

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

2 -----X  
In the Matter of

3 SUMMIT DRIVE PROPERTIES

4 Project No. 23-1004  
5 Summit Drive, Marlboro  
6 Section 108.4; Block 6; Lot 29.311  
-----X

7 PUBLIC HEARING - SITE PLAN

8 Date: October 21, 2024  
9 Time: 7:00 p.m.  
10 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
11 Milton, New York 12547

12 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON  
13 FRED CALLO  
JAMES GAROFALO  
14 STEVE JENNISON  
CINDY LANZETTA  
15 BOB TRONCILLITO

16 ALSO PRESENT: PAT HINES  
17 GERARD COMATOS, ESQ.  
JEN FLYNN  
18

19 APPLICANT'S REPRESENTATIVE: ANDY WILLINGHAM  
20  
21  
22  
23  
24

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

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

4                   (Pledge of Allegiance.)

5                   CHAIRMAN BRAND: Town of Marlborough Planning  
6                   Board, October 21, 2024, regular meeting, 7:00 p.m. On  
7                   the agenda this evening we have the approval of the  
8                   minutes for the October 7, 2024, meeting.

9                   Under Public Hearings, we have a public  
10                  hearing for Summit Drive Properties for their site plan  
11                  on Summit Drive in Marlboro. We also have a public  
12                  hearing for the Marlborough Resort Lattintown, a public  
13                  hearing of their site plan at 628 Lattintown Road in  
14                  Marlboro.

15                  Under Ongoing Application Review, we have  
16                  Buttermilk Falls Resort Hotel for a sketch of their  
17                  site plan at 220 North Road in Milton. We have  
18                  Highland Solar for a sketch of their site plan at 206  
19                  Milton Turnpike. And we have Marlboro Property  
20                  Management for a sketch of a subdivision on Burma Road  
21                  in Marlboro.

22                  Under Special Topics and Discussion, we have  
23                  Solar Discussion. The next deadline is Friday, October  
24                  25, 2024. The next scheduled meeting will be Monday,  
25                  November 4, 2024, and that meeting will be held

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1           upstairs.

2                       I'd like to have a motion to table the  
3           approval of the minutes for October 7th until our next  
4           meeting.

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

6                       MR. JENNISON: I'll second it.

7                       CHAIRMAN BRAND: Any discussion? Any  
8           objection?

9                       (No response.)

10                      CHAIRMAN BRAND: Any announcements?

11                      (No response.)

12                      CHAIRMAN BRAND: First on the agenda, we have  
13           the Summit Drive Properties, a public hearing of the  
14           site plan at Summit Drive in Marlboro.

15                      MR. GAROFALO: Mr. Chairman, I'd like to make  
16           a procedural note here for the public. One of the  
17           emails that we received asked why the Chairman had not  
18           responded to a comment, and the Chairman, as well as  
19           members of the Board, respond to items in these  
20           Planning Board meetings and not outside them. This is  
21           so the public can hear them. And this public hearing  
22           is an opportunity for you, the public, to tell us.

23                      CHAIRMAN BRAND: Thank you, Mr. Garofalo.  
24           Legal Notice, Site Plan Application. Please take  
25           notice: A public hearing will be held by the Town of

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1 Marlborough Planning Board pursuant to Town of  
2 Marlborough Town Code Section 155-31(H) and Town Law  
3 Section 274-a on Monday, October 21, 2024, for the  
4 following application, Summit Drive Properties, at the  
5 Town Hall, 21 Milton Turnpike, Milton, New York, at  
6 7:00 p.m. or as soon thereafter as may be heard. The  
7 applicant is seeking a site plan approval for four  
8 multifamily buildings each containing six dwelling  
9 units on land located at Summit Drive, Marlboro, New  
10 York, 12547, Section 108.4, Block 6, Lot 29.311. Any  
11 interested parties, either for or against the proposal,  
12 will have an opportunity to be heard at this time.  
13 Documents and materials submitted in connection with  
14 this application can be viewed on our website under  
15 Agendas and Minutes. Chris Brand, Chairman, Town of  
16 Marlborough Planning Board.

17 Do we have the representative for Summit  
18 Drive Properties here? Do you have the mailings that  
19 you sent out?

20 MR. WILLINGHAM: I do.

21 CHAIRMAN BRAND: If you could give those to  
22 the secretary.

23 MR. WILLINGHAM: All of them went out. I  
24 don't know the total number, but 62 came back. Two are  
25 returned. But we did send them to everybody.

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1                   CHAIRMAN BRAND: If you could, sir, could you  
2                   just provide an overview of what it is you have planned  
3                   for the people here in attendance, and use the  
4                   microphone on that table.

5                   MR. WILLINGHAM: Okay. I'm Andy Willingham,  
6                   Willingham Engineering. We're the engineers for the  
7                   project. The property is located at the end of Summit  
8                   Drive. It's 7.3 acres in size. And what we're  
9                   proposing is four multifamily buildings. Each building  
10                  is going to have six apartments, two apartments each,  
11                  for a total of 24 units. It's basically going to be  
12                  kind of like a horseshoe coming in. The site plan  
13                  includes screening along the west side there and  
14                  landscaping. We have a turnaround for fire trucks that  
15                  we sized. As far as density, this zone allows six  
16                  units per acre. And after we do our calculations,  
17                  we're at 3.9, so we're under that. We have a full  
18                  stormwater plan because it disturbs more than an acre.  
19                  Stormwater pond and treatment. Water is at the end of  
20                  Summit Drive, which we're connecting there. Sewer,  
21                  we're going down to Grand Street, downhill there.  
22                  That's basically it. That's what we're proposing.

23                  CHAIRMAN BRAND: Okay. Mr. Willingham, you  
24                  did receive comments from both our Town engineer and  
25                  Ulster County Planning Board?

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1                   MR. WILLINGHAM: We did.

2                   CHAIRMAN BRAND: We'll expect back responses  
3 to their comments and recommendations.

4                   MR. WILLINGHAM: Sure.

5                   CHAIRMAN BRAND: This is a public hearing.  
6 Any comments or questions from the Board first?

7                   MR. TRONCILLITO: I'll hold mine until after  
8 the public hearing.

9                   MR. CALLO: Mine too.

10                  CHAIRMAN BRAND: If you are interested in  
11 speaking or asking questions regarding the project, I  
12 would ask that you come up to the podium. Please state  
13 your name very clearly for the stenographer. If you  
14 think it requires spelling, that would be appreciated.  
15 We are going to ask, due to the large nature of the  
16 crowd tonight, that you try to limit your initial  
17 comments to three minutes per person. Any interested  
18 parties who would like to speak, please come up to the  
19 podium.

20                  MR. GRIFFITHS: Good evening. My name is  
21 Drew Griffiths, G-R-I-F-F-I-T-H-S. I currently live on  
22 8 Summit Drive, up on the top left. The entryway for  
23 this will be about ten feet from my driveway.

24                  The following covenants and restrictions are  
25 made for the benefit of all the future owners of the

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1 parcels in the subject subdivision and for the more  
2 specific purpose of maintaining the residential  
3 character --

4 THE COURT REPORTER: Slow down, please.

5 CHAIRMAN BRAND: Do you have it all written  
6 out?

7 MR. GRIFFITHS: I do.

8 CHAIRMAN BRAND: Would you be able to give it  
9 to our stenographer?

10 MR. GRIFFITHS: I will.

11 This declaration is also executed to  
12 establish and maintain as part of a general plan any  
13 property now or hereafter subject hereto as part of a  
14 scenic and pastoral residential area of the highest  
15 possible quality and value; to enhance and protect its  
16 value, desirability and attractiveness; and to provide  
17 a pleasant environment to persons acquiring title to  
18 such property.

