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2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4

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5 In the Matter of
6

7 CHESTNUT PETROLEUM
8

9 Project No. 15-8001
10 1417 Route 9W
11 Section 109.1; Block 4; Lot 14
12

X

13 SKETCH - SITE PLAN
14

15 Date: November 16, 2015
16 Time: 7:30 p.m.
17 Place: Town of Marlborough
18 Town Hall
19 21 Milton Turnpike
20 Milton, NY 12547
21

22 BOARD MEMBERS: JOEL TRUNCALI, Chairman
23 BEN TRAPANI
24 CINDY LANZETTA
25 STEVEN CLARK
26 EMANUEL CAUCHI
27 JOSEPH LOFARO
28

29 ALSO PRESENT: RONALD BLASS, ESQ.
30 PATRICK HINES
31 KATHI NATLAND
32 JEN FLYNN
33

34 APPLICANT'S REPRESENTATIVE: LEO NAPIOR, ESQ.
35

X

36 MICHELLE L. CONERO
37 10 Westview Drive
38 Wallkill, New York 12589
39 (845) 895-3018
40

2 CHAIRMAN TRUNCALI: If you would
3 please rise to say the Pledge.

4 (Pledge of Allegiance.)

5 CHAIRMAN TRUNCALI: Agenda, Town of
6 Marlborough Planning Board, November 16, 2015.
7 Regular meeting 7:30 p.m. Approval of
8 stenographic minutes for 9/8 and 9/21. Chestnut
9 Petroleum, sketch, site plan; Taddeo/Pollock,
10 sketch, lot line revision; Levesque, sketch,
11 amended site plan; Estate of E. Greiner, sketch,
12 subdivision; Shirley Sarinsky, sketch,
13 subdivision; Buttermilk Falls, extension of
14 amended site plan; Chernobyl Power & Light,
15 sketch, site plan. Next deadline: Friday
16 November 20th. Next scheduled meeting: Monday,
17 December 7th.

18 First up is Chestnut Petroleum.

19 MR. NAPIER: Good evening, Mr.
20 Chairman, Members of the Board. For the record,
21 my name is Leo Napior, I'm a lawyer with the law
22 firm of Harfenist, Kraut & Perlstein. We're here
23 on behalf of Chestnut Petroleum.

24 It's been some time since this
25 application has been before you, so I'm just

2 going to give you a quick summary. The
3 applicant, in the seven months intervening since
4 you last saw this, has gone out and in response
5 to the Village Planning Consultants' comments a
6 geotech study has been performed. A copy of that
7 was submitted to your Board.

8 In addition, the applicant has met with
9 the DOT and has performed the traffic study,
10 which was also submitted to your Board.

11 One major change to the plans since you
12 last saw it was the inclusion of a proposed
13 left-turn lane into the site as well as an
14 acceleration lane making a left out of the site
15 on Route 9W. The applicant is still in
16 conversations with the DOT, so those plans are
17 conceptual in nature.

18 In addition, we've submitted a
19 stormwater plan and report. Just to give you the
20 gist of the stormwater, it will be a series of
21 diversion swales as well as drain lines up the
22 rock embankment. Those will divert water down
23 around the edges and then into a bio-retention
24 filter which will be in the rock catch area at
25 the base.

11 I think the last piece of information
12 is the proposed septic system up on the top of
13 the rock embankment has been approved by County
14 Health.

21 CHAIRMAN TRUNCALI: Our Town Engineer
22 has a list of comments. Did you receive those
23 yet?

24 MR. NAPIOR: I did see a copy of those.
25 I understand we're going to have to respond to

2 those comments. If the Board has anything on top
3 of that, if you'd like to speak about anything
4 specifically, I'd be happy to do that, otherwise
5 we'll address those in the next submission.

6 CHAIRMAN TRUNCALI: Usually we go
7 through the comments at this time.

8 MR. NAPIOR: Sure.

9 MR. HINES: I have extensive comments
10 on the stormwater management plan. They're
11 technical in nature. I don't know if the Board
12 wants to hit every one of those. There's a lot
13 of comments on the stormwater management plan.
14 So with that said, there are revisions required
15 and some supplemental information in order for us
16 to review that report.

17 Some of the other issues: The traffic
18 study was submitted and it's under review by DOT
19 but I have a concern. The traffic study
20 identifies that the exiting out at the left-turn
21 lanes will operate at a level of service F during
22 the a.m. and p.m. peak hours. That's a
23 substantial delay as vehicles make that left turn
24 to go northbound on 9W. There's only one spot to
25 do that on the site. The northerly most access

2 is a right in/right out only, and then the
3 southern access is proposed to have a right in --
4 left in from 9W and a left and right out lane,
5 three lanes there. The lane making the left
6 operates at a level of service F. The problem
7 with that is as people cue in that level of
8 service F, which I believe is ninety seconds per
9 vehicle or more turning out, they're going to
10 become frustrated with that. There's the idea if
11 you're cueing in that traffic, let's go up to the
12 northbound one and force the left turn out of
13 there. With that, the site is not operating at
14 an optimal condition and can have some traffic
15 issues associated with it. I want to bring that
16 to the Board's attention. I'm sure DOT is
17 looking at that as well. The reason I brought it
18 up is that it appears the northerly most
19 entrance, the right in/right out only, is relying
20 on painted curb islands to say this is a right
21 in/right out only, not a definitive, for lack of
22 a better term, pork chop curb which would
23 physically prevent that. Those can be designed
24 to physically prevent the attempt of a left turn
25 out. We're suggesting that should be evaluated

2 rather than what appears to be the painted lines
3 that just kind of encourage right in/right out
4 but don't physically prevent it, especially
5 considering the southerly left turn out, both the
6 a.m. and p.m. peak traffic.

7 There are a couple other comments on
8 the traffic report as well. Truck deliveries.
9 There are diesel fuel pumps proposed and we want
10 to see how -- if a large tractor trailer type
11 vehicle is going to access those diesel pumps,
12 how it gets in and out of the site and what
13 impacts a large truck parked in that area will
14 have on the internal traffic flow as well as the
15 vehicles delivering -- the gas delivering trucks,
16 how they're going to access in and out of the
17 site. They had previously, with the
18 three-driveway submission, provided that truck
19 turning lane to the site. I think that's
20 important for the Board to look at. Also
21 scheduling of those delivery times. If there is
22 a large tractor trailer delivering the product to
23 the site when that site is busy, it can seriously
24 impact the operation of the site. So we need to
25 look at that as well.

2 I'm just hitting the high points of our
3 comments.

4 The septic plan. We have not seen the
5 septic plan. That should be submitted for the
6 Board's use as well. We don't have anything from
7 the County. We have the plans that said the
8 previous septic system was going to be adequate
9 for the site. Now with the revised grading and
10 the blasting reports, that septic system will now
11 be impacted by the proposed grading so a new
12 system is proposed. We haven't seen that.

13 There is a water line which apparently
14 crosses the site today that needs to be relocated
15 servicing the nearby parcel. We don't have any
16 information on that other than the water line can
17 be relocated by someone. I don't know who. I
18 don't know who that water line services. It
19 looks like it's a three-quarter water main coming
20 off 9W in a westerly direction through the site,
21 serving maybe a house. It says to be relocated.
22 I don't know -- we don't have any information on
23 that.

24 We're suggesting that the location of
25 all curbing be clearly depicted on the plans.

2 They brought several consultants in and there
3 needs to be coordination as to where that curbing
4 is shown.

5 There are two free-standing signs
6 proposed on the site. The code enforcement
7 officer should weigh in on that, having two free-
8 standing signs on one parcel.

9 We're suggesting the Board may request
10 an architectural rendering.

11 The grading in the back of the site is, shooting
12 from the hip about, 24 feet, maybe a little less
13 or more than that. There's a significant rock
14 cut there. Rather than straight up and down it's
15 been laid back on the current property. It's
16 still going to look like a quarry as you go
17 behind this building. You're not going to get
18 any vegetation to grow. They're relying on the
19 rock face where the rock face is not competent
20 rock. There should be an engineered system to
21 hold the soil in place on the back of the site.
22 It is graded from the north side across the west
23 end and all the way to the south in a southerly
24 direction. There's substantial rock cut being
25 undertaken there.

7 So with that, with the discussion on
8 the rock, I'm sure the Board is going to want to
9 see a rendering of how the site is going to look
10 on Route 9W.

16 CHAIRMAN TRUNCALI: Does anyone on the
17 Board have comments?

18 MR. CLARK: I just wondered, what's the
19 total amount of material that's going to be
20 removed from the site?

21 MR. NAPIOR: As far as a cut and -- I
22 don't believe that's in the report. I don't
23 believe we've analyzed the cut and fill numbers
24 at all. We can certainly add that to the list.

25 MR. CLARK: I guess my other concern

2 would be with stormwater management. How much
3 water are you expecting to be able to handle on
4 this site? It would appear with that rock cut
5 there's going to be very little area on the site
6 that's going to actually capture water. It's
7 going to be either all asphalt roofs or bare
8 rocks. That's going to shed a lot of water.

