  MR. HYDE CLARK: I guess it would be  
22                  our preference if we have substantially  
23                  everything else, I don't know if the Board is  
24                  comfortable doing a conditional approval. I mean  
25                  the modifications have been made. It's more of a

2                   belt and suspenders approach to provide this as  
3                   well. That's up to the Board's preference.

4                   CHAIRMAN TRUNCALI: Ron?

5                   MR. BLASS: I mean if the deadline of  
6                   this Friday is not met by the applicant through  
7                   no-fault of your own, then they won't be on the  
8                   agenda anyway.

9                   CHAIRMAN TRUNCALI: He's asking for  
10                   conditional final approval tonight.

11                   MR. BLASS: I didn't quite hear that.

12                   CHAIRMAN TRUNCALI: Right.

13                   MR. HYDE CLARK: With everything else  
14                   that's substantially been submitted.

15                   MR. BLASS: I don't think this Board  
16                   has a history of doing conditional finals when  
17                   there's outstanding requests for information. I  
18                   don't know that you would want to defer -- I  
19                   don't know that you want to do a SEQRA  
20                   determination in advance of the receipt of such  
21                   information. So I would not really recommend a  
22                   conditional approval based on submission  
23                   material. I think the real issue is whether it's  
24                   two weeks or four weeks for your decision after  
25                   you have received that material.

2                   MS. LANZETTA: Is it up to the  
3                   applicant to get the material in? If he gets it  
4                   in in time, we'll be ready for the next meeting.  
5                   If not, then it will be the meeting after.

6                   MR. HINES: Your consultant also has a  
7                   scheduling issue, too.

8                   MR. MUSSO: I mean I can get the report  
9                   in, I just can't be here on the 21st.

10                  MS. LANZETTA: I don't think it's  
11                  necessary for you to be here. If you reviewed  
12                  it, the pertinent information and acknowledge  
13                  that it meets the criteria that we're looking at,  
14                  then we could move forward from there.

15                  MR. MUSSO: Sound good.

16                  MR. HYDE CLARK: If I could just  
17                  interject. If Mr. Musso can't be here at the  
18                  next meeting, if you do have some things that we  
19                  could go through tonight to at least discuss that  
20                  while he's here to make sure if he did have any  
21                  additional questions.

22                  MR. HINES: I think he went through the  
23                  structural.

24                  MR. MUSSO: I think I covered the  
25                  emergency generator. We talked about health and

2 safety based on a question. Noise. A report  
3 would was provided by a New York State PE on the  
4 generator itself. It's not running very  
5 frequently, unless of course when we need it to  
6 be running. That meets the property line limits  
7 of -- the 65 dba are met at all the property  
8 lines. It's just me packaging the report and  
9 going over what I think I went over tonight. I'm  
10 waiting on the structural.

11 MS. LANZETTA: Structural stuff is  
12 critical.

13 MR. MUSSO: I think so. It's an  
14 important question that comes up. There's been  
15 modifications earlier this year that went to the  
16 building department. They made those  
17 modifications. The structural report that we  
18 have from October 2014 is pretty good. We agree  
19 with the methods that are used, but, you know,  
20 that conclusion is not there. So they're fully  
21 aware of what they need to provide, and I think  
22 that's important to have on file.

23 CHAIRMAN TRUNCALI: Get your report to  
24 Mr. Musso and then we'll be ready to act.

25 MR. HYDE CLARK: Sounds good.

2 MR. BLASS: It sounds like a situation  
3 for Verizon that's being held up by it's  
4 landlord, which is a publicly traded company of  
5 some size that should be able to get this report  
6 generated.

7 MR. HYDE CLARK: Thank you.

8

9 (Time noted: 8:12 p.m.)

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## C E R T I F I C A T E

3

4 STATE OF NEW YORK )

5

: SS.:

6

COUNTY OF ULMSTER )

7

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

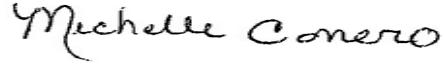
11 That the witness whose examination  
12 is hereinbefore set forth was duly sworn and that  
13 such examination is a true record of the testimony  
14 given by that witness.