19 This is the first restrictive covenant listed  
20 on Mr. Galella's deed restriction back in 2003. The  
21 declaration clearly states that these restrictions not  
22 only apply to the residents of Summit Drive, but the  
23 undersigned as well, which happens to be Mr. Galella.  
24 The mere fact that he has been secretly developing this  
25 plan for the past nine years unbeknownst to any of us

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1           in the immediate area is a true testament to his  
2           character. Being a member of the military since 2010,  
3           I have been accustomed --

4                   UNIDENTIFIED PERSON: Excuse me. I can't  
5           hear anything back here.

6                   MR. GRIFFITHS: I don't know if this is  
7           working. Should I start over? I'll start over.

8                   This declaration is also executed to  
9           establish and maintain as part of a general plan any  
10          property now or hereafter subject hereto as part of a  
11          scenic and pastoral residential area of the highest  
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20          undersigned as well, which happens to be Mr. Galella.  
21          The mere fact that he has been secretly developing this  
22          plan for the past nine years unbeknownst to any of us  
23          in the immediate area is a true testament to his  
24          character. Being a member of the military since 2010,  
25          I've become accustomed to treating people with respect,



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1       having integrity, morals, values, and ethics; traits I  
2       feel Mr. Galella is lacking. This is difficult for me  
3       to stand here tonight thinking that the proposal to  
4       turn Summit Drive into a thoroughfare for a major  
5       apartment complex is even being considered.

6               A couple of quotes from Mr. Hines in the  
7       April 6, 2015, discussion when this development was  
8       first proposed.

9               Quote, Summit Drive was developed as a  
10      cul-de-sac initially. There may be concern, rather  
11      than set four houses on a cul-de-sac, having a  
12      multifamily project built at the end of it. I'm sure  
13      you may hear that in the future.

14              Also, I think you're going to have an issue  
15      with the neighbors who bought houses on the cul-de-sac.

16              Although these statements were never  
17      addressed by Mr. Galella during the discussion, they  
18      didn't have to be. As the saying goes, actions speak  
19      louder than words. Mr. Galella's response to these  
20      concerns was to develop this behind everyone's back,  
21      then simply send out a certified letter ten days prior  
22      to the meeting. Job well done, sir.

23              In conclusion, although some may see Mr.  
24      Galella as a benevolent developer, creating affordable  
25      housing for the community, I see this as a perfect

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1       example of pathological altruism. By developing these  
2       apartments, it may seem this is a great way to help the  
3       Town of Marlborough, the addition of a few families and  
4       a boost to the local economy; however, realistically,  
5       it is at the expense of destroying the existing  
6       community, the departure of families with a history in  
7       this great town, and the only boost being in  
8       Mr. Galella's pockets.

9               CHAIRMAN BRAND: Thank you. Please.

10              MR. SMITH: Good evening. My name is Kevin  
11       Smith. I live at 3 Summit Drive in Marlboro. Thanks  
12       for the opportunity to speak tonight. I had written a  
13       letter to the Planning Board, which I hope many of you  
14       got. Obviously, there's probably too much to say here  
15       in three minutes, but I'll try to get some key points.

16              I'm a professional engineer. In my job I  
17       design water and wastewater treatment plants. And my  
18       wife and I moved here about ten months ago -- we have  
19       two young children -- on Summit Drive. And I ask you  
20       to deny this application based on just smart planning  
21       practice.

22              Summit Drive, as you mentioned -- you can't  
23       see it in this image, but it's a cul-de-sac, but the  
24       road itself is originally a private road. It's 20 feet  
25       wide, which is pretty narrow. And on top of that it

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1        has curbing, which means you can't utilize the  
2        shoulders. So deliveries and landscape trucks present  
3        an actual hazard, which isn't too bad with eight  
4        houses, but, you know, I'm concerned about 50 to 80  
5        cars additionally a day. It's also a dead end road,  
6        which is off of a dead end road. The site plan is  
7        essentially proposing to make another dead end road.

8                You know, Overlook Drive, Summit Drive, and  
9        Dragotta, all three that come together. They've got  
10       about 30 houses on them, which from a Fire Code  
11       perspective, that's above the maximum number of  
12       single-family houses that's allowed without a secondary  
13       means of access. So, again, my concern is, you know,  
14       extending off of Summit Drive might be advantageous  
15       from a site development perspective, but it doesn't  
16       seem to be a safe -- life safety, you know, good  
17       planning practice.

18                What's not shown in this image, although you  
19       can see the sewer easement going down, is Grand Street,  
20       which is the original access to the property. The  
21       Summit Drive access was created by a lot line revision  
22       in 2015, and I'm curious as to why the Grand Street  
23       access hasn't been further explored. Utilizing it for  
24       sewer. It looks pretty undeveloped on the site plan.  
25       I'm curious from a Town of Marlborough Sewer Department

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1 aspect how they'll be maintaining that sewage if it's  
2 just allowed to kind of return to native vegetation  
3 without Grand Street being improved.

4 But, lastly, you know, the deed restriction  
5 was brought up, and I do think that's a valid argument,  
6 although probably a legal one. I'm just curious why a  
7 subdivision -- which Summit Drive was a subdivision,  
8 and it was an eight-house subdivision where the two  
9 houses came together with no access beyond, that was  
10 restricted and filed with the County in 2003. Frankly,  
11 that's the deed map that I got when I bought my house.  
12 I'm curious why you would create a deed restriction,  
13 meaning the developer, to sort of restrict and not  
14 allow any other sort of development on Summit Drive,  
15 build seven houses, sell them, and when you get to the  
16 eighth house, create, you know, a 50-foot access that  
17 effectively -- you know, it effectively destroys the,  
18 quote, dead end nature. That's somebody who benefited  
19 from this secluded nature, and then at the last minute,  
20 kind of created a fire exit out the back door. So,  
21 from a good planning practice, this just strikes me as  
22 a development that if you're looking just at the site  
23 plan, probably meets a lot of the requirements, but if  
24 you zoom out, which, again, that image is hard to see,  
25 if you zoom out to larger, it just doesn't make sense.

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1 I think you're straining -- you're just adding another  
2 dead end street off of multiple dead ends. Thank you  
3 for your time. I appreciate it.

4 CHAIRMAN BRAND: Thank you.

5 MR. DALY: Good evening, everybody. Thanks  
6 for coming out. My name is Brendan Daly, D-A-L-Y. I  
7 live on Dragotta Road.

8 And our objection is to the traffic.  
9 Dragotta Road is 50 years old -- over 50 years old, a  
10 quiet road. People live there generations now. And  
11 this is an abuse of Dragotta Road. So, like I said,  
12 with the traffic, in particular, because I live three  
13 minutes, the stop sign at the top of the road, that  
14 stop sign is going to be the only way in and out for 50  
15 more cars coming up. That stop sign does not meet the  
16 standards for New York Department of Transportation.  
17 There's lack of left turn distance -- sight distance.  
18 It's lacking by about 150 feet. So it's a very poorly  
19 designed stop sign, and that's my point; that the road  
20 isn't designed for this extra traffic.

21 The annoying thing is, this is in the 9W  
22 proximity zone; proximity meaning beside 9W. You take  
23 your traffic and you go onto 9W. You don't send it  
24 back up into our neighborhood. That's it. Thank you  
25 very much.

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1                   CHAIRMAN BRAND: Thank you.

2                   MS. SULLIVAN: Hi. Good evening. My name is  
3                   Michelle Sullivan, S-U-L-L-I-V-A-N. I live at 18  
4                   Dragotta Road.

5                   So similar to Brendan's concerns, my concerns  
6                   lie in the fact that I purposely purchased this  
7                   property in 2012, prior to my second son being born.  
8                   He was an infant, and he was allowed to go up and down  
9                   the road freely, and, you know, for his toddler years,  
10                  riding bikes. And at this point my concern is with  
11                  this road having -- people want to keep saying 50 to 80  
12                  cars, but the reality is if you are living in an  
13                  apartment and you have two adults, that's two cars. If  
14                  you have a teen, that's a third car. In these  
15                  complexes, they may allow you two spots, and then  
16                  there's visitor spots, but the visitor spots are never  
17                  enough. I used to live in a townhome. And there's no  
18                  possible way. So then those cars are going to have to  
19                  end up on Summit, where there is, in fact, no parking  
20                  at all because there's a curb. So if cars are coming  
21                  in on that curb and trying to go around that  
22                  cul-de-sac, there's not going to be any place for them  
23                  to go.