9 MR. NAPIOR: I can have our project
10 engineer address that. There will be an eight
11 foot or nine foot rock ledge. It's going to take
12 the water --

13 MR. CLARK: My question was can you
14 absorb an inch an hour for three hours?

15 MR. HINES: We don't have that
16 information. We didn't get those calculations in
17 the report.

18 MR. SETARO: Good evening. Pete
19 Setaro, Morris Associates. I know that Andy from
20 my office, I believe Pat, had reached out to you
21 today and discussed some items --

22 MR. HINES: Yes.

23 MR. SETARO: -- with you.

24 But in terms of an answer to your
25 question, what we're proposing in the rock catch

2 area, which is the area beyond the curb behind
3 where the drive-through is, there's going to be
4 an eight-foot area that's going to be sloped back
5 and then it will slope up. We're proposing on
6 the plan to over excavate down approximately five
7 to five-and-a-half feet and we're going to put in
8 a series of three fifteen-inch storm drainage
9 pipes throughout the entire length of this rock
10 catch area that will act as a storage system. In
11 addition to providing some water quality
12 treatment, this is also going to act as an
13 underground stormwater system that will control,
14 you know, the water. So we're going to have this
15 water in the front of the site, it's going to go
16 right to the catch basins in the front, and then
17 it will be treated by a mechanical device here,
18 and then all this water will end up coming back
19 into here. We've got stormwater calculations for
20 the required -- the stormwater calcs on the pre
21 and post weren't in the report.

22 MR. HINES: No.

23 MR. SETARO: That will be, Pat.

24 MR. HINES: They were not. The
25 majority of the appendices are missing. A, B, C,

2 D, G, H were not included.

3 MR. SETARO: That will be in the
4 submission on Friday. We'll have the pre and
5 post development calcs. I believe that we've met
6 all of the required design storms. I think the
7 hundred year storm we still need to do a little
8 bit of work on. Again, that's information that
9 Pat's office will look at. That will be in a
10 submission on Friday.

11 MR. TRAPANI: Where is all that water
12 going to drain to eventually?

13 MR. SETARO: It will drain to the DOT
14 system out here. Again, after we're done
15 coordinating with Pat's office, that's going --
16 that will be part of the overall highway work
17 permit submission that will go to the Department
18 of Transportation along with the widening of the
19 highway. We'll also have a report, the same
20 report that's --

21 MR. TRAPANI: That will eventually go
22 across the street to the property across --

23 MR. SETARO: It's going to come down
24 the street and then there's a crossover. We're
25 required to meet pre and post, you know,

2 development. We can not increase the amount of
3 water running off the site after the site is
4 developed. That currently goes to the design
5 point.

6 MR. TRAPANI: That used to flood out
7 real bad on the north side. We always had
8 problems with water there, right at the north
9 side of Route 9W. Right there. And then I think
10 it used to go across the street and mess up
11 across the street there, too. That's going to be
12 an issue that's going to have to be addressed.

13 MR. SETARO: That's fine.

14 CHAIRMAN TRUNCALI: Any other comments
15 from the Board Members?

16 MS. LANZETTA: I know that the
17 applicants met with County Planning, DOT and
18 members of the Marlborough Town Board about this
19 project up in Kingston, and it was a meeting of
20 the various stakeholders to take a look at this
21 before we got too far into the planning stages
22 and see what would be more acceptable to the Town
23 in terms of aesthetics, and pedestrian access,
24 and traffic flow and all of those kinds of
25 issues. I got a very good report both from our

2 Town representative and from County Planning as
3 to those discussions. I was very disappointed to
4 see that the new plans don't reflect much of
5 anything that was discussed up there as far as
6 the aesthetics of the building, the possibility
7 of changing things on that footprint so that it
8 would be more in keeping with the Town's hope to
9 have this as a gateway project as we're coming
10 into the community, the fact that it's across the
11 street from a historic residence. I'm getting
12 the feeling that it looks like it's come from
13 other projects similar to this where it hasn't
14 even been -- the words haven't even been
15 transposed to fit our community. I'm getting the
16 feeling that you're trying to put something in
17 that you've done all over Dutchess and other
18 places in Ulster and you're trying to shoehorn
19 this into our community without taking into
20 account some of our concerns.

21 I would like to see some alternatives
22 to this building, what it could look like if you
23 were to incorporate some of the things that were
24 brought up at that discussion. I would like to
25 see an alternative of what it would look like if

2 you put the pumps behind the building and brought
3 the building closer to the front.

4 The fact that there's no sidewalks.

5 The Town is currently talking to some developers.
6 There's a possibility of there being additional
7 community development adjacent to this, not too
8 far from that site. How are people going to be
9 able to walk to this -- you know, to this
10 convenience store? You know, those are all
11 things -- concerns that I have.

12 I had thought that perhaps you would
13 show some alternatives or take into account some
14 of those discussions in bringing something back
15 to us, and I'm not seeing any of that reflected
16 in the new submission.

17 MR. NAPIOR: So I was not privy to that
18 meeting. I can certainly speak to my client
19 about some of the aesthetic comments.

20 I did see the comment about the pumps
21 being located behind the structure. We have
22 taken a look at that. Internally from a business
23 model standpoint, it doesn't really work for our
24 plan. In addition --

25 MS. LANZETTA: Why not?

2 MR. INTERRANTE: I can answer that. I'm
3 Ciro Interrante, the Architect for the project.
4 I was at the meeting. We did show three
5 alternative layouts at that meeting. The problem
6 is the circulation of cars into the site, and
7 trucks into the site, and truck deliveries. The
8 proposal that the county planner suggested showed
9 the pumps in the back and on the side, and it was
10 almost impossible for the larger vehicles to get
11 behind the building. We did discuss it at the
12 meeting, and everyone there, including the county
13 planner and his staff, realized that this is the
14 only way it would work on the site. That's why
15 it hasn't been changed.

16 As far as sidewalks, I think we can
17 probably work the sidewalks into it.

18 As far as building aesthetics, I think
19 the major comment that the county planner, I
20 think his name is Dennis --

21 MS. LANZETTA: Dennis Doyle.

22 MR. INTERRANTE: He wanted grills in
23 the windows. We haven't shown any yet. We
24 prefer not to have them because it's better to
25 have visibility into the building as well as out

2 of the building to keep an eye on the pumps for
3 the person who is managing the pumps and the
4 gasoline sales. That's something I'm sure we can
5 work with the Town with.

6 MS. LANZETTA: I spoke with County
7 Planning today and they did not tell me that you
8 had made the case that you could not get those
9 vehicles --

10 MR. INTERRANTE: We showed them three
11 alternatives at the meeting. We discussed it at
12 the meeting.

13 MR. BAKER: I was at the meeting.

14 MR. INTERRANTE: Yes, you were.

15 MR. BAKER: I would say you were
16 reluctantly -- very reluctant to show us the
17 alternatives. I don't think the Ulster County
18 planners agreed with your assessment. I don't
19 know that it's fair to say that they agreed with
20 it.

21 On the aesthetics of the building; yes,
22 I think we talked about grills in windows, but I
23 think we also talked about perhaps changing the
24 exterior design of the building to be more
25 compatible with the most historic site we have in

2 the entire Town --

3 MR. INTERRANTE: We did talk about
4 that.

5 MR. BAKER: -- right across the street,
6 and also the law office that's not far from this,
7 and trying to make it more like that on the
8 outside. You seem to have a standard format for
9 the exterior of the building, and I think the
10 discussion was can we make it more local like
11 it's surroundings which are extremely historic.

12 MR. INTERRANTE: We are showing the
13 traditional clapboard siding, the traditional
14 corner trim.

15 MR. BAKER: I think we talked about
16 making it more of a stone facade.

17 MR. INTERRANTE: We can introduce that
18 in the front. We're willing to do that. We
19 haven't revised the drawings since that time. We
20 can do that. The stone, we're showing
21 traditional trim. We can actually put the grills
22 in the windows if that's going to help this
23 project get approved.

24 MR. BAKER: I think that's a
25 significant factor in this project of the people

2 from the Town Board's perspective, and I think
3 the Planning Board. This is a very sensitive
4 area to the Town so we have to really have an
5 appreciation for that and try to reflect that.

6 MR. INTERRANTE: We understand that.

7 The building is of a certain size which it has to
8 be for heights and, you know, the size of the
9 building. We'll work on trying to work in some
10 features. We'll scale it down somewhat so it
11 looks more in keeping with the community.

12 We did discuss the layout on the site
13 and I thought we made the point pretty clear as
14 far as circulation, safety. You know, the
15 vehicles and pedestrians crossing each other's
16 path on the site, that this was a safer layout.
17 But we can --

18 MR. BAKER: The thing that came out of
19 that meeting I thought was most significant was
20 the DOT's traffic concerns. Again, it's a
21 two-lane highway and between 16,000 and 30,000
22 cars come through there a day, so --

23 MR. INTERRANTE: It's a 55 mile-an-hour
24 speed limit, if I'm not mistaken.

25 MR. BAKER: We talked about a permit 33

2 application that the DOT is going to require. Is
3 that what you're working on?

4 MR. INTERRANTE: What was the
5 application?

6 MR. BAKER: Permit 33. I don't know
7 what that means.

8 MR. NAPIOR: It was actually submitted.
9 That's what started this whole review process and
10 that's how we met with DOT.

11 MR. HINES: A permit 33 is the DOT's
12 new streamline application process. That's an
13 acronym for it.

14 MS. LANZETTA: The DOT says that they
15 received nothing since the discussions back in
16 May regarding the traffic. If you've already done
17 those alternative site plans, I'd like to see
18 them. If you could submit them to our office, I
19 would appreciate that.

20 UNIDENTIFIED SPEAKER: Those
21 alternatives would mean a completely different
22 business plan for us. There would be no drive-
23 through. We wouldn't be able to do a drive-
24 through anymore. We wouldn't be able to
25 facilitate larger trucks. Really showing that

2 option would show you something that we wouldn't
3 go forward with as a project.