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

19 IN WITNESS WHEREOF, I have hereunto  
20 set my hand this 2nd day of October 2015.

21

22



23

---

MICHELLE CONERO

24

25

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

In the Matter of

5 M. LEVESQUE AMENDED SITE PLAN

7 Project No. 15-8010  
1100 Route 9W  
8 Section 108.4; Block 5; Lot 27

10 SKETCH - AMENDED SITE PLAN

19 ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
20 KATHY WILKLOW  
MICHAEL MUSSO

22 APPLICANT'S REPRESENTATIVE: LOUIS DUBOTS

2 CHAIRMAN TRUNCALI: Next up, M.  
3 Levesque, amended site plan.

4 MR. DuBOIS: I'm Lou DuBois. I see  
5 everyone has a copy of the plans.

6 What we are here tonight is to present  
7 a proposed amended -- amendment to the approved  
8 site plan back in 2007 which was issued at that  
9 time for outdoor storage.

10 As you're familiar with this, it was  
11 the Marlborough materials area that since has  
12 been eliminated, for lack of a better word. It  
13 was vacated.

14 What we're here to do is -- the client  
15 who is Kiewit. If you look at special note  
16 number one, it kind of explains what it's about.  
17 Kiewit is one of the major national contractors  
18 who are going to put the sleeve, the lining under  
19 the aqueduct under the Hudson River. It's a  
20 piped lining which is sixteen foot in diameter.  
21 It comes in sixteen foot by forty foot lengths.  
22 They're being fabricated in Louisiana and being  
23 shipped up by barge to Hoboken and transported by  
24 truck to a storage area and then incorporated in  
25 the work that's being done in Middlehope. That

2 Middlehope operation that you see up there with  
3 the big crane actually is digging a monster shaft  
4 that's this big.

5 What will happen is these pipe sections  
6 will be stored here, that's the proposal, as they  
7 come in from Louisiana until they're ready to be  
8 incorporated. The necessary pipe length is  
9 roughly two miles under the river.

10 What happens is the section -- the pipe  
11 section will go from the Hoboken point, wherever  
12 the barge is, it gets trucked to here into  
13 Stewart until it's ready to be used. It's a two-  
14 year project, after which then he can find  
15 another use of the land. That's basically what  
16 it's for.

17 The original subdivision -- basically  
18 if you look at that map you can see where the  
19 storage approved areas were limited to the  
20 center. They were limited right here. This is  
21 where you had the materials stored. It was a  
22 retail/wholesale operation.

23 That's the reason why we need the  
24 increase. We're going to use the increase -- the  
25 total area is just strictly for storing pipe

2 sections.

3 CHAIRMAN TRUNCALI: They're not doing  
4 any land clearing or anything to the property?5 MR. DuBOIS: No. We will be  
6 resurfacing the area so that the sections are  
7 going to be cradled. Obviously these are big  
8 pieces. That sign there is what, eight feet in  
9 diameter, behind you. Your seal. So double  
10 that. That is a big pipe. So needless to say,  
11 it takes up a lot of area.12 As these sections come in, they'll be  
13 stored in here. The only area that we had  
14 proposed that would have been affected is a small  
15 area here on this corner, the southeast corner.  
16 If you look at this area right in here, that  
17 right now is a little wood area. We still  
18 maintain a buffer through here.19 Pat made a note, a mention of it in his  
20 comments about, you know, to utilize as much area  
21 as we can. Obviously we want to.22 MS. LANZETTA: You need to clear this  
23 area?24 MR. DuBOIS: This little area. This is  
25 the wide line right here. We're not going to

2 touch any of this or any of this.

3 MR. TRAPANI: That's pretty steep  
4 around the edge.

5 MR. DuBOIS: We're not doing anything  
6 there.

7 CHAIRMAN TRUNCALI: The slope is right  
8 there.

9 MR. DuBOIS: It drops right off.  
10 That's the orchard.

11 MR. TRAPANI: That was supposed to be  
12 cleared with the last project.

13 MR. DuBOIS: This area here is the pipe  
14 area.

15 MR. TRAPANI: How many lengths of pipe  
16 do they propose having on that site at one time?  
17 Not all two miles of it?

18 MR. DuBOIS: No, no, no. You're never  
19 going to get two miles of pipe there.

20 MR. TRAPANI: Not that big.

21 MR. DuBOIS: I don't know that  
22 question.

23 MR. TRAPANI: Will they be stacked up  
24 high?

25 MR. DuBOIS: You can't stack these

2 things.