24                  So my first point is about the traffic in the  
25                  area. I have two children that are riding the bus

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1       daily, and they are going to be standing at the end of  
2       that road where there is a stop sign. People do not  
3       stop. They are constantly trying to blow through that  
4       area. Again, you can't see from the left when you're  
5       making a left out of the road at all. So it's very  
6       poorly designed and dangerous.

7               There have been numerous times where we had  
8       to call the bus company, stating that people have not  
9       stopped for that bus. So at this point, with 80 to a  
10      hundred possible, possibly more cars coming in and out  
11      of that area, we're putting our children at risk.  
12      You're putting my children at risk. And that's my  
13      objection.

14             In addition to that, the parking is a major  
15      concern. Besides that, I can't think of anything else  
16      right now. This is the first time I've spoken in front  
17      of this many people, which is funny because I'm a  
18      teacher. Thank you so much.

19             CHAIRMAN BRAND: Thank you. A plus. Would  
20      anyone else like to speak?

21             MS. PALAZZOLO: Hi, my name is Lisa  
22      Palazzolo, P-A-L-A-Z-Z-O-L-O. I live at Summit Drive.  
23      Right there, that's my house (indicating). I'm going  
24      to have this monstrosity in my backyard. Okay. I'm a  
25      single mother with three children. I spent my entire

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1        life savings to buy this house with the backyard that  
2        enjoys these Hudson River views. Okay. When I signed  
3        my contract, it was during COVID. I'm like, oh, what  
4        if we want to get chickens? We didn't know what we  
5        wanted, okay, but we were told you can't have chickens,  
6        you can't have an above ground pool, you can't put a  
7        trailer or a camper in your yard, you can't paint your  
8        house a certain color. So we were under the impression  
9        that for the amount of money we were spending, we were  
10       going to maintain what we have there.

11                The only reason why any of us and my  
12       neighbors know about this apartment building is because  
13       the other guy building behind us told us. We have  
14       never received a letter until ten days ago that this  
15       was going to be built. Okay. So, now, me and Drew's  
16       house, there's barely any space between the two houses.  
17       You want to put a road that's going to be -- I don't  
18       know how far, but people are going to be cruising up  
19       that road and hitting our cul-de-sac at a good speed.  
20       Okay. Our children are playing there. They're riding  
21       their four wheelers. They're riding their bikes. And  
22       now you want to have 50 cars, 80 cars, whatever it's  
23       going to be, in and out of our road all day long.

24                If we have a party on our block, we can't  
25       accommodate the traffic. We had a graduation party for



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1 my daughter. The cops were there because people were  
2 parked on the cul-de-sac. What I was told is that  
3 they're going to be allotted 1.5 spaces for every  
4 apartment. So where are those cars going to park?  
5 Between me and Drew's house? In our cul-de-sac,  
6 blocking our view -- I mean, our drive?

7 It's unreal to think that they would plan on  
8 putting this behind us. We're fine -- you want to put  
9 a house? Fine. The zoning, when did the zoning become  
10 that you can go from residential to a high density  
11 property? Is it zoned for that? And when did that  
12 happen? Because we didn't know about it when we bought  
13 our house, that this was even a possibility, that  
14 something like this could go on behind us.

15 So this is in my backyard. We do not want  
16 this. So whoever is involved in this, please, we are  
17 begging you, please do not do this to us. Thank you.

18 CHAIRMAN BRAND: Thank you.

19 MS. SIMONOFISKY: Good evening. Mici  
20 Simonofsky, 75 Orchard Street. So this is not directly  
21 in my backyard, but it is in my neighborhood, and I  
22 call it a neighborhood because that's exactly what it  
23 is. The people who live on Summit Drive, especially  
24 when those houses were built, they were high-end  
25 houses, expensive houses, very expensive houses, and it

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1           was made to be a separate unit off of Dragotta Road.  
2           Where the proposed entrance to the apartment complex  
3           is, there's a very, very narrow access to that. And  
4           there's 44 parking spots I believe I saw on the site  
5           plan. Is that correct, 44?

6                     CHAIRMAN BRAND: I'd have to check it out.

7                     MS. SIMONOFISKY: Well, I just drove through  
8           CVS parking lot to count how many parking spaces there  
9           are in front of CVS. So the people that are coming off  
10          that cul-de-sac to go into that apartment and the  
11          people living on Summit Drive are essentially going to  
12          be looking at a third to one half of the front half of  
13          CVS, so just to put that in perspective of what they're  
14          up against with this high density of a development.  
15          It's also on a steep slope. So it just doesn't fit  
16          into the character of the neighborhood. All of those  
17          other homes off of Dragotta Road and Overlook Bluff,  
18          they're built on a couple of acres to have a view and a  
19          nice backyard and to have access for their kids to  
20          play. And as I said, it's a quiet road to go up  
21          Dragotta Road.

22                    I didn't think about the sight access off of  
23          Dragotta Road. That's true. You come off and take a  
24          left, that's right up a hill, so to have that much more  
25          traffic coming in and off, that's dangerous.

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1           The other thing, I did not notice anything on  
2           the site plan about any kind of a recreational area  
3           being delineated on the several acres. So if there are  
4           children that are going to be in that apartment house,  
5           where are they going to play?

6           So there's just a lot of things that I say  
7           this does not fit into that neighborhood. It would be  
8           nice to have a few homes that would be in the same  
9           character of the neighborhood, but I think an apartment  
10          complex is just not appropriate for it.

11          I wish Mr. Galella well. He's been trying to  
12          develop this parcel for, oh, my gosh, must be over 15  
13          years. It was when I was on the Town Board, there was  
14          talk about developing there. So the Jones property was  
15          properly developed. There were three houses there. It  
16          was spoken here at this Planning Board that's the only  
17          number of houses that were built there. So that parcel  
18          has only three houses on it. And then they're going to  
19          be looking at their backyard into 24 houses. It just  
20          doesn't make consistent sense. So thank you for  
21          listening to me. I appreciate it.

22                 CHAIRMAN BRAND: Thank you.

23                 MS. ROSENBERG: Hi. My name is Jillian  
24                 Rosenberg, R-O-S-E-N-B-E-R-G. We currently live at 50  
25                 Dragotta Road in Marlboro. My father-in-law bought his

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1 house back in the '80s, before Summit Drive was there,  
2 before anybody else moved in. It was a very quiet  
3 neighborhood. You know, it's still a very quiet  
4 neighborhood. Me and my husband currently live there.  
5 There's a lot of kids, a lot of people with dogs. It's  
6 a very friendly neighborhood. I've never met anybody  
7 that's mean in that neighborhood. The loudest thing  
8 there are probably my dogs that are barking all the  
9 time.

10 But it's a very friendly and quiet  
11 neighborhood, and to put something like an apartment  
12 complex at the end of Summit Drive is crazy to me.  
13 That road is very small. There's not a lot of room for  
14 traffic to go through. There's barely enough room for  
15 Amazon trucks to back out of people's driveways when  
16 they're coming out of the road. The amount of traffic  
17 this would bring will absolutely ruin the road. My  
18 main point is the traffic.

19 My also main point is for people living on  
20 Summit Drive, it's absolutely not fair to them, having  
21 to buy these houses and then come in and just have an  
22 apartment complex right in the backyard is something  
23 that they didn't know about and something that they  
24 didn't sign up for.

25 So those are my points, and that's it.

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1                   CHAIRMAN BRAND: Thank you.

2                   MS. GRIFFITHS: Hi, my name is Sarah  
3                   Griffiths, G-R-I-F-F-I-T-H-S. I live at 8 Summit  
4                   Drive.

5                   I have the same concerns as all these other  
6                   neighbors. There's a lot of traffic that already goes  
7                   through this road. There's lots of cars that park  
8                   along the side. There's stone all along it, so you  
9                   can't park up onto the grass. We have children that  
10                  walk -- hopefully, my son will if we don't have to  
11                  move -- walk to the top of Dragotta to go to the bus  
12                  stop every single morning. And we have mothers that  
13                  will go and drive their children up to that stop to  
14                  ensure that they get safely on at the bus stop. You're  
15                  going to have a lot of mothers that are going to want  
16                  to drive their cars up there and just wait, because  
17                  there's a tremendous amount of traffic.