4 MS. LANZETTA: So you're saying unless
5 you can have the drive-through for the Dunkin
6 Donuts you basically are not interested in a gas
7 station/convenience?

8 UNIDENTIFIED SPEAKER: A gas station/
9 convenience store doesn't really work. The cost
10 that it's going to take to develop this property,
11 the gas station and convenience store really
12 isn't going to cut it. I guess that's where we
13 need to --

14 CHAIRMAN TRUNCALI: Any other comments
15 from the Board?

16 MR. CAUCHI: What I'm trying to
17 understand is what you were saying before Cindy,
18 is that we're looking at the elevation of this
19 building, that we want a little bit more upgraded
20 building materials is what I'm trying to
21 understand. So instead of having vinyl siding
22 around the building, if you could have like a
23 little knee wall of bricks and then maybe some
24 more decorative siding or maybe stow to enhance
25 this building more for the community. That's

2 something that we would like to see to enhance
3 that building elevation instead of just Mary Jane
4 siding.

5 MR. NAPIOR: Sure. We can work --
6 we'll work with the project architect to see what
7 we can do to up the facade.

8 MR. CAUCHI: We really do care about
9 the appearance and, you know, being able to be
10 like all the buildings that are around, the brick
11 structure and a lot of other structures, this way
12 it will be all together.

13 MR. NAPIOR: Understood.

14 If I could just briefly respond to a
15 couple other comments Pat had.

16 CHAIRMAN TRUNCALI: Okay.

17 MR. NAPIOR: The traffic study was done
18 prior to the meeting with the DOT and prior to
19 the introduction of the -- that was actually the
20 initial submission to them with the introduction
21 of the left-turn lane. The level of service on
22 that egress, the left in -- right in/left out,
23 the curb down there should be slightly improved
24 with the acceleration lane going north on 9W.
25 There will be an updated traffic study that we'll

2 get in to your office.

3 MR. HINES: It's relative new.

4 UNIDENTIFIED SPEAKER: I spoke to the
5 traffic consultant today. What you have does not
6 take into account that acceleration lane.
7 They're saying it's dropping it to at least a D
8 and maybe better. We don't have the final number
9 yet.

10 MR. NAPIOR: We'll get that into your
11 next package.

12 MS. LANZETTA: I think you should
13 double check the roads that you have listed.
14 James Street --

15 MR. HINES: James Street. I caught
16 that one.

17 MS. LANZETTA: I think that's supposed
18 to be Mt. Rose.

19 MR. HINES: Mt. Rose is listed as James
20 Street on Google Maps or Earth. I didn't know
21 where James Street was. The first 200 feet of
22 Mt. Rose is listed as James street. I guess it's
23 based on Google Maps.

24 CHAIRMAN TRUNCALI: When it turns to
25 the left it becomes James Street.

2 MR. HINES: That's where that report
3 was. I couldn't for the life of me figure out
4 where James Street is. It comes out as the first
5 section.

6 MR. NAPIOR: Along those lines, on the
7 Mt. Rose/James Street discussion, the water line
8 only services one property to the rear behind us.
9 The applicant is aware of that, has met with the
10 water department. The water line runs up the
11 street. So the applicant will be relocating and
12 giving this property owner a new water line to
13 connect into the water main that runs along that
14 street.

15 MS. LANZETTA: What type of septic
16 system do you have there?

17 MR. INTERRANTE: In ground septic
18 system, leach field, septic tank.

19 MS. LANZETTA: So the outline we're
20 seeing to the right there, to my right, is the --
21 where would the tank be located?

22 MR. INTERRANTE: The tanks are located
23 in front of the building. One of these is a pump
24 chamber. It pumps the effluent up and goes to
25 the leach field by gravity. That's already

2 approved by Ulster County.

3 MR. NAPIOR: We can get you a copy.

4 MR. HINES: The Board has lead agency.
5 Coordination of the submittals would be helpful
6 because the traffic report came with the new
7 layout, the left turn and acceleration lane.

8 MR. NAPIOR: Understood.

9 CHAIRMAN TRUNCALI: Anything else from
10 the Board?

11 MS. LANZETTA: Are you going to provide
12 us with the historic resources information, too?
13 You say it's currently being done in the plan.

14 MR. SETARO: Yes. The answer is yes.

15 MR. NAPIOR: Yes.

16 CHAIRMAN TRUNCALI: Ron, do you have
17 anything?

18 MR. BLASS: I don't. I think there's a
19 -- what's the submission deadline for the Board
20 on this material? This Friday?

21 MR. HINES: Yes.

22 MR. BLASS: I guess that may raise an
23 issue as to whether it is reasonable to expect
24 this to come together by Friday.

25 MR. NAPIOR: We're going to do our best

2 to have a submission put together. A lot of the
3 comments with respect to the stormwater plan are
4 relatively minor in the grand scheme of things.
5 Some of the appendices are missing but were
6 prepared. Some of the typographical errors are
7 cleaned up. We're going to endeavor to have a
8 submission to you by Friday. If not, I'll
9 certainly advise Ron where we stand and when we
10 anticipate that.

11 MR. BLASS: I think what we're heading
12 for is at that next meeting, whenever that is, I
13 think this Board has an obligation to go through
14 the part 2 environmental assessment form
15 promulgated by the DEC for purposes of SEQRA
16 review. Right now you have, as you requested, a
17 long form part 1 environmental assessment form.
18 The part 2 form is the obligation of the lead
19 agency to fill out. It is a chinese menu impact
20 identification exercise which I think you will
21 need to do to complete the SEQRA record before
22 you make your determination of significance, a
23 negative dec or a positive dec. That's probably
24 an exercise where Pat will make recommendations
25 to you regarding the part 2 form. That probably

2 will be the next order of business. But I think
3 Pat is going to agree with me, it's difficult to
4 make those recommendations until he gets the
5 updated material.

6 CHAIRMAN TRUNCALI: All right. Thank
7 you.

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9 (Time noted: 7:59 p.m.)

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: December 14, 2015

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4 ----- X
5 In the Matter of
6

7 TADDEO/POLLOCK
8

9 Project No. 15-8008
10 Main Street
11 Section 103.9; Block 2; Lots 29 & 30
12 ----- X
13

14 SKETCH - LOT LINE REVISION

15 Date: November 16, 2015
16 Time: 8:00 p.m.
17 Place: Town of Marlborough
18 Town Hall
19 21 Milton Turnpike
20 Milton, NY 12547
21

22 BOARD MEMBERS: JOEL TRUNCALI, Chairman
23 BEN TRAPANI
24 CINDY LANZETTA
25 STEVEN CLARK
26 EMANUEL CAUCHI
27 JOSEPH LOFARO
28

29 ALSO PRESENT: RONALD BLASS, ESQ.
30 PATRICK HINES
31 KATHI NATLAND
32 JEN FLYNN
33

34 APPLICANT'S REPRESENTATIVE: WILLIAM EGGERS
35
36 ----- X

37 MICHELLE L. CONERO
38 10 Westview Drive
39 Wallkill, New York 12589
40 (845) 895-3018
41

2 CHAIRMAN TRUNCALI: Next up is
3 Taddeo/Pollock.

4 MR. EGGERS: My name is Bill Eggers,
5 I'm a land surveyor with Medenbach & Eggers in
6 Stone Ridge.

7 We have here an application for what
8 we're terming as a lot line adjustment. This is
9 located on Main Street between the lands of
10 Pollock and Taddeo. This is adjacent to the new
11 bakery/deli there, on the right side of that.

12 This began as basically a disagreement
13 between the deeds of the two properties. We had
14 about a five-foot discrepancy in the property
15 lines. After various negotiations the property
16 owners were able to come to terms on coming up
17 with a line between them that worked to their
18 satisfaction and established a line for that,
19 brought that application in.

20 I was in here, I'm not sure what month
21 that was, July, August. The application was
22 brought forward and a point was brought up that
23 the zoning side yard setback requirement was five
24 feet in the zone. We have less than ten feet
25 between the buildings, so it was impossible to

2 have five feet to begin with. It was determined
3 that the Board could not approve that with having
4 less than five feet as it would be substandard
5 and it would require a variance. Just a little
6 history here. What happened then is it was found
7 out that Mr. Taddeo happened to be in the Town
8 zoning office and was speaking with the building
9 inspector about this and found out in fact the
10 zoning had changed and the new zoning code in
11 that area was a zero setback. So rather than a
12 five-foot there was actually a zero setback.
13 There is no setback requirement at all in that
14 zone, so we shouldn't have a problem. We're back
15 again.

16 MR. HINES: I concur with that
17 analysis. Apparently there was a bulk table
18 change in 2011 that never made it into my set of
19 the code. It is truly zero now. There is no
20 side yard setback in there.

21 I did discuss it with the building
22 inspector and he sent me the updated bulk table
23 for that zone.

24 I concur with that analysis. It now
25 meets that requirement.

2 I guess it's a lot line change and
3 would require a public hearing. At this point it
4 would be appropriate to schedule that public
5 hearing.

6 In order to file a map they're going to
7 need a stamped plan from the Planning Board, and
8 that would need the appropriate process I
9 believe.

10 CHAIRMAN TRUNCALI: All right. Do you
11 want to have a motion to schedule this
12 application for a public hearing?

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

14 MR. CLARK: I'll second.

15 CHAIRMAN TRUNCALI: Ben, and Steve
16 seconds. All in favor?

17 MR. TRAPANI: Aye.

18 MS. LANZETTA: Aye.

19 MR. CLARK: Aye.

20 MR. CAUCHI: Aye.

21 MR. LOFARO: Aye.

22 CHAIRMAN TRUNCALI: Aye.

23 All opposed?

24 (No response.)