3 MR. CLARK: Forty feet long, a hundred  
4 piece is 4,000 feet. He's talking two miles is  
5 going to be 10,000, almost 11,000 feet. How much  
6 are you going to get at one time?7 MR. DuBOIS: They can only come up  
8 forty pieces on a barge at a time. That I do  
9 know. So no more than forty pieces would come at  
10 one delivery. Let's put it that way.11 MR. HINES: They have acres and acres  
12 of storage area on the aqueduct site itself.  
13 They just recently purchased 24 additional acres  
14 next to that project to do some of this work as  
15 well.16 MR. DuBOIS: Primarily that was for  
17 storage of the delivery vehicles.18 MR. HINES: And the material will be  
19 deposited there.20 MR. DuBOIS: There's going to have to  
21 be additional excavation done for this project to  
22 start.23 MS. LANZETTA: You're saying they will  
24 not stack --

25 MR. DuBOIS: They can't stack.

2 Physically it's --

3 MS. LANZETTA: Nothing will be more  
4 than eighteen feet high?5 MR. DuBOIS: It's going to be sixteen  
6 feet high.7 MR. HINES: You're not proposing to  
8 stack them forty feet high.

9 MR. DuBOIS: No. You can't do that.

10 MR. HINES: They're going to lay flat.

11 MS. LANZETTA: They're not going to be  
12 stacked on top of each other?

13 MR. DuBOIS: No.

14 MR. TRAPANI: How long did you say they  
15 were?

16 MR. CLARK: Forty feet.

17 MR. DuBOIS: Roughly forty feet long.

18 MR. TRAPANI: They can't make that turn  
19 unless they make the entranceway a lot bigger.20 MR. DuBOIS: It's a forty-foot trailer.  
21 Your normal trailer is fifty-three.22 You asked a question. We were playing  
23 around. So we came up with how many we could  
24 store, you know. But that's that. That's  
25 optimistic.

2 MR. HINES: What was that number? I  
3 have some comments on some of the remnants of the  
4 previous use.

5 The hours of operation are noted to be  
6 until 11 p.m. There's very little, if any, site  
7 lighting on this site. If there's any proposed  
8 lighting, that needs to be shown on the plans.

9 The storage area is increasing from  
10 what was previously proposed at 82,400 to  
11 140,660. So the Board's aware, it's going to be  
12 a bigger operation on the site.

13 We're also looking to see if there's  
14 going to be security fencing extended throughout  
15 the project. DEP has pretty significant  
16 regulations regarding fencing for their whole  
17 operation. The Newburgh site is fenced with  
18 twenty-four/seven security guards as well as  
19 police patrol in the areas. So if it's going to  
20 be fenced we need to see that.

21 My last comment is there's outdoor  
22 screening requirements. With the height of  
23 these, previously the piles were not sixteen feet  
24 high on this site. There was screening required  
25 for the landscape operation, which continues to

2 exist on the site with that wood fence with some  
3 landscaping in front. With the increase in use  
4 there's trees to be cut, so we're looking to see  
5 if you are proposing fencing but also in  
6 compliance with the other screening requirements  
7 for the expanded storage areas should be  
8 addressed on the plans.

16 You're going to have back-up alarms,  
17 noise issues associated with that. So some  
18 screening. Or if that wooded area can remain,  
19 that may be helpful moving forward.

20 MR. DuBOIS: Pat, do you know exactly  
21 where that house is on the plan?

22 MR. HINES: I don't know where the  
23 house is. The name is on your plan, though.

24 MR. DUBoIS: If we could --

25 MB. HINES: I don't know where the

2 house is. Very interested at the previous public  
3 hearing.

4 MR. DuBOIS: I heard.

5 MR. HINES: There's an existing asphalt  
6 and a driveway. I'm not sure if that's the  
7 existing driveway depicted or if you're proposing  
8 a new.

9 MR. DuBOIS: I think what we're going  
10 to do is we're going to -- all the traffic is  
11 going from -- you know, it's a left-hand turn out  
12 of the property basically. So we're going to  
13 sweep. It's a longer truck, we're going to make  
14 sure that that southerly radius will handle the  
15 tractor trailers.