18                  My husband and I bought our house three years  
19                  ago, because we were so excited. This is our greatest  
20                  investment of our lives. We had a deed restricted  
21                  community. It was promised to us that, hey, only  
22                  single-family homes would be on this property. We  
23                  thought this is great. This is awesome.

24                  So I guess I do have a question for the  
25                  Planning Board. When were you made aware of the deed

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1           restrictions? I don't know if you're allowed to  
2           answer.

3                   CHAIRMAN BRAND: We generally don't. We take  
4           your comments and respond to them or the applicant  
5           responds to them. The exact date, I don't know off the  
6           top of my head.

7                   MS. GRIFFITHS: Okay. I didn't know if it  
8           was new information or not.

9                   CHAIRMAN BRAND: I don't know when we  
10          received it.

11                  MS. GRIFFITHS: I just -- it's tough luring  
12          eight families to make the biggest investments of their  
13          lives in these homes, to then completely upend it in  
14          2015, to have the property line moved, without  
15          anybody's knowledge in the entire neighborhood. So  
16          that now this could become a very different  
17          neighborhood. It will change the dynamic and the  
18          safety of this neighborhood, and I think we have to  
19          take that into consideration.

20                  I understand that's his property. He should  
21          be able to do whatever he wants with it. I just think  
22          this access point is very problematic from a safety  
23          point. So I just hope that you'll take into  
24          consideration everything that we've said. Thank you.

25                  CHAIRMAN BRAND: Thank you.

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1                   MS. GRIFFITHS: I forgot. I printed out some  
2 pictures of this neighborhood on Tuesdays and on  
3 Wednesdays. This is actually Tuesday. We had a family  
4 that had some people over. Our whole cul-de-sac was  
5 filled up with cars. This was a Wednesday. Like,  
6 there's cars that utilize this drive. We also all put  
7 our garbage cans out. So I'll leave those with you.

8                   CHAIRMAN BRAND: You can actually give them  
9 to the secretary.

10                  MS. GRIFFITHS: Thank you.

11                  MR. WIECZOREK: My name is Justin Wieczorek.  
12 I'll try and spell it. It's W-I-E-C-Z-O-R-E-K. Thank  
13 you, Members of the Board. I appreciate your  
14 thoughtfulness during this process. I'm sure it's not  
15 an easy job, but at least it's also thankless, so  
16 you've got that going for you. Thank you. That works.  
17 Right.

18                  So I moved to Marlboro with my wife and two  
19 children so we could be close to their grandparents,  
20 George and Marilyn Casey, and be a part of a community  
21 that I do love.

22                  While I support thoughtful development and  
23 private property rights, it is challenging to find a  
24 single redeeming quality in this.

25                  This plan is built to the lowest of

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1 expectations and barely meets them or falls short.

2 You could disagree with cramming 24  
3 apartments into a neighborhood of single-family  
4 colonials and ranches, annihilating any semblance of  
5 conformity or aesthetic.

6 It could be that you have a narrow 20-foot  
7 wide road that in part services 30 existing homes and  
8 will now service an almost 100 percent increase.

9 Or that you will thread what's probably the  
10 largest driveway in Marlboro between two other  
11 driveways with no signage and limited lighting.

12 This is a rhetorical question, but are there  
13 any driveways in Marlboro that are built off a dead end  
14 cul-de-sac that have 44 parking spots?

15 There's the small fact that you need to drive  
16 half a mile north or south before you see a divider in  
17 the road, so hopefully the new residents, mailman,  
18 UPS/FedEx and garbage trucks all know the right of way.

19 Or that you've got a retaining pond above new  
20 construction on a hill that pours down onto them and  
21 Route 9, a pond that's barely accessible.

22 But with all of these, I'm going to focus on  
23 the disastrous parking and safety. During the  
24 September 16th meeting, Mr. Garofalo, you noted that  
25 one and a half parking spaces is pretty normal for the



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1        area. While you can assign parking, you can't assign  
2        where a guest will stay if there's nothing available  
3        for them. There will be 50 new residents in these  
4        apartments, so statistically speaking, you're going to  
5        have a new birthday once every weekend, excluding major  
6        holidays and events.

7                Since there's insufficient parking in the  
8        first place, I suspect that the parking spots will be  
9        an extra fee to residents to purchase with an  
10       off-street parking availability. So if you and your  
11       spouse live there and you take two spots and your  
12       teenager wants to park, he'll park out on Summit Drive.  
13       There's no sidewalks or lights, so they're going to be  
14       walking in the middle of the street, so at least you  
15       need to worry about 44 cars potentially trying to get  
16       into the parking lot in the first place.

17               And then, for those of you who have come to  
18       the neighborhood, thank you. I'm sure you noticed that  
19       the street is quite narrow. There's only one entrance  
20       to the community. It's a dead end of a dead end of a  
21       dead end, so, hopefully, you can fit an ambulance or a  
22       fire truck through that street.

23               And I know that there are sprinklers for  
24       their homes, but what about my home? What if a fire  
25       truck can't reach Overlook Bluff because the street is

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1           crammed with cars? What about our safety?

2                   And I think this could have been mitigated if  
3           one or two sensible things were followed. Build the  
4           seven or eight single-family homes that were initially  
5           proposed in 2015 that was probably used to violate the  
6           deed restriction, and why we wound up here, or you run  
7           the road up Route 9. That would cost more money, and  
8           everything about this plan was trying to barely meet  
9           expectations. I don't think it should be hard for the  
10          Board to look at any number of the issues that are  
11          brought up today and make a sensible answer and say no.  
12          Thank you. Thank you.

13                   CHAIRMAN BRAND: Thank you.

14                   MS. WIECZOREK: Good evening, and thank you  
15          for giving us the opportunity to voice our concerns.

16                   CHAIRMAN BRAND: Can you just state your name  
17          for the stenographer.

18                   MS. WIECZOREK: Sure. My name is Cristina  
19          Wieczorek, W-I-E-C-Z-O-R-E-K. I've lived in Marlboro  
20          my entire life, down the street on Hudson Terrace. My  
21          son and daughter are sixth generation family to reside  
22          in Marlboro. My husband and I, as Justin said,  
23          purchased our home, 7 Overlook Bluff, in July of 2022.  
24          When we toured our home, I remember standing in the  
25          kitchen, looking out the window at the beautiful view

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1 of the Hudson Valley, including the open lot land  
2 attached to our future backyard. I asked our realtor  
3 why it was vacant and what would be built. I wasn't  
4 naive to think a spot of land with such a great view  
5 would stay vacant forever. We were told the property  
6 was zoned for single-family, duplex, possibly  
7 townhomes.

8 Thinking back to this conversation with our  
9 realtor, I wonder how this conclusion was drawn. Was  
10 it based on the 2015 public hearing for the lot line  
11 revision to gain access to an entry from Summit Drive  
12 where the realtor was asked directly what he intended  
13 to build on this land, and he answered, quote,  
14 single-family homes? Or was this based on the deed  
15 restrictions enacted on the lots on Summit Drive that  
16 clearly state only single-family homes are to be built?  
17 Regardless, he was able to revise the lot line between  
18 the houses with or without disclosing a previously  
19 enacted deed restriction on the properties and able to  
20 gain access.

21 Before this revision, the egress to the land  
22 was off of Grand Street, which makes sense. 9W would  
23 make more sense, but at least Grand Street is closer to  
24 the main road, and you don't have to bring traffic all  
25 the way up Bloom Street, down Hudson Terrace, around

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1       that bad blind turn where it turns into South Street,  
2       and then onto Dragotta, which already acts as the only  
3       egress for three separate dead end streets, Summit,  
4       Dragotta, and Overlook Bluff, totaling over 30 homes.

5               The stop sign leaving Dragotta towards South  
6       Street does not meet the required amount of feet of  
7       sight distance for a 30 mile an hour road as is, and  
8       now we're increasing the residents on these dead end  
9       streets by 80 percent. With curbed roads and zero no  
10      parking signs where the school bus meets at the top of  
11      the street for all the children, this development is  
12      being planned with the bare minimum concerns. Is it  
13      technically up to Code? Maybe. But we're striving for  
14      mediocrity as a community?