25 CHAIRMAN TRUNCALI: So carried.

2 MR. EGGERS: No other questions or
3 comments?

4 (No response.)

5 MR. EGGERS: All right.

6

7 (Time noted: 8:03 p.m.)

8

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

10

11 I, Michelle Conero, a Shorthand
12 Reporter and Notary Public within and for
13 the State of New York, do hereby certify
14 that I recorded stenographically the
15 proceedings herein at the time and place
16 noted in the heading hereof, and that the
17 foregoing is an accurate and complete
18 transcript of same to the best of my
19 knowledge and belief.

20

21

22

23

24

35 DATED: December 14, 2015

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

In the Matter of

LEVESQUE

Project No. 15-8010

1100 Route 9W

Section 108.4; Block 5; Lot 27

SKETCH - AMENDED SITE PLAN

11 Date: November 16, 2015
12 Time: 8:04 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

18 ALSO PRESENT: RONALD BLASS, ESQ.
19 PATRICK HINES
20 KATHI NATLAND
21 JEN FLYNN

APPLICANT'S REPRESENTATIVE: LOUIS DUBOTS

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

4 MR. DuBOIS: The last time we met we
5 got our comments from Pat and I responded to them
6 on October 12th.

7 We also were waiting for the Ulster
8 County Planning Board, which met November 4th,
9 which is obviously bad, but we now have their
10 recommendation. I assume you have a copy of it
11 also.

12 Basically the only thing we had from
13 them was the required modification as far as
14 after we're done, you know, to bring the site
15 back to -- you know, so it's not looking like a
16 construction site basically is what it boils down
17 to. That's what Rob told me over the phone. He
18 told me we just don't want that to end up being a
19 junkyard. I can do that one of two ways. I can
20 either give you guys a copy of the lease which
21 would have that requirement or I can put a note
22 on the plans. There's two ways I can handle
23 that. The lease, obviously the owner is going to
24 really be more concerned with it than anyone
25 else. We've done it that way in other towns. If

2 you wish, I'll just put this note right on the
3 plans. Other than that, I think we're ready to
4 move forward.

5 I would like to request a public
6 hearing for December so we can get those comments
7 squared away and move on.

8 CHAIRMAN TRUNCALI: Pat, do you have --

9 MR. HINES: I don't necessarily agree
10 with that. We got a letter back that basically
11 said this is the way we're going to operate the
12 site and it's going to be a construction site.
13 We're going to use temporary lighting because
14 that's what we want to do. I think the letter
15 that we got was exactly the reason why I think
16 the site needs to be looked at as a long-term
17 operation. The applicant's response states that
18 it's going to be many years long use of the site,
19 the hours of operation extend significantly to
20 where a site plan would be required. The
21 response was that it is going to be utilized for
22 several years.

23 You're approving the site for storage,
24 and that approval, at least until tonight, goes
25 on in perpetuity. We don't have temporary

2 approval. There is or is not. We don't have any
3 sunset clause on any of our approvals. I think
4 it's a long time permit. I think the use of
5 construction on the site for a project that's
6 going to span many years is just not appropriate.

7 Our other comment is that we want a
8 note regarding the height of the storage. We
9 continue to hear the twenty-four pipe sections
10 are going to be brought into the site. I don't
11 know how that fits under bridges in New York
12 State. That will be the people trying to
13 transport twenty-four foot diameter pipe
14 sections.

15 MR. DuBOIS: They're sixteen.

16 MR. HINES: Okay. That's --

17 CHAIRMAN TRUNCALI: I thought they were
18 going to be pieces put together.

19 MR. DuBOIS: They're fabricated in
20 Louisiana and brought up here by barge.

21 CHAIRMAN TRUNCALI: At the last meeting
22 didn't you say --

23 MR. HINES: I was under the impression
24 that they were coming in pieces.

25 MR. DuBOIS: Right. That's not true.

2 MR. HINES: The other is County
3 Planning.

4 And then your comment 5 in response to
5 the stormwater management said that in accordance
6 with SEQRA only one acre will be disturbed at a
7 time. That's actually -- I don't know how that
8 involves SEQRA at all. I think what we're trying
9 to say is as a regulated MS-4 you can disturb one
10 acre or less or not have the DEC regulations kick
11 in. That doesn't mean you get to disturb one
12 acre at a time and another acre at a time. It's
13 the project total, cumulative, and not one acre
14 at a time. The regulations specifically address
15 that you can't do it in that manner. It's the
16 project as a whole. The majority of that project
17 has grown up into an old field. It's been vacant
18 that long. I think there is definitely
19 disturbance greater than one acre. The Town is a
20 regulated MS-4 community and I think stormwater
21 management on this site is going to need to be
22 addressed. I think we're mixing up SEQRA and the
23 MS-4 regulations. The MS-4 looks at the project
24 as a whole, if the project disturbs greater than
25 one acre for how ever long the project is going

2 to be.

3 CHAIRMAN TRUNCALI: I think most of the
4 site could be just mowed and brought down without
5 disturbing --

6 MR. HINES: They're going to cover the
7 whole site with gravel under the current plan.

8 MR. DuBOIS: You've got an area there
9 which is where the piles of mulch or whatever,
10 then you do have the grass area on the perimeter.
11 Obviously the grass area will have to be removed.
12 We can't transport, you know, pipes, even if we
13 just place them there on the trucks, until they
14 get used. We need some type of study. That's
15 probably -- we'll either mow and then either top
16 dress with an item 4 or something like that.
17 We're not going to go in and make a new parking
18 lot. That's not the intent here.

19 As far as the drainage goes, the
20 drainage is sheet flow now. It's going to be
21 sheet flow after we're done. We're not going to
22 get involved in any new drainage basins. The
23 flows, the rain is going to fall the way it is
24 right now and it's going to drain the way it is
25 right now. We're not going to increase drainage.

2 As far as the lighting goes, these
3 operations are going to be -- they may not happen
4 for like a period of like six to eight months.
5 You may get one delivery and then there's going
6 to be a considerable amount of time. The feeling
7 is from the clients involved and all the people
8 involved, when the shipments come in you're going
9 to have a flurry of activity. The trucks will be
10 coming in, they'll be unloaded and so forth and
11 so on, and then they'll be parked. To put in
12 permanent lighting for an entire site like that
13 doesn't make sense. It doesn't help us as far as
14 where our operations are going to be and where
15 the light is going to be.

2 forward.

3 I'd like to get the public's comments
4 so I can start getting some closure here.

5 MS. LANZETTA: I would be concerned
6 about lighting for security purposes because
7 you're going to have those big pipes there.
8 That's just going to be a draw, you know. I can
9 see where kids --

10 MR. DuBOIS: That's the one reason they
11 don't want them. They don't want the attention
12 that public -- you put in perimeter lighting,
13 they don't want that.

14 MS. LANZETTA: Well I think just
15 sufficient to --

16 MR. DuBOIS: First of all, we don't
17 have to worry about security. Nobody is going to
18 steal them. We don't have to worry about people
19 stealing them.

20 MS. LANZETTA: I'm not worried about
21 people stealing them. I'm worried that young
22 people might find that a playground, and if you
23 don't have some type of security lighting --

24 MR. DuBOIS: There's going to be a
25 daily security run. That's during the daytime.

2 You think young people are going to be there at
3 night?

4 MS. LANZETTA: I think that there's a
5 good possibility that that could attract some
6 young people.

7 MR. DuBOIS: It would happen once and
8 then the police will be called. It's all going to
9 be secured.

10 MR. HINES: There's only the existing
11 fence. There's no new proposed fence.

12 MR. DuBOIS: We're trying to make this
13 as unobtrusive --

14 MS. LANZETTA: Kids can be in there. I
15 just think -- not a lot, but I think for there to
16 be some type of downcast security lighting so
17 that if the police want to drive up there and
18 look around --

19 MR. DuBOIS: They won't be able to get
20 in.

21 MS. LANZETTA: They can see something
22 in there.

23 MR. DuBOIS: They won't be able to get
24 in.

25 MS. LANZETTA: They can get in. That's

2 not a very secure fence.

3 MR. HINES: It's only fenced on one
4 side where the landscaping is. It's a screening
5 fence, it's not a security fence.

6 MS. LANZETTA: There you go.

7 CHAIRMAN TRUNCALI: Pat, do you
8 consider disturbance say if they just mowed and
9 put down gravel, that --

10 MR. HINES: There's new areas where
11 they're impacting the site. Any change in the
12 impervious nature of the site is considered
13 disturbance.

14 I went by there the other day. It
15 looks like a field and they are going to -- the
16 plan shows the entire area being re-coated with a
17 layer of gravel.

18 CHAIRMAN TRUNCALI: That's what I'm
19 trying to get at. Do you consider that
20 disturbance?

21 MR. HINES: You're changing the
22 impervious nature of the site. Simply removing
23 that vegetation that's there now, it has to, by
24 definition, change the runoff.

25 MS. LANZETTA: I have security issues

2 with that site.

3 MR. DuBOIS: Security in what respect?

4 From kids playing?

5 MS. LANZETTA: Either it has to be
6 fenced securely or some type of lighting. It's
7 going to attract people.

8 MR. DuBOIS: Onlookers because nobody
9 has ever seen anything around here like this. We
10 know that. I mean we can't hide it.

11 MS. LANZETTA: I don't think you should
12 hide it. You have to take into account you have
13 to make sure that it's going to be as secure as
14 possible.