16 MR. HINES: Right. My question is  
17 there's an existing asphalt apron and then -- I  
18 don't know which one is actually the one there  
19 right now. If you're proposing a new access --  
20 either way, if needs to go to the DOT.

21 MR. DuBOIS: I'll get a highway work  
22 permit.

23 MR. HINES: It's going to be need a  
24 highway work permit. They are going to be  
25 interested in the fact of these tractor trailers

2 getting in and out of there. A commercial DOT  
3 driveway is going to be required. There is  
4 somewhat one there now. There may be one  
5 additional. DOT is going to be an involved  
6 agency as well as County Planning because it's  
7 located on the highway.

8 The surface area for the pipe storage  
9 is going to be what? Are you going to regrade  
10 that in item 4?

11 MR. DuBOIS: That's still in discussion  
12 by Kiewit. They don't know exactly what  
13 equipment is going to be used to move the pipe  
14 around.

15 MR. HINES: This Board needs to know  
16 that answer prior to approval.

17 MR. DuBOIS: I understand.

18 MR. HINES: We need to make sure that's  
19 not going to impact on the drainage from the site  
20 as that moves forward.

21 There is a note stating all existing  
22 vegetation will remain. Clearly there's a  
23 section there to the south of the existing --

24 MR. DuBOIS: We'll address that note.

25 MR. HINES: That note should be

2 modified as appropriate and that wooded area be  
3 addressed in the plans.

4 MR. DuBOIS: Mm'hm'.

5 MR. HINES: That's where we're at right  
6 now. DOT is going to be very interested in how  
7 that's going to function. They're aware of this  
8 project and they're aware they're looking for  
9 other sites to support the project in general.  
10 They're a little restricted on the site there but  
11 DEP has significant control over their  
12 contractors. The Town of Newburgh has had zero  
13 issues with any of their contractors on that  
14 site.

15 MR. DuBOIS: Kiewit is a national  
16 Canadian, United States, South America, heavy  
17 construction. Big time.

18 MS. LANZETTA: Could I recommend to you  
19 that you contact Dennis Doyle up in Ulster County  
20 Planning and do like a pre-development meeting in  
21 which he'll bring DOT to the table with County  
22 Planning and the DOT, and that way you'll be able  
23 to work with both agencies together and it will  
24 save you a lot of time and aggravation.

25 MR. DuBOIS: Okay.

2 MS. LANZETTA: You know, I know Mr.  
3 Baker, our Town Councilman, attended one of those  
4 pre-development hearings. You can get a lot of  
5 stuff ironed out ahead of time rather than  
6 waiting.

7 MR. DuBOIS: Okay. And I know the DOT  
8 people. I've worked there for thirty-seven  
9 years. Got it.

10 MR. HINES: The only action the Board  
11 can take tonight is to circulate for lead agency  
12 to the various agencies we just discussed.

13 MR. DuBOIS: Any other questions?

14 MR. CLARK: Do you have a proposed time  
15 limit where you would like to see this get done?  
16 Are you under stress to have these pipes come in?

17 MR. DuBOIS: They're very coy as to  
18 when the project is going to start. It's going  
19 to start sometime -- it has to do with the  
20 closure of the aqueduct. It's a major deal, you  
21 know. That's all we've been hearing up and down.  
22 I didn't go to the Village of New Paltz. They're  
23 going to be shutdown with water. It's like that.

24 MR. HINES: Water shuts down after  
25 that. The pipe you're putting in, the water

2 shutdown is after your pipe is in place.

3 MR. DuBOIS: No.

4 MR. HINES: Yes.

5 MR. DuBOIS: We can't do that  
6 underwater.

7 MR. HINES: You're not doing it  
8 underwater. They're going to keep the other  
9 aqueduct in place. Once the new pipe gets under  
10 the river, the last section in. They're not  
11 waiting on water diversion. They are several  
12 hundred feet of the shaft before they even think  
13 about this project. They get about twelve feet a  
14 week.