15             Problems that have been posed are solved and  
16      not looked at again, an example being snow storage.  
17      When the developer was told to find a solution for snow  
18      storage, he added an easement on the plans. Problem  
19      fixed. Until you actually look at the plans. There is  
20      41 feet between the driveways of 7 and 8 Summit Drive,  
21      and that's where the proposed 20-foot driveway entrance  
22      is to the 48-car apartment complex. It's also where  
23      the proposed snow easement is located. The answer to  
24      fix the problem was to pile the snow in front of the  
25      only egress to the complex and in front of two

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1 driveways. Was the answer approved as an appropriate  
2 solution, or was it just an answer to keep the ball  
3 moving and hope it doesn't get brought up again?

4 I love this town. In my humble opinion, and  
5 what I would believe to be the opinion of my family  
6 that's dating back to 1880, as my dad told me, this  
7 town is excellent. I believe this developer is not  
8 striving for excellence. We can and we should do  
9 better.

10 And I have a question for the Board. I know  
11 it can't be answered now, but has there been a traffic  
12 impact study, and are there plans for one? And if not,  
13 can it be requested? Thank you very much.

14 CHAIRMAN BRAND: Thank you.

15 MR. SIMONOSKY: Brian Simonofsky, 75 Orchard  
16 Street, Marlboro. I'd like to give my agreement to  
17 Mici to read the letter.

18 MS. SIMONOFSKY: Mici Simonofsky. Thank you  
19 again. I'm sorry.

20 I just wanted to point out, I think I said  
21 before that this subdivision has been through many  
22 different versions, and I do have a letter from our  
23 Highway Superintendent, Mr. Alonge, to the Planning  
24 Board. It's dated April 26th of 2021.

25 In regards to the Galella Summit Drive

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1 Properties application, Number 21-5011, as requested, I  
2 have reviewed the map of the proposed subdivision. The  
3 existing Summit Drive cul-de-sac would need to be  
4 abandoned. We will only be responsible for maintaining  
5 a width of 20 feet of the roadway connecting to the new  
6 subdivision. The remaining cul-de-sac area will then  
7 have to be turned over to the property owners. As far  
8 as the new subdivision, the driveways on Lots 4 and 5  
9 would have to be moved to the opposite side of each of  
10 these new buildings. This will then give us the  
11 required designated area for the plowed snow during the  
12 winter season.

13 So I realize that that was for a previous  
14 application, but it does point out that this is a  
15 cul-de-sac. And so I believe our Town Code doesn't  
16 even allow so many driveways off of a private road. So  
17 to have a private driveway, which is what is described  
18 on the site plan, a private driveway entering into 24  
19 apartments does not seem correct. So I just wanted to  
20 bring that to your attention as well, and I thank you  
21 again.

22 CHAIRMAN BRAND: Is there anyone else who  
23 would like to speak?

24 MS. DROZENSKI: Hello. My name is Kaitlyn  
25 Drozenski, K-A-I-T-L-Y-N, D-R-O-Z-E-N-S-K-I. Thank

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1           you. I live at 90 Orange Street, so I'm not directly  
2           next to the project, but kind of the back end of the  
3           project.

4                   And I'd like to echo the concerns that have  
5           already been shared regarding traffic. Forty-four  
6           parking spaces is not enough for that many units, for  
7           their visitors. And there's nowhere for the extra cars  
8           to go. It's going to lead to a lot of congestion.

9                   My son's bus stop is at the top of Bloom  
10          Street, so I'm concerned about the extra traffic that's  
11          going to be going past him every day and the impact  
12          there. I just want that noted. Thank you very much.

13                   CHAIRMAN BRAND: Thank you.

14                   MS. EVANS: Hello, my name is Emily Evans. I  
15          currently live at Hudson Terrace, at the corner of  
16          Bloom Street and Anna Place.

17                   I'm concerned about the traffic flow coming  
18          up Bloom Street. They're currently in the process of  
19          finishing the new townhomes on Hudson Circle, just down  
20          the street from this proposal. These are added cars,  
21          utilizing our busy intersection. The school bus stop  
22          at Bloom Street, where all the neighborhood children  
23          gather every morning and afternoon, I witness it so  
24          often: Cars speeding around, using the back roads as  
25          highways, using our back roads as highways, no regards

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1 to the safety of our children. If there is a way to  
2 access this proposed complex without bringing traffic  
3 up Bloom Street, we need to pause and figure it out.  
4 Bloom Street is a tough road. I've lived there my  
5 whole life, and I've watched my dad countless times  
6 park his car at the bottom of the hill in preparation  
7 for snow. It's not a great road for this much traffic.  
8 If an entrance from 9W is not able to happen, please  
9 reconsider building the egress off of the Grand Street  
10 Extension. There's absolutely no need for the  
11 additional traffic if it can be avoided. I beg of you  
12 to consider not only the safety of our children, but  
13 also the safety of all the current residents of the  
14 area who may have been here their entire lives. Thank  
15 you.

16 CHAIRMAN BRAND: Thank you.

17 MR. CORCORAN: Scott Corcoran, 17 Greentree  
18 Lane, Milton. I don't live around this development,  
19 but I am the Town supervisor of this town, and I'm here  
20 as a citizen tonight. I don't normally, as you know,  
21 come to your Planning Board meetings and put my opinion  
22 out there, but from the day this came across my desk  
23 and what I reviewed, I have many, many concerns about  
24 safety. And I just want to make sure everybody knows  
25 that the Town Board and the Planning Board are two



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1        separate entities. We don't get involved into their  
2        business. They take care of this part of the  
3        development of our town, but I just want to make sure  
4        that everyone knows that I am not a fan of this  
5        project. I think it's a safety issue. I think we  
6        should be coming off of 9W if we're going to allow this  
7        development to go forward. If it is going to be able  
8        to go forward off of Summit Drive, it should be a  
9        single-family home. It should not be an apartment  
10       complex, but that's just my opinion. Thank you.

11                Just make sure we deal with the safety  
12        issues, fire, and for the children, because a 20-foot  
13        road is just not wide enough in my opinion going  
14        through two houses. Thank you very much.

15                CHAIRMAN BRAND: Any other comments?

16                MR. FLORIO: Good evening. My name is Ralph  
17        Florio, F-L-O-R-I-O. It's been a while since I've  
18        spoken in front of a crowd like this. I'll try to keep  
19        it brief.

20                I'm here just to represent my father and  
21        mother. I grew up on this block 55 years ago, and  
22        there are still some others in here that I see that  
23        shared that same ability as I did, played in those  
24        orchards. And it just comes to me, and speaking with  
25        my parents, especially my mom -- thank God, she's not

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1           here tonight. She was very vocal to me. I'm there  
2           every morning. She's definitely opposed to it, as well  
3           as my father. But with those opposals (phonetic) comes  
4           solutions. I just hope that we are able to consider  
5           what that solution is. And Mr. Troncillito, at the end  
6           down there, he owned the house on there several years  
7           ago. But, again, if anybody has ever tried to pull out  
8           of Dragotta, you're taking your life into your own  
9           hands. If you do go east and head around that corner,  
10          you're met with a fate of oncoming traffic.

11                    I see children up there, not as much as it  
12          was when we were kids, but there's more houses there  
13          now. There's more kids there. Kids riding  
14          motorcycles. I grew up riding motorcycles, go-carts,  
15          and being yelled at by Mr. Troncillito and several  
16          other individuals there. So kids are kids. But,  
17          again, safety is a major concern for I think everyone  
18          that's here tonight from that area. Please take that  
19          into consideration, as well as the fire hazards and  
20          everyone's safety.