15 MR. DuBOIS: Doing that, that means my
16 lights are going to go way up high, and that's
17 going to -- you're creating another problem with,
18 you know, your exposure to the residents in the
19 back.

20 MS. LANZETTA: Not if it's the proper
21 kind of lighting that's downcast. I'm saying I
22 disagree with you.

23 CHAIRMAN TRUNCALI: That would attract
24 kids more to it than if it's not lit. I don't
25 know how the rest of the Board feels.

2 MR. CLARK: From a business
3 perspective, you're going to be occasionally
4 unloading trucks. I would agree with you, I
5 think it makes sense to have that temporary
6 lighting you would need to unload trucks. I
7 don't see it as an attraction. Maybe kids are
8 attracted to twenty-four pipes. I don't know. I
9 don't know what that attraction would be.

10 MR. DuBOIS: We don't either. Anyway,
11 that's why I'm -- I'm trying to close this up and
12 be done and move on. That's why I'm really
13 asking let's get on to the public hearing so at
14 least we can get any comments from the neighbors
15 or whatever.

16 CHAIRMAN TRUNCALI: Well, according to
17 Pat I think we're going to have to address the
18 stormwater management before we can do that.

19 Right, Pat?

20 MR. HINES: Yeah, I believe so. I mean
21 if Mr. DuBois wants to write a letter or
22 narrative report identifying there is no increase
23 in the impervious surfaces and the Board is
24 willing to accept that, I'll leave it to him to
25 address that comment I guess.

2 MR. CLARK: I wouldn't think it was a
3 concern so much. You're putting a lot of
4 impervious there. I don't know what percentage.
5 The water is going to come off the pipes, what's
6 it going to do then? Before it had the whole
7 area to go off, now it's going to be funneled
8 into streams as it comes off those pipes.

9 MR. HINES: The Town is a regulated
10 MS-4 community. The DEC can come after the Town,
11 not the applicant. We're looking to protect the
12 Town here.

13 MS. LANZETTA: The stream adjacent to
14 that site, is that classified in any respect?

15 MR. HINES: I don't know the
16 classification of the stream. I can look it up.
17 It's a simple computer operation.

18 We don't have the County Planning
19 letter in our hand either.

20 MR. DuBOIS: Here, I have a copy for
21 you. The only concern they had basically was the
22 fact of the post-site condition.

23 MR. BLASS: Is one of the issues this
24 evening a request by the applicant to have the
25 Board or the Town as an MS-4 community waive the

2 preparation of a stormwater management protection
3 plan?

4 MR. DuBOIS: No. I'm more than willing
5 to provide one.

6 MR. BLASS: Okay. So that takes care
7 of Pat's comment number 4.

8 MR. DuBOIS: I can do that in a matter
9 of an hour. That's not --

10 MR. BLASS: So would you agree --

11 MR. DuBOIS: I can have that back to
12 you by Friday.

13 MR. BLASS: So you don't have a problem
14 with Pat's comment 4?

15 MR. DuBOIS: I have a concern about it
16 but I will address it.

17 MR. BLASS: Okay. There's no dispute
18 that I can identify.

19 Okay. Is there a plan for the site
20 post activity? That seems to be what the
21 County --

22 MR. DuBOIS: We're not clear exactly
23 what Rob will say. That's good for a phone call.

24 MR. BLASS: As part of any approvals
25 for the project the site should be required to be

2 restored to it's pre-site plan amendment
3 condition.

4 MR. DuBOIS: Which would be like right
5 now?

6 MR. BLASS: Yeah. Restore it to it's
7 pre-existing condition.

8 So my question on the table is has the
9 applicant presented a post-use remediation plan
10 or restoration plan? I think I heard you suggest
11 that the Board might want to rely upon the lease
12 between the private parties in that regard.

13 MR. DuBOIS: That's been done in the
14 past.

15 MR. BLASS: It would be my
16 recommendation not to do that. If we all did
17 that why would you be sitting here?

18 MR. DuBOIS: Then we would put the note
19 on the plans.

20 MR. BLASS: The note on the plans that
21 would say what?

22 MR. DuBOIS: Exactly what the County
23 just said, that the site would have to be
24 returned to -- now the question is we're going to
25 -- this is going to be an amended site plan.

2 What happens is now if you amend a site plan --

3 MR. HINES: That's my point. The Board
4 is approving this in perpetuity, whether it's got
5 sixteen-foot diameter pipe or something else
6 could go in there.

7 MR. DuBOIS: In four years or five
8 years from now, you know, we're going to have
9 this empty lot again.

10 MR. HINES: Or something else.

11 MR. DuBOIS: Well --

12 MR. HINES: We don't have the ability
13 to say we're approving this for three or four
14 years.

15 MR. DuBOIS: I'm saying this lease is
16 for that purpose. The owner and -- if there's
17 going to be any changes it will have to come back
18 to you anyway.

19 MR. HINES: No, he won't.

20 MR. DuBOIS: Don't you approve all
21 commercial site plans?

22 MS. LANZETTA: You could store anything
23 you want on that site. Once we approve it to be
24 more or less a warehousing site, you could --

25 MR. DuBOIS: It's not a warehouse.

2 MS. LANZETTA: I didn't say -- I mean
3 warehousing, a place of storage.

4 MR. DuBOIS: It's only for storage.
5 It's for outdoor storage only.

6 MS. LANZETTA: It's a storage area. So
7 you could put cement block there. You could put
8 anything that you could think of that --

9 CHAIRMAN TRUNCALI: Is there a way of
10 doing it just for this project? Then it loses
11 it's --

12 MR. DuBOIS: I mean this is such a
13 unique scenario that we're trying to dovetail
14 into our regular standard and it doesn't happen.

15 MR. BLASS: What if the applicant were
16 to stipulate that the approval, if given by the
17 Board, would be no longer than an agreed duration
18 and that upon the expiration of that term the
19 site would be restored to it's existing
20 condition?

21 MR. DuBOIS: I think that's basically
22 what the County said.

23 MR. BLASS: Well, what I'm doing is
24 throwing out a proposal for you to consider as to
25 whether or not the applicant will stipulate --

2 MR. DuBOIS: I'll tell you right now
3 I'll agree to it.

4 MR. BLASS: So the only thing that's
5 missing -- it would also be an agreement which
6 would bind future owners. So we have to record
7 this in a title as a covenant, that any further
8 use of the site would require renewed site plan
9 approval by the Planning Board.

10 MR. DuBOIS: Yes.

11 MR. BLASS: I agree with Pat.

12 MR. DuBOIS: When you change the use --

13 MR. BLASS: Unless something like this
14 is concocted, the approval would last forever and
15 would open the door for future storage
16 activities.

17 MR. CLARK: Give the approval
18 specifically for twenty-four foot pipes for this
19 water project.

20 MR. BLASS: Yeah. I would want to lock
21 that up in some sort of recordable document so it
22 binds not only the current owner but all future
23 owners of the site.

24 So the only issue that I can think of
25 would be whether or not the Board wants to see a

2 post-use remediation or restoration plan as a
3 part of the submissions to you, whether you need
4 that or don't need that.

5 MR. CLARK: We didn't require it of the
6 last person.

7 MR. HINES: The last person went out of
8 business.

9 MR. CLARK: What happened? Nature took
10 over. It's going to happen here.

11 MS. LANZETTA: Can't that be part of
12 your agreement?

13 MR. BLASS: A depiction of the plan,
14 just a narrative.

15 MS. LANZETTA: The agreement is that at
16 the end of the agreement it will be put back to
17 it's original state?

18 MR. BLASS: Yeah. It's just a question
19 of identifying, taking a snapshot of what that
20 actually is for purposes of that agreement if you
21 have a future dispute. Right now there is no
22 changing of existing field conditions.

23 MR. DuBOIS: There is.

24 MR. BLASS: We would incorporate that
25 drawing with the conditions as the goal of the

2 agreement for restoration upon the end of this.

3 That's the only way I can think of of putting a
4 cap on the end of the approval.

5 MR. DuBOIS: We would remove and then
6 we would restore vegetation and --

7 MR. BLASS: Well, if you're going to
8 get into a vegetative restoration exercise, then
9 how can you define what that is without a plan?

10 MR. DuBOIS: Well you would have it on
11 the plan. What you're saying is we have the
12 original plan which is out there right now.
13 We're going to amend that. We're going to expand
14 that and change all that stuff. What you're
15 saying is at the end of our tour you want us to
16 bring -- take the gravel away and bring that back
17 to a vegetative state.

18 MR. BLASS: Typically if I heard
19 something like that it would be a vegetative
20 plan.

21 MR. DuBOIS: Yeah. That's the plan
22 you're hearing basically.

23 MR. BLASS: I'm hearing it but I'm not
24 seeing it is the issue.

25 MR. DuBOIS: It's written.

2 MR. BLASS: Okay. So it's up to the
3 Board as to whether or not you want to see a
4 remediation plan, a planting plan, or what you
5 should rely on for restoration to the existing
6 site as reflected in the current pre-activity
7 plan.

8 MR. HINES: You want to make sure they
9 don't order five extra pieces and they sit there
10 in perpetuity.

11 MR. LOFARO: I think we can stipulate
12 it be redone when it's over with.

13 MR. DuBOIS: The cost of these things,
14 I guarantee --

15 CHAIRMAN TRUNCALI: I think a narrative
16 is all we really need.

17 MR. BLASS: Okay.

18 CHAIRMAN TRUNCALI: Pat?

19 MR. HINES: You've addressed all of my
20 comments. I think you can schedule a public
21 hearing. You may want to hear what the neighbors
22 have to say. The previous use of this site
23 brought out some public comment. There was
24 concern with back-up alarms, with runoff,
25 drainage, hours of operation.