15 MR. DuBOIS: I would say it's going to  
16 be probably the end of 2016 before you see actual  
17 movement.

18 MR. CLARK: That's what I'm saying, are  
19 we under stress. So we have plenty of time to  
20 work.

21 MR. DuBOIS: The company, they're very  
22 good. They plan well ahead, you know. There's a  
23 hundred people involved in this, this situation  
24 of mobility. If you stop and think about it,  
25 these pipes are being fabricated in Louisiana.

2 All the logistics of moving them up here. I  
3 don't know how they're going to truck them from  
4 New Jersey to New York. They have special trucks  
5 that they're building, designing.

6 MR. CLARK: Sixty feet wide is a little  
7 oversized.

8 MR. DuBOIS: They're sixty feet high.

9 MR. CLARK: It's a circle.

10 MR. DuBOIS: A circle.

11 MR. TRAPANI: Sixteen feet high and  
12 they'll be trailered.

13 MR. DuBOIS: There's a lot of logistics  
14 involved. This is just a little piece of the  
15 pie. You're involved in a little piece of a big,  
16 big operation that's going on.

17 Any other questions from the Board?

18 Any other comments or questions?

19 CHAIRMAN TRUNCALI: Does anyone else  
20 have any comments from the Board?

21 MR. TRAPANI: No.

22 MR. DuBOIS: Thank you very much.

23 CHAIRMAN TRUNCALI: Do we have a motion  
24 to circulate the Planning Board as lead agency on  
25 this project?

2 MS. LANZETTA: I'll make that motion.

3 CHAIRMAN TRUNCALI: Do I have a second?

4 MR. CAUCHI: I'll second it.

5 CHAIRMAN TRUNCALI: All in favor?

6 MR. TRAPANI: Aye.

7 MS. LANZETTA: Aye.

8 MR. CLARK: Aye.

9 MR. CAUCHI: Aye.

10 MR. LOFARO: Aye.

11 CHAIRMAN TRUNCALI: Aye.

12 Opposed?

13 (No response.)

14 CHAIRMAN TRUNCALI: Thank you.

15 Is there any other new business?

16 MR. BAKER: Yes. I would like to  
17 publicly ask if you guys would like to meet with  
18 the Town Board? We hoped to meet with you  
19 tonight, but maybe tonight turned out to be not a  
20 good night. At your next meeting we would like  
21 to meet with you afterwards to do two things.

22 One is sort of almost a meet and greet because we  
23 have so many new Members on the Planning Board.

24 Secondly, we'd like to discuss with you the  
25 business corridor overlay district that was an

2 item of discussion at your last meeting and just  
3 sort of give you what we were -- the idea of what  
4 we were thinking about when we put it in place.  
5 Ron helped us certainly write it. Just make sure  
6 that we're both on the same wave length regarding  
7 that zoning change. I think your next meeting is  
8 your workshop meeting. Maybe we'll have a little  
9 more time to do that. I would ask you from the  
10 Town Board.

11 CHAIRMAN TRUNCALI: That's fine with  
12 me.

13 MR. BAKER: Could you guys be there for  
14 that?

15 MR. HINES: Yes.

16 MR. BLASS: A special meeting of the  
17 Town Board.

18 MR. BAKER: Okay. We'll take care of  
19 that.

20 CHAIRMAN TRUNCALI: We'll meet right  
21 here after our meeting.

22 MR. BAKER: Right after your meeting.  
23 Okay. Thank you.

24 CHAIRMAN TRUNCALI: Does anyone else  
25 have any new business?

2 (No response.)

3 CHAIRMAN TRUNCALI: If not, I'll ask  
4 for a motion to adjourn the meeting.

5 MR. CLARK: I'll make the motion.

6 MR. CAUCHI: I'll second that.

7 CHAIRMAN TRUNCALI: All in favor?

8 MR. TRAPANI: Aye.

9 MS. LANZETTA: Aye.

10 MR. CLARK: Aye.

11 MR. CAUCHI: Aye.

12 MR. LOFARO: Aye.

13 CHAIRMAN TRUNCALI: Aye.

14 Opposed?

15 (No response.)

16

17 (Time noted: 8:32 p.m.)

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## C E R T I F I C A T E

5 STATE OF NEW YORK )

SS.:

7 COUNTY OF ULMSTER )

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

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

20 IN WITNESS WHEREOF, I have hereunto  
21 set my hand this 2nd day of October 2015.

Michelle Conero

MICHELLE CONERO