21                    But with that, I'm not here to complain, but  
22          there is a solution. I'm just wondering how do we  
23          obtain that solution. And I hope that all of the  
24          individuals that live on that block, that we have the  
25          ability to come together and either vocalize that with

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1       Mr. Galella. I've heard other things in the town,  
2       proposals where individuals meet and come to solutions  
3       before we come here and take up the Board's time. I  
4       only found out about this a short while ago. I'm still  
5       not all familiar with those plans, but just looking at  
6       it there, it looks like there's a minor subdivision off  
7       of an already minor subdivision. I don't know all of  
8       the laws because I haven't looked into it. If I need  
9       to, I will. But take that into consideration, because  
10      I think there was a -- I don't know if it was a ban or  
11      restructuring of a minor subdivision off of a minor  
12      subdivision. But, again, I'm just here for -- to come  
13      to some kind of solution, resolution for those  
14      individuals who invested large sums of money, not as  
15      much as my parents -- or my parents bought their  
16      house -- I think my father said he paid 50,000. These  
17      individuals are paying well over a half a million  
18      dollars for these houses, and they purchased a Hudson  
19      Valley view of the river. I was fortunate enough to  
20      spend most of my life there looking at that view, and I  
21      hope that those individuals that purchased that house  
22      will still retain the same ability to purchase a house  
23      and not have the view obstructed. But, again, safety  
24      is my main concern. Thank you.

25                   CHAIRMAN BRAND: Thank you. Anyone else from

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1           the public that would like to be heard at this time?

2                   MR. OKROS:   How are you?   My name is John  
3           Okros, O-K-R-O-S, last name.   I live on 2 Summit Drive.

4                   I had a whole list of stuff, but it's the  
5           same that everyone as saying.   Deed restrictions,  
6           questions about deed restrictions.   What's going to  
7           happen to our property value?   Safety.   I have two  
8           young kids.   I'm 2 Summit.   I'm off of Dragotta and  
9           Summit.   I see everything coming in and coming out.  
10          And I think this would be -- I mean, just look at it.  
11          It says it all there.   I think the majority of people  
12          here are against this, and I just ask that you, the  
13          Planning Board, I invite you to come up and look  
14          yourself, because I see it.   Obviously, I live there  
15          every day, but we have 10, 15 kids there, riding the  
16          bikes.   I can sit, watch them go down, come back.  
17          That's why we purchased the house for.

18                   I came from Dutchess County, moved to Ulster.  
19          I wanted to get away from, you know, gentrification and  
20          kind of live a more peaceful life.   I come from  
21          apartments myself.   Nothing against apartments, but  
22          this is a safety issue.

23                   And, please, I hope you guys do the right  
24          thing and look into it, and I know you will.   Thank  
25          you.

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1                   CHAIRMAN BRAND: Thank you.

2                   MR. QAQISH: My name is Saed Qaqish,  
3           Q-A-Q-I-S-H. I live on One Summit Drive. Three kids.  
4           They all learned how to ride their bikes on that  
5           street. I'm not saying anything different than these  
6           people, but it's obviously multiple families are hating  
7           this, and one person is going to make a lot of money on  
8           behalf of those people and their kids' safety.  
9           Hopefully, this doesn't go through, but if it does go  
10          through and one kid gets injured on that street,  
11          somebody has to answer to that. Thank you.

12                  CHAIRMAN BRAND: Thank you. Is there anyone  
13          else that would like to address the Board?

14                  (No response.)

15                  CHAIRMAN BRAND: No. If we could have the  
16          applicant's representative please come back to the  
17          table at this time. So is the Board willing to close  
18          the public hearing at this time?

19                  MR. TRONCILLITO: I'd like to say a few  
20          things, Mr. Chairman.

21                  CHAIRMAN BRAND: Please.

22                  MR. TRONCILLITO: I agree with everybody here  
23          that spoke, and I'm behind them a hundred percent.  
24          That's just my opinion. You know, just because it's an  
25          allowable use, that doesn't make it the right spot for

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1           it. And it's not the right spot. I walked that  
2           property Friday. I went up and down Summit Drive and  
3           Dragotta Road. I used to be up there a while ago. And  
4           a couple of questions is, What is the reason he's not  
5           looking at Grand Street for an entrance and exit?

6                     MR. WILLINGHAM: Grand Street, there's a  
7           tremendous slope.

8                     MR. TRONCILLITO: I know.

9                     MR. WILLINGHAM: So to get --

10                    MR. TRONCILLITO: Look at some other places  
11           around town that have tremendous slopes that overcome  
12           it.

13                    MR. WILLINGHAM: It would be a difficult  
14           driveway to build. Very difficult. I've designed  
15           many, many driveways and roads, because that's the  
16           steepest part of the property.

17                    MR. TRONCILLITO: I know. What are you going  
18           to do if the Town don't let you hook into the Town  
19           sewer system?

20                    MR. WILLINGHAM: I don't know. That's  
21           something I would have to talk to my client about.

22                    MR. TRONCILLITO: I think you probably  
23           should. I mean, the Town supervisor sounds like he's  
24           not too happy with the project, and I don't blame him.  
25           I was up there. Going down, walking down Summit Drive,

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1           and I even took a tape measure with me. Where is it?

2                   MR. CURCI: Twenty feet.

3                   MR. TRONCILLITO: Mr. Curci was with me, and  
4           it was 20 feet exactly. You put your garbage cans out.  
5           Somebody else is parked out there, friend, relative  
6           visiting. It's a tough situation. I'm in the fire  
7           service. I drive down -- past chief. I don't want to  
8           drive my ten-wheeler down there, you know, 2500 gallons  
9           of water, worrying about if I'm going to be able to fit  
10          down the damn road, in plain English.

11                   I just hope that maybe you can take all these  
12          comments back to the heads of state and take a step  
13          back and look at what the heck you are doing, because  
14          it's not the right place for it, in plain English.  
15          That's just me speaking. I don't speak -- I don't know  
16          what the rest of the Board thinks, but that's my  
17          opinion. Really take a look at it.

18                   It's unfair when I hear these people talking  
19          about the deed restrictions that were put on them when  
20          they were building their homes, and you do a complete  
21          flip-flop, and you're going to throw this thing in.

22                   Besides that, when you look at the aesthetics  
23          of these apartment buildings, they're not very  
24          aesthetically pleasing. They're kind of ugly. My  
25          opinion again. You know, I don't know how else to put

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1           it. I think I said enough. I'll turn it over to the  
2           rest of the Board members.

3                   CHAIRMAN BRAND: Any other comments or  
4           questions from the Board?

5                   MR. GAROFALO: Yes, Mr. Chairman.

6                   Two things. One, when a safety issue, such  
7           as parking on the street, is given to the Board, I  
8           think we are morally and certainly obligated to pass  
9           that information on to the Town Board, and whether this  
10          development is -- comes about or not is up to the Town  
11          Board and the people living there to decide if they  
12          need parking restrictions on that road. I think we are  
13          obligated to provide those comments and pictures to the  
14          Town Board since they are the authority on codifying  
15          restrictions, if any, and it really belongs to the Town  
16          Boards to discuss it with the residents whether or not  
17          this project goes forward. Because it seems from the  
18          pictures that this is an existing condition. How bad  
19          of a condition and how often it occurs, I don't know,  
20          but it's something that should be brought to the Town  
21          Board's attention.

22                   There's another issue with the deed  
23          restriction, which I've asked counsel if he has any  
24          further information on the applicability.

25                   MR. COMATOS: I haven't read it. I'd be



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1           happy to read it. I was unaware that you asked me to  
2           look into it.

3                   MS. LANZETTA: I understand you're not --  
4           usually, we, as a Board, direct our comments to the  
5           Chairman, and the Chairman then asks you to look at a  
6           certain legal issue that we might have a concern about.  
7           And I know you had done that regarding when we had  
8           asked about whether they met the density requirements,  
9           and both you and Pat responded to us with that  
10          information.

11                   But I'm of the same mind as James. I'm very  
12          concerned about the fact that I was on the Planning  
13          Board when the original -- the original request was for  
14          a lot line change so that this 50-foot piece that  
15          connects to Summit Drive could be added to the property  
16          in the back. It was never brought to our attention at  
17          that time that these deed restrictions were in place,  
18          and I think that might have a significant impact as to  
19          whether or not that was a proper subdivision.

20                   MR. GAROFALO: The question that I had given  
21          to the Chairman to pass on to you was, once these  
22          properties were combined, does the deed restriction on  
23          that strip of land apply to the rest of the property or  
24          not? So if you can look into that.

25                   MR. COMATOS: I understand the question. I

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1           wasn't aware that I was asked to look into that.

2                   CHAIRMAN BRAND: I may have not forwarded  
3           that request to you, but I would ask that you review  
4           the deed restrictions that are in place there for our  
5           next meeting and come up with some determination if  
6           it's applicable to this new property or not.