2 CHAIRMAN TRUNCALI: I think that
3 neighbor moved away.

4 MR. HINES: I'm sure someone lives
5 there now.

6 CHAIRMAN TRUNCALI: We need the
7 stormwater thing.

8 MR. HINES: I think you should schedule
9 the public hearing to see if there are any other
10 issues that come out.

11 CHAIRMAN TRUNCALI: Do I have a motion
12 to schedule this application for a public hearing
13 at the December 7th meeting?

14 MR. CAUCHI: I'll make a motion to
15 schedule a public hearing for December 7th.

16 CHAIRMAN TRUNCALI: Manny.

17 MR. LOFARO: Second.

18 CHAIRMAN TRUNCALI: All in favor?

19 MR. TRAPANI: Aye.

20 MS. LANZETTA: Aye.

21 MR. CLARK: Aye.

22 MR. CAUCHI: Aye.

23 MR. LOFARO: Aye.

24 CHAIRMAN TRUNCALI: Aye.

25 All opposed?

1

LEVESQUE

57

2

(No response.)

3

CHAIRMAN TRUNCALI: See you then.

4

MR. DuBOIS: Thank you.

5

6

(Time noted: 8:27 p.m.)

7

8

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

9

10 I, Michelle Conero, a Shorthand
11 Reporter and Notary Public within and for
12 the State of New York, do hereby certify
13 that I recorded stenographically the
14 proceedings herein at the time and place
15 noted in the heading hereof, and that the
16 foregoing is an accurate and complete
17 transcript of same to the best of my
18 knowledge and belief.

19

20

21

22

23

24 DATED: December 14, 2015

25

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4 ----- X
5 In the Matter of
6

7 ESTATE OF E. GREINER
8

9 Project No. 15-8013
10 96 Idlewild Road
11 Section 108.3; Block 1; Lot 21.111
12 ----- X
13

14 SKETCH - SUBDIVISION

15 Date: November 16, 2015
16 Time: 8:28 p.m.
17 Place: Town of Marlborough
18 Town Hall
19 21 Milton Turnpike
20 Milton, NY 12547
21

22 BOARD MEMBERS: JOEL TRUNCALI, Chairman
23 BEN TRAPANI
24 CINDY LANZETTA
25 STEVEN CLARK
 EMANUEL CAUCHI
 JOSEPH LOFARO
26

27 ALSO PRESENT: RONALD BLASS, ESQ.
28 PATRICK HINES
29 KATHI NATLAND
30 JEN FLYNN
31

32 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS
33

34 ----- X
35 MICHELLE L. CONERO
36 10 Westview Drive
37 Wallkill, New York 12589
38 (845) 895-3018
39

2 CHAIRMAN TRUNCALI: Next is the Estate
3 of E. Greiner.

4 MS. BROOKS: We are proposing a two-lot
5 subdivision of approximately 30 acres of land --
6 33 acres of land located on the southerly side of
7 Idlewild Road, westerly of Burma Road.

8 We've received Board of Health approval
9 for the lot.

10 Did you have comments, Pat?

11 MR. HINES: Yes (handing).

12 MS. BROOKS: Thank you. So I have
13 Pat's comments. Highway superintendent's
14 comments on the proposed driveways should be
15 received. I'll reach out to Gael and get
16 comments from him.

17 Ulster County Board of Health approval
18 we did receive and I'll submit to the Board.

19 The applicant is actually dropping it off to us
20 tomorrow I believe.

21 I did show the agricultural building
22 that the applicant is proposing to construct on
23 the property initially. He's going to be working
24 with the Greiners, so I believe at this point in
25 time they are going to be farming together. I

2 don't know that they were planning on having any
3 formal easements or right-of-ways over the farm
4 lanes. I can certainly check with them.

5 Ron, do you have any --

6 MR. BLASS: Do they want to do away
7 with the farm lanes or --

8 MS. BROOKS: No. I think they're going
9 to be maintaining the farm lanes because the
10 agricultural building is going to be -- the
11 purchaser of the site is going to be doing some
12 agricultural work, farming, storage.

13 MR. BLASS: There could conceivably be
14 a new owner in the future?

15 MS. BROOKS: There will be. Yes.

16 MR. BLASS: Now and in the future. You
17 probably want to reduce those farm lanes to a
18 covenant, a record, so it finds future owners.

19 MS. BROOKS: In other words, with the
20 current people as a covenant and not the easement
21 runs with the land.

22 MR. BLASS: It would be -- well, run
23 that by me again. They don't want to have --

24 MS. BROOKS: I don't think that ten
25 years down the road, twenty years down the road

2 they want a perpetual easement so that the
3 landowner, the 2.61 acres, could forever go over
4 the farm lanes of Greiner, nor the opposite.

5 MR. BLASS: Would the small lot be
6 created to use the farm lanes to cross the lands
7 of Greiner?

8 MS. BROOKS: Possibly.

9 MR. BLASS: This is like the prior
10 application. If there's a period of time after
11 which --

12 MS. BROOKS: I'm going to say it would
13 be an agreement between these two landowners, the
14 purchaser of this lot at this point in time and
15 the Greiners.

16 MR. BLASS: To extinguish upon sale.

17 MS. BROOKS: To extinguish upon sale.

18 MR. BLASS: So we could have an
19 agreement that doesn't run with the land and a
20 note -- you have to record that.

21 MR. HINES: Extinguished between the
22 next sale, not this current sale.

23 MS. BROOKS: It would be created as
24 part of this sale. I'll check into the deeds
25 that I have. We do have wording in some of the

2 deeds that say that they're personal agreements
3 between the landowners and that the ability to
4 use the farm lanes does not run with the land.

5 I guess here's another question. If
6 they do nothing at all but mutually agree between
7 themselves that they can each be going on each
8 other's property, do you have a formal easement
9 agreement?

10 MR. BLASS: Well usually we do that,
11 you know. If there's access -- cross-access
12 activities going on we usually memorialize it in
13 some way in the approval.

14 MS. BROOKS: Right. In this particular
15 instance I don't know what their agreement is.
16 Certainly both of those lots could stand alone.
17 Both of those lots have their own adequate
18 ingress and egress. As part of the sale, if they
19 say we don't want to do anything but they have a
20 handshake with each other that yeah, you can go
21 across my property to get to your property, or
22 whatever it is, that would be a license agreement
23 between them as individuals. It would not have
24 to be part of this subdivision approval because
25 it's not a necessity.

2 MR. BLASS: What about a note on the
3 map that says that the farm lanes shown on lot
4 number 1 are not -- do not create an easement or
5 other rights of access for either party and are
6 shown for illustration purposes only?

7 MS. BROOKS: Okay.

8 MR. HINES: The only other issue is
9 there is a proposed 7,000 square foot barn
10 proposed on the site. I guess it's accessory as
11 a farm. It's awful large.

12 MS. BROOKS: Yup. Basically the reason
13 that we showed it on there was, A, I wanted to
14 make sure that it fit, I wanted to put it where
15 the applicant was proposing -- they're going to
16 be putting farm equipment in there, pallets in
17 there, and I did send it off to the building
18 inspector as well. I wanted to make sure they
19 were going to be able use the ag building and
20 construct that prior -- they're planning to
21 construct that prior than constructing the
22 dwelling, which was acceptable because they're in
23 the RAG-1. I wanted to be clear on everything we
24 were doing.

25 CHAIRMAN TRUNCALI: Any questions from

2 the Board?

3 (No response.)

4 CHAIRMAN TRUNCALI: Should we schedule
5 this for a public hearing?

6 MR. HINES: Yes.

7 CHAIRMAN TRUNCALI: Do I have a motion
8 to schedule this application for a public hearing
9 at the December 7th meeting?

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

11 MR. CAUCHI: I'll second it.

12 CHAIRMAN TRUNCALI: All in favor?

13 MR. TRAPANI: Aye.

14 MS. LANZETTA: Aye.

15 MR. CLARK: Aye.

16 MR. CAUCHI: Aye.

17 MR. LOFARO: Aye.

18 CHAIRMAN TRUNCALI: Aye.

19 All opposed?

20 (No response.)

21 CHAIRMAN TRUNCALI: So carried.

22 MR. HINES: The other item on this
23 one and the previous one is that I believe
24 the applicant is requesting the Board to
25 waive the requirements on the balance of the

2 parcel. They're only showing the proposed
3 improvements on the two smaller lots. The
4 Board has, in the past on these large farm
5 lots, just had the applicant representative
6 survey the two or three-acre part. The Board
7 has consistently done that but it is a waiver
8 that the Board has to grant.

9 MS. LANZETTA: Do we have to do that by
10 motion?

11 MR. HINES: You normally do, yes. It's
12 prior to final approval. You can do it tonight
13 or you can do it later. The code requires that
14 you show topography on the entire site.
15 Obviously they don't need thirty acres of topo
16 for no reason.

17 CHAIRMAN TRUNCALI: We'll do it at the
18 next meeting.

19

20 (Time noted: 8:33 p.m.)

21

22

23

24

25

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: December 14, 2015

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4 ----- X
5 In the Matter of
6

7 SHIRLEY SARINSKY
8

9 Project No. 15-8012
10 Ridge Road
11 Section 108.2; Block 3; Lot 8.200
12 ----- X
13

14 SKETCH - SUBDIVISION

15 Date: November 16, 2015
16 Time: 8:34 p.m.
17 Place: Town of Marlborough
18 Town Hall
19 21 Milton Turnpike
20 Milton, NY 12547
21

22 BOARD MEMBERS: JOEL TRUNCALI, Chairman
23 BEN TRAPANI
24 CINDY LANZETTA
25 STEVEN CLARK
26 EMANUEL CAUCHI
27 JOSEPH LOFARO
28

29 ALSO PRESENT: RONALD BLASS, ESQ.
30 PATRICK HINES
31 KATHI NATLAND
32 JEN FLYNN
33

34 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS
35
36 ----- X

37 MICHELLE L. CONERO
38 10 Westview Drive
39 Wallkill, New York 12589
40 (845) 895-3018
41

2 CHAIRMAN TRUNCALI: Shirley Sarinsky.

3 MS. BROOKS: Shirley Sarinsky has an
4 approximate thirty-acre parcel of land situated
5 on the easterly side of Ridge Road on which her
6 personal residence is located. Part of the
7 estate of Lewes was that Shirley was to get this
8 two-acre parcel separated out in her own name.
9 The rest of the property is going to be going
10 into a trust. So to be able to effectuate those
11 terms of the will, we are at this point looking
12 to separate out Shirley's personal residence on
13 2.03 acres and leave the remaining acres of 27.9
14 acres which will be conveyed to a family trust.

15 All improvements are existing. It does
16 not require Board of Health approval. The
17 driveway is in place.

18 CHAIRMAN TRUNCALI: Does anybody have
19 any questions?

20 MS. LANZETTA: You saw Pat's comments;
21 right?

22 MR. HINES: She hasn't. I'm just
23 looking for the septic system, to make sure it's
24 on there. Most likely it is.

25 MS. BROOKS: Yup.

2 MR. HINES: This also needs a public
3 hearing.

4 All improvements are existing. The
5 driveway is there. There's an existing
6 agricultural building.

7 MS. BROOKS: Yes.

8 MR. HINES: It mirrors the last one.

9 CHAIRMAN TRUNCALI: If we have nothing
10 else, do I have a motion to schedule this for a
11 public hearing on December 7th?

12 MR. CLARK: So moved.

13 MS. LANZETTA: I'll second it.

14 CHAIRMAN TRUNCALI: All in favor?

15 MR. TRAPANI: Aye.

16 MS. LANZETTA: Aye.

17 MR. CLARK: Aye.

18 MR. CAUCHI: Aye.

19 MR. LOFARO: Aye.

20 CHAIRMAN TRUNCALI: Aye.

21 Opposed?

22 (No response.)

23 CHAIRMAN TRUNCALI: So carried.

24

25 (Time noted: 8:36 p.m.)

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: December 14, 2015

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4

----- X
3 In the Matter of
4

5
6 THE CARRIAGE HOUSE
7

8 Request for an Extension of Approval until
9 December 17, 2015
8

10 ----- X
11 BOARD BUSINESS
12

13 Date: November 16, 2015
14 Time: 8:36 p.m.
15 Place: Town of Marlborough
16 Town Hall
17 21 Milton Turnpike
18 Milton, NY 12547
19

20 BOARD MEMBERS: JOEL TRUNCALI, Chairman
21 BEN TRAPANI
22 CINDY LANZETTA
23 STEVEN CLARK
24 EMANUEL CAUCHI
25 JOSEPH LOFARO

26 ALSO PRESENT: RONALD BLASS, ESQ.
27 PATRICK HINES
28 KATHI NATLAND
29 JEN FLYNN
30

31 APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS, ESQ.
32

33 ----- X
34 MICHELLE L. CONERO
35 10 Westview Drive
36 Wallkill, New York 12589
37 (845) 895-3018
38

2 CHAIRMAN TRUNCALI: The Carriage
3 House.

4 MR. HINES: The agenda I have doesn't
5 have the Carriage House on there.

6 MS. BROOKS: Mine either. That's why I
7 went to sit down.

8 The Planning Board approved the site
9 plan of the Carriage House located on 44/55
10 across from the Route 44/5 Deli back in December
11 of 2012. The applicant has been busy starting a
12 new restaurant down in Florida the last years so
13 he has not started construction on the site yet
14 and has requested an extension. I was granted
15 one extension on July 7, 2013 which expired
16 actually in July of 2014. He thought he was
17 going to be starting construction and he didn't.
18 We did receive an extension from the DEC for the
19 fresh land waters permit which I have a copy of
20 for the Board.

21 At this point we're asking for another
22 one-year extension.

23 Here is a copy of the permit which he
24 received in October. I'll give it to Jen for the
25 file.

2 MR. BLASS: We went over this last
3 meeting. The provision of the code dealing with
4 extensions of site plan approval provides that
5 the Planning Board has the authority to issue up
6 to two one-year extensions of the time to start
7 construction. So the maximum period of extension
8 of the time to start construction is the second
9 anniversary of the approval. So the approval
10 occurred in 2012, if I heard right?

11 MS. BROOKS: Right. The approval was
12 granted in December of 2012 and they have two
13 years to start construction. So you don't need
14 an extension until December of 2014.

15 MR. BLASS: So the code provision says
16 that site plan review and approval shall be void
17 if construction is not started within one year.

18 MS. BROOKS: I thought it was two
19 years. I apologize. So that would bring us to
20 '13 and then two extensions.

21 MR. BLASS: December of '14 would be
22 the maximum. December of 2014 would be the
23 maximum period of extension.

24 MS. BROOKS: Because we're only six-
25 month extensions?

2 MR. BLASS: No. Two one-year
3 extensions.

4 MS. BROOKS: So December 2012, they
5 should have started construction by '13. They
6 got an extension to '14.

7 MR. BLASS: I see what you're saying.

8 MS. BROOKS: The maximum you're saying
9 they would be able to get is December of 2015,
10 which is like in two weeks.

11 MR. BLASS: That's right.

12 MS. BROOKS: Is that in the code?

13 MR. BLASS: Yeah. It's at 155-31(K).
14 So the remedy for running out of extension
15 opportunity is to apply for a re-approval.

16 MS. BROOKS: And go through the entire
17 process again?

18 MR. HINES: You're talking streamlined.

19 MR. BLASS: It's somewhat quicker.

20 MS. BROOKS: That would be up to the
21 applicant to decide whether he wants to do that.

22 MR. BLASS: Bring in the same
23 application work and one public hearing and, you
24 know, following the precedent we shouldn't have a
25 problem with it, the precedent that exists in the

2 form of the Planning Board.

3 MS. BROOKS: Right. Well except
4 everything would need to be updated based on
5 whatever state of facts occurred over the three-
6 year period. That's up to the applicant to
7 decide whether or not he wants to do it.

8 MR. HINES: If they are not going to
9 build maybe they want to wait.

10 MS. BROOKS: Exactly. He has it on the
11 market. If he has somebody else that comes in
12 that doesn't necessarily want to build the exact
13 same project, he's going to be need to come in
14 from scratch anyway.

15 MR. BLASS: It's not the second
16 anniversary of the approval, it's the third
17 anniversary of the approval that marks the end of
18 the opportunity to get extensions. The third
19 anniversary is December of 2015.

20 MS. BROOKS: Yes. The plan is dated
21 the 17th. He's got a month from today.

22 MR. BLASS: The Board would have to
23 vote to grant the extension to December.

24 MS. BROOKS: Yeah. I don't think
25 that's -- okay. I will advise the applicant and

2 ask him what he wants to do. Obviously a month
3 is not going to buy him the time -- well, I guess
4 unless -- well, that's it. If he decides now let
5 me get a building permit, then, you know, what
6 does that do? He has a year to start
7 construction. I mean I know there's a window in
8 the building permit as well.

9 MR. HINES: There is also the same two-
10 year extension.

11 MS. BROOKS: Okay. So I guess based on
12 that I will ask the Board if they would consider
13 granting the extension for one month which would
14 give the applicant the opportunity to decide if
15 at this point in time he wants to jump in and get
16 a building permit and start construction or if he
17 wants to wait. If he's going to pursue the sale
18 of the property he may decide not to do that.

19 MR. BLASS: That would be an extension
20 to December 17, 2015.

21 MS. BROOKS: Right.

22 CHAIRMAN TRUNCALI: Any questions?

23 MR. CAUCHI: No.

24 MS. BROOKS: This way it gives me the
25 opportunity to give him the option.

2 CHAIRMAN TRUNCALI: We have no
3 questions, so I'll entertain a motion to give a
4 one-year extension which will end on December 17,
5 2015.

6 MR. HINES: Retroactively going back to
7 last year.

8 CHAIRMAN TRUNCALI: Do I have a motion?

9 MR. CAUCHI: I'll make a motion to have
10 an extension for one month --

11 MR. TRAPANI: I'll second that.

12 MR. CAUCHI: -- to December 7, 2015.

13 CHAIRMAN TRUNCALI: Do I have a second?

14 MR. TRAPANI: I'll second it.

15 CHAIRMAN TRUNCALI: All in favor?

16 MR. TRAPANI: Aye.

17 MS. LANZETTA: Aye.

18 MR. CLARK: Aye.

19 MR. CAUCHI: Aye.

20 MR. LOFARO: Aye.

21 CHAIRMAN TRUNCALI: Aye.

22 All opposed?

23 (No response.)

24 CHAIRMAN TRUNCALI: So carried.

25 MS. BROOKS: Thank you very much.

2

(Time noted: 8:43 p.m.)