7                   MR. COMATOS: I certainly will.

8                   CHAIRMAN BRAND: Thank you.

9                   MR. GAROFALO: Thank you.

10                   MS. LANZETTA: And just one more thing too  
11           while we're at it, when we're talking about the Town  
12           Board, I am in total agreement that one and a half  
13           parking spaces for a multifamily project is not  
14           sufficient nowadays. With two bedrooms, you definitely  
15           have two cars for each apartment. And I think the Town  
16           would need to take a look at that and see about  
17           changing that as well.

18                   MR. CALLO: Do you know approximately how  
19           much you would be paying in town taxes? I'm just  
20           curious. Have you done those numbers at all?

21                   MR. WILLINGHAM: No.

22                   MR. CALLO: Do you know how much you're going  
23           to be paying in school taxes, by any chance?

24                   MR. WILLINGHAM: No.

25                   MR. CALLO: Because right now, looking at the

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1 total, it's about \$8800 per pupil. So I'm figuring if  
2 there's at least ten kids in there, it's \$88,000 more  
3 to everyone else in this room. If it's 20, it's double  
4 that. So I'm just concerned about how much strain  
5 you're going to create. I'm in for projects that help  
6 the Town and not add more strain to the Town and our  
7 tax base as it is.

8 MR. GAROFALO: With regard to parking at  
9 rental dwelling units in Marlboro, the average is 1.7  
10 vehicles available per dwelling unit. When you look at  
11 one and two and zero car units, it goes down to 1.33.  
12 Unlike a condominium complex where you have townhouses  
13 and people can have as many cars as they want, a rental  
14 agency can limit the number of cars that people bring  
15 onto the property, and they have a vested interest in  
16 keeping the number of cars low so that people will have  
17 a place to park, because people don't want to rent  
18 where they have to park far away from their residence.  
19 So they have the opportunity to write into their leases  
20 limitations on how many cars people can have that are  
21 renting their units, and they also have the authority  
22 that if they violate their lease, to remove them by  
23 discontinuing the lease. So they have a lot more  
24 management options than occurs at a townhouse.

25 The townhouses, yes, you're going to be over

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1       two vehicles per dwelling unit, but, in fact, this is  
2       reasonable. And when I say 1.77 -- 1.7, that includes  
3       rental houses. That's all rental units, not just  
4       apartments. And I'm sure that some of those that  
5       are -- have three, four, and five cars are more likely  
6       to be houses that are being rented where people don't  
7       have those kinds of restrictions. So I think the  
8       parking spaces is a good number.

9               And, in fact, the time when parking is peak  
10       at these types of facilities is where you're looking at  
11       12:00 to 4:00 in the morning. That's when you actually  
12       peak out for these kinds of rental units.

13              And just so that you're aware, I have a  
14       bachelor's in civil engineering and a master's in  
15       transportation planning engineering, and I've been  
16       doing this for a while.

17              But those numbers are specific to Marlboro,  
18       so I think they are reasonably accurate, and the  
19       management can to a certain extent control the number  
20       of parking spaces.

21              Now, whether they want -- the residents want  
22       to prohibit parking on Summit Drive, that's certainly  
23       something that they should be talking to each other  
24       about. Certainly we should get information from the  
25       Fire Department whether the Fire Department wants to

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1           have a fire lane, no parking restrictions on their  
2           access drive. Thank you.

3                   CHAIRMAN BRAND: Thank you, Mr. Garofalo.

4                   I'd like to have a motion to hold this public  
5           hearing open until our next meeting or the next  
6           appearance.

7                   MR. TRONCILLITO: I'll make that motion.

8                   MR. GAROFALO: I'll second it.

9                   CHAIRMAN BRAND: I would ask the applicant to  
10          strongly reconsider your access point, really taking a  
11          hard look at coming in from Grand Street or elsewhere  
12          to allay a lot of these citizens' concerns.

13                  MR. WILLINGHAM: All right.

14                  MR. TRONCILLITO: Or doing away with it and  
15          building single-family homes.

16                  MR. WILLINGHAM: And we could just get a copy  
17          of all the public comments? Because there's written  
18          comments submitted; right?

19                  CHAIRMAN BRAND: Yes. You'll get all the  
20          written comments, and when the minutes are complete,  
21          you'll get a copy of those as well with all of the  
22          stenographer's take on the oral comments.

23                  MR. WILLINGHAM: Okay. Thank you.

24                  MS. FLYNN: What meeting is he coming back  
25          to?

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1                   CHAIRMAN BRAND: Will you be ready for not  
2                   the next one --

3                   MR. WILLINGHAM: I think we'll let you know.  
4                   I think we need to talk about everything.

5                   MS. FLYNN: Okay.

6                   MR. GAROFALO: Don't we have to get a date  
7                   certain for the public --

8                   CHAIRMAN BRAND: Yes. So that will be --

9                   MS. FLYNN: November 18th, do you want to try  
10                  that? The 4th is upstairs.

11                  CHAIRMAN BRAND: Is that the one where we  
12                  were not having a meeting? So how about the first  
13                  meeting in December?

14                  MS. FLYNN: December 2nd.

15                  CHAIRMAN BRAND: I'd like to have a motion to  
16                  amend the motion and hold the public hearing open until  
17                  December 2nd.

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

19                  MR. GAROFALO: I'll second it.

20                  CHAIRMAN BRAND: Any objection?

21                  (No response.)

22                  CHAIRMAN BRAND: So we'll see you at the  
23                  December 2nd meeting.

24                  MR. HINES: Is there any -- would the Board  
25                  like me to engage Ken Wersted to take a look at the

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1 stop sign issues and the traffic issues that were  
2 discussed in the meantime?

3 CHAIRMAN BRAND: Is there a motion?

4 MR. JENNISON: Yes.

5 MR. TRONCILLITO: I'll second it.

6 CHAIRMAN BRAND: Any objection?

7 (No response.)

8 CHAIRMAN BRAND: Let's do that, Pat.

9 MR. GAROFALO: Mr. Chairman, can the  
10 applicant also look at the trip generation peak hours  
11 over a weekday and weekend? And you get those out of  
12 the ITE Trip Generation Book, 11th Edition.

13 MR. WILLINGHAM: Yeah, we'll provide that.

14 MR. GAROFALO: Thank you.

15 CHAIRMAN BRAND: Thank you. I would ask if  
16 many of you are planning on leaving, if you hold your  
17 discussions until you get outside. It makes it very  
18 noisy in here and you can't hear what's happening, but  
19 thank you all for coming and speaking to us on behalf  
20 of this project.

21 Time noted: 8:04 p.m.

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

23 Certified to be a true and accurate transcript.

24 Stacie Sullivan

25 Stacie Sullivan, CSR  
Senior Court Reporter

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

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

5 MARLBOROUGH RESORT LATTINTOWN

6 Project No. 24-2001  
 7 626 Lattintown Road, Marlboro  
 8 Section 102.4; Block 3; Lot 8.320  
 9 Section 102.4; Block 2; Lot 12, 13, 29  
 10 -----X

11 PUBLIC HEARING - SITE PLAN

12 Date: October 21, 2024  
 13 Time: 8:06 p.m.  
 14 Place: Town of Marlborough  
 15 Town Hall  
 16 21 Milton Turnpike  
 17 Milton, New York 12547

18 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON  
 19 FRED CALLO  
 20 JAMES GAROFALO  
 21 STEVE JENNISON  
 22 CINDY LANZETTA  
 23 BOB TRONCILLITO

24 ALSO PRESENT: PAT HINES  
 25 GERARD COMATOS, ESQ.  
 JEN FLYNN

26 APPLICANT'S REPRESENTATIVES: CHRIS LaPORTA  
 27 ANTHONY GIOFFRE, ESQ.  
 28 MICHAEL ACHENBAUM  
 29 DAVID KRUSE

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



*MARLBOROUGH RESORT - PUBLIC HEARING SITE PLAN*

1                   CHAIRMAN BRAND: Next on the agenda we have  
2                   Marlborough Resort Lattintown for a public hearing of  
3                   their site plan.