3

4

5

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

6

7

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

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DATED: December 14, 2015

24

25

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

In the Matter of

BUTTERMILK FALLS
Project No. 13-6016

220 North Road
Section 103.1; Block 2; Lot 13

EXTENSION - AMENDED SITE PLAN

Date: November 16, 2015
Time: 8:36 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Chairman
BEN TRAPANI
CINDY LANZETTA
STEVEN CLARK
EMANUEL CAUCHI
JOSEPH LOFARO

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
KATHI NATLAND
JEN FLYNN

APPLICANT'S REPRESENTATIVE: ROBERT POLLACK

MICHELLE L. CONEBO

10 Westview Drive
Wallkill, New York 12589
(845) 895-3018

2 MR. POLLOCK. This is for an extension
3 of the spa that we got previous approval on and I
4 didn't pull the permit on it. I'm asking you
5 guys for hopefully for an extension so I can pull
6 a permit now. I was just going to pull it and I
7 didn't realize I'm late.

10 MR. BLASS: I think it was January 6th
11 or 7th.

12 MR. HINES: January 6th of '14.

20 MR. POLLOCK: That sounds good.

21 CHAIRMAN TRUNCALI: Does anyone have
22 any questions?

23 MR. BLASS: You might want to assert a
24 condition to the extent the request for the next
25 one occurs in advance of expiration.

2 MR. POLLOCK: I'm sorry about that. I
3 was pulling the permit, that's why. I asked
4 Tommy and he said oh, it expired already. That's
5 why I'm here. We're ready to pull a permit now.

6 MR. CLARK: I'll make that motion that
7 we extend the permit.

8 MR. CAUCHI: I'll second it.

9 CHAIRMAN TRUNCALI: To January 6,
10 2016.

11 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 Opposed?

19 (No response.)

20 CHAIRMAN TRUNCALI: So carried.

21

22 (Time noted: 8:45 p.m.)

23

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

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7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

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17

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19

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21

22

23 DATED: December 14, 2015

24

25

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4

----- X
3 In the Matter of
4

5

6 CHERNOBYL P&L
7 Project No. 15-8011
8

9 30 Main Street
10 Section 103.9; Block 2; Lots 28/29
11

12 ----- X
13 SKETCH- SITE PLAN

14 Date: November 16, 2015
15 Time: 8:45 p.m.
16 Place: Town of Marlborough
17 Town Hall
21 Milton Turnpike
Milton, NY 12547
18

19 BOARD MEMBERS: JOEL TRUNCALI, Chairman
20 BEN TRAPANI
21 CINDY LANZETTA
22 STEVEN CLARK
23 EMANUEL CAUCHI
24 JOSEPH LOFARO
25

26 ALSO PRESENT: RONALD BLASS, ESQ.
27 PATRICK HINES
28 KATHI NATLAND
29 JEN FLYNN
30

31 APPLICANT'S REPRESENTATIVE: BARRY MEDENBACH
32

33 ----- X
34 MICHELLE L. CONERO
35 10 Westview Drive
36 Wallkill, New York 12589
37 (845) 895-3018
38

2 CHAIRMAN TRUNCALI: Chernobyl Power,
3 site plan, 30 Main Street, Milton.

4 MR. MEDENBACH: This is a site plan.
5 This is the building that's just up to the east.

6 MR. POLLOCK: It's the bank building.

7 MR. MEDENBACH: I guess it was formerly
8 known as the bank building.

9 He has a permit right now to put a one-
10 story addition on the back for extension of the
11 walkout basement area for storage and the coolers
12 and stuff related to the bakery. At the same
13 time of construction he'd like to put a second
14 floor on that addition which would add to the
15 first floor from the street to the back with the
16 intent of using that floor for a cafe/restaurant
17 type of facility.

18 CHAIRMAN TRUNCALI: Just north of the
19 bakery?

20 MR. MEDENBACH: Just northeast. You
21 know, the driveway is in between them.

22 MR. POLLOCK: The driveway is in
23 between.

24 MR. CLARK: Let me get this straight.
25 You're just tonight looking for our approval to

2 add a second story?

3 MR. MEDENBACH: Yes.

4 MR. CLARK: Okay.

5 MR. MEDENBACH: An extension.

6 MR. CLARK: That's fine.

7 MR. POLLOCK: That's all we're looking
8 for.

9 MR. HINES: They actually never got the
10 first story approved.

11 MR. POLLOCK: Tommy said it was okay.

12 MR. MEDENBACH: The building permit was
13 issued. I guess technically we should have had
14 site plan approval.

15 MR. HINES: Yeah. If you need it for
16 the second floor you'll certainly need it for the
17 first floor.

18 MR. POLLOCK: At the time we didn't ask
19 for it. Anyway, what you're approving here is to
20 clean up that.

21 MR. HINES: They've provided a parking
22 calculation.

23 They've identified a table of uses in
24 the building which we asked for previously.

25 Parking calculations have been

2 identified on the plan. It shows a shared
3 parking arrangement with this subject property
4 and the bakery property. There will need to be
5 some connection of that. I'll leave that to Ron
6 Blass.

7 MR. MEDENBACH: There's actually a
8 parcel in between.

9 MR. HINES: Under the same ownership.
10 They need to share that access and agreement.

11 MR. MEDENBACH: We have it on the notes
12 here.

13 MR. HINES: There are notes on the map
14 but there needs to be an agreement. They did
15 what we requested at the last meeting and got it
16 to us in a timely manner.

17 I believe that it's ready for the
18 public hearing.

19 The cross access and parking agreement
20 will need to be submitted to Ron Blass for his
21 review.

22 I believe the jurisdictional fire
23 department showed some interest, so that should
24 be submitted between now and the public hearing
25 for their input.

2 CHAIRMAN TRUNCALI: Any questions from
3 the Board?

4 MR. MEDENBACH: Do we need a County
5 referral for this?

6 MR. HINES: What?

7 MR. MEDENBACH: County Planning Board
8 referral?

9 MR. HINES: I don't think so.

10 MR. POLLOCK: Don't make any
11 suggestions, I don't want to come back in another
12 month.

13 MR. MEDENBACH: Let's come back in a
14 couple of weeks and finish this I hope. That
15 will be great.

16 MR. HINES: I think you're good.

17 MR. POLLOCK: What's next?

18 CHAIRMAN TRUNCALI: Do I have a motion?

19 MR. POLLOCK: Aren't you curious about
20 the restaurant or the cafe?

21 MR. HINES: You told us last time.

22 MR. POLLOCK: But I gave you a set of
23 plans now.

24 MR. CLARK: We're not approving them.

25 CHAIRMAN TRUNCALI: Do I have a motion

2 to schedule this application for a public hearing
3 at the December 7th meeting?

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

5 CHAIRMAN TRUNCALI: A second?

6 MR. CLARK: I'll second it.

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 All opposed?

15 (No response.)

16 CHAIRMAN TRUNCALI: So carried.

17 MR. MEDENBACH: We'll be back in

18 December.

19 Who makes the referral to the fire
20 department? Does the Planning Board do that or
21 do we need to do that?

22 MS. LANZETTA: You do that.

23 CHAIRMAN TRUNCALI: Ask Pat.

24 Does anyone have any new business?

25 (No response.)

2 CHAIRMAN TRUNCALI: We forgot to
3 approve the minutes. Do I have a motion to
4 approve the minutes for September 8th and
5 September 21st?

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

7 CHAIRMAN TRUNCALI: Do I have a second?

8 MR. CAUCHI: I'll second.

9 CHAIRMAN TRUNCALI: All in favor?

10 MR. TRAPANI: Aye.

11 MS. LANZETTA: Aye.

12 MR. CLARK: Aye.

13 MR. CAUCHI: Aye.

14 MR. LOFARO: Aye.

15 CHAIRMAN TRUNCALI: Aye.

16 Opposed?

17 (No response.)

18 CHAIRMAN TRUNCALI: So carried.

19 MS. LANZETTA: Can I just -- we have
20 both of the fire chiefs here. Can we just ask
21 them how we can work more closely with them to
22 make sure that they have an opportunity to look
23 at the projects that come before the Town?

24 CHIEF KNEETER: In the past we used to
25 get the plans. Somewhere along the line there

2 was a little bit of miscommunication, to be
3 polite here. I would love to get them. We'd
4 like to review them, make some comments,
5 especially on a place that possibly might end up
6 in my district.

7 The sprinkler, there should be a lock
8 box. Little things. I sure would appreciate it,
9 whatever you can give us.

10 MS. LANZETTA: Could we have that as
11 part of like a checklist?

12 MS. NATLAND: We'll send them copies.

13 MS. LANZETTA: Do you send them?

14 MS. NATLAND: We will.

15 MS. LANZETTA: Then we don't have to
16 ask the applicants to do that.

17 MS. NATLAND: The applicants used to do
18 it.

19 MR. HINES: It's more streamlined if it
20 comes from the Town when they get an application
21 in.

22 MS. NATLAND: We'll do it
23 automatically.

24 CHIEF KNEETER: I can stop by. As long
25 as we get them. That's the main thing. Thank

2 you.

3 CHAIRMAN TRUNCALI: Any other new
4 business?

5 (No response.)

6 CHAIRMAN TRUNCALI: If not, I'll
7 entertain motion to close the meeting.

8 MR. CLARK: I'll make that motion.

9 CHAIRMAN TRUNCALI: Do I have a second?

10 MR. CAUCHI: I'll second it.

11 MR. BLASS: Are you having a joint
12 meeting? Maybe you want to keep rolling. You can
13 stop the Stenographer but continue the meeting
14 for purposes of this discussion.

15 CHAIRMAN TRUNCALI: Okay.

16

17 (Time noted: 8:55 p.m.)

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: December 14, 2015