4                   Legal Notice, Special Use Permit and Site  
5                   Plan Application. Please take notice: A public  
6                   hearing will be held by the Marlborough Planning Board  
7                   pursuant to the Town of Marlborough Town Code Section  
8                   155-31 and 155-32 on Monday, October 24th, 2024, for  
9                   the following application, Marlborough Resort  
10                  Lattintown, at the Town Hall, 21 Milton Turnpike,  
11                  Milton, New York, at 7:00 p.m. or as soon thereafter as  
12                  may be heard. Site plan approval and special use  
13                  permit for a 30-room hotel on lands located at 626  
14                  Lattintown Road in Marlboro, New York, Section 102.4,  
15                  Block 3, Lot 8.320; Section 102.4, Block 2, Lot 12, 13,  
16                  29. Any interested parties, either for or against this  
17                  proposal, will have an opportunity to be heard at this  
18                  time. Documents and materials submitted in connection  
19                  with the application can be viewed at the Town website.  
20                  Chris Brand, Chairman, Town of Marlborough Planning  
21                  Board.

22                   Do you have the mailings that you sent out?

23                   MR. GIOFFRE: Mr. Chairman, thank you. For  
24                   the record, Tony Gioffre from the law firm of Cuddy &  
25                   Feder, Fishkill, New York. I just provided a copy of

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1       the public notice for returned receipts to Ms. Flynn.  
2       On October 8th, we provided the affidavit of mailing to  
3       the Town.

4               CHAIRMAN BRAND: Great. In light of time  
5       management this evening, I would skip Pat's comments  
6       for this one as well, and I'll also skip the reading of  
7       the Ulster County Planning Board's comments, but I  
8       would ask that your technician review those and reply  
9       to the recommendations, comments as made by those two  
10      professionals.

11              Would you like to just provide an overview?  
12      Does anyone here need an overview? I know many of you  
13      were here for the first presentation this evening. If  
14      anyone would like an overview, we can go over that  
15      again. Anyone need that?

16              (No response.)

17              CHAIRMAN BRAND: No. All right. Would you  
18      like to just bring us up to speed of where you guys  
19      are?

20              MR. LaPORTA: Chris LaPorta, Passaro  
21      Associates. We're the civil engineers.

22              We've obviously been here a number of times  
23      now and presented this project quite a few times. We  
24      have been responding to comments and advancing through  
25      design development.

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1                   Just to highlight on some of the more recent  
2                   changes that were documented in our last submission  
3                   that we had prior to this hearing, we heard some of the  
4                   public comments on the location of the distillery, and  
5                   some of the issues that came along with that. We also  
6                   heard Planning Board Member Garofalo's comments on the  
7                   staff dorms and the parking in that area.

8                   So we came up with an approach that we think  
9                   mitigated both of those issues, which was to move the  
10                  distillery further into the site, to the hilltop area,  
11                  and then provide additional parking there. It allowed  
12                  us to create a larger infiltration basin along the low  
13                  side near Ridge Road for stormwater management and  
14                  still provide ample opportunity that we can put a nice  
15                  landscaping screening there.

16                  We did hear earlier some comment from the  
17                  neighbors to the north, and we're going to -- we do  
18                  have ample space to increase the landscape buffer there  
19                  and probably put a berm there as well. So we're going  
20                  to look into making both of those improvements as well.

21                  One of the things that we have also been  
22                  working on is the entrance along Lattintown Road. I  
23                  think that was kind of one of the pinch points or the  
24                  areas of concern. And Creighton Manning did do their  
25                  review, and we had a dialogue with them. We did some

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1 additional modeling per their request, and this was an  
2 issue that was initially raised by Member Garofalo.  
3 And we, after working on it harder, looking at the  
4 model, you know, we agree. We thought that it was a  
5 challenging area. So we are here today to say we're  
6 committed to widening that, and I think we have an  
7 approach that we could save the trees, which is one of  
8 the key site features that we've been looking to  
9 preserve along that road.

10 We can, at minimum, get a 16-foot wide road  
11 in there, and what we're proposing to do to maintain --  
12 or to allow for two-way traffic is to keep the road as  
13 it is. Maybe adjust the center line a little bit, but  
14 keep that 10-foot paved road, and then being sensitive  
15 to the wetland buffer and the tree roots in the area,  
16 we're going to put gravel extensions or shoulders on  
17 both sides of the road for a minimum of three feet on  
18 either side. So the majority of the time, traffic will  
19 be able to drive on the paved surface. And we could  
20 use signage that, you know, when there's two-way  
21 traffic, the vehicles will be able to negotiate and use  
22 it. It's going to be a very low speed limit road. And  
23 the vehicles will have the opportunity to negotiate for  
24 two-way passing along that roadway.

25 And what we're also proposing to do is to

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1       slightly raise the grades. So if we keep the existing  
2       pavement there, we've been working with our  
3       geotechnical engineers. We think we can perforate that  
4       roadway to allow drainage to pass through it, and  
5       packing it with pea gravel. It's only ten feet wide.  
6       It's not a huge amount. But what that allows us to do  
7       by raising the grade is the gravel shoulder extensions,  
8       we won't need to cut them as deeply into the grade,  
9       which would compromise the tree roots of those existing  
10      trees. So we think that this solution will not only  
11      help the trees, but in addition, you know, that  
12      pavement was in a bit rough shape. So we were planning  
13      on putting in a full new asphalt section, which would  
14      mean removing all that pavement. So it's going to  
15      reduce the disposal as well. We're not going to need  
16      to haul out that pavement waste off of site and dispose  
17      of it. So it reduces the trucking and the waste. We  
18      think it's a good solution that will mitigate all those  
19      problems.

20               Those are really some of the high-level  
21      points that we've addressed. We did receive the  
22      comments, the SWPPP comments, from Pat Hines as well.  
23      We responded to those in letter format, and, you know,  
24      have reviewed them, and we're going to follow up with  
25      some of the technical details. But they're all easily

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1           manageable.

2                   MR. ACHENBAUM: I just want to comment about  
3           something for Mr. Troncillito. You're always very  
4           concerned about fire issues and second floors and third  
5           floors. We've taken out all -- other than the  
6           two-bedroom suites in the forest, we've removed all of  
7           the second floors from all of the buildings. So the  
8           highest height I think is now 22-ish feet on the site,  
9           rather than the 33-ish feet that we were previously  
10          achieving in certain buildings. No elevators. Removal  
11          of stairs. Just where those heights are it's because  
12          of volume, not because of, you know, a second floor  
13          there, which also should, I think, alleviate some of  
14          your concerns about what would happen if. So we tried  
15          to take that into consideration as well the way we laid  
16          things out. Anything else?

17                   MR. LaPORTA: I think we hit on a lot of the  
18          major points. We did, as I mentioned, review this and  
19          do some additional modeling for Creighton Manning. We  
20          were happy with the results we were able to achieve.  
21          The summary of their letter is that the overall summary  
22          of the project is that we do not foresee any  
23          significant SEQR issues relative to traffic. The  
24          project's off site impacts are generally minor, but  
25          additional review and site plan modifications are

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1 suggested.

2 I do have here sitting next to me, David  
3 Kruse, who prepared our traffic impact statement. I  
4 don't think we need to get too into the technical  
5 details of that. There was some mention of the traffic  
6 study earlier.

7 David, I don't know if you want to give a  
8 brief overview of the traffic, if the Board would like  
9 to hear.

10 CHAIRMAN BRAND: I don't know that we need  
11 the traffic tonight. We can hold off on that.

12 MR. ACHENBAUM: I think a couple of the  
13 issues that we would like to reiterate, though, about  
14 this project, beyond the fact that we do think we're  
15 taking a very high-end experience and bringing it to  
16 this town and bringing public venues that people will  
17 be able to enjoy and participate in, as well as outside  
18 guests, is the economic impact on the city itself and  
19 the taxation that it will bring to the area.

20 This is going to bring 250 jobs eventually.  
21 The first phase, I think about 175 jobs in phase 1,  
22 maybe a little bit more than that. And in addition to  
23 a large portion, about 50 of those being 87,000 plus  
24 dollar kinds of salaries, we're also bringing housing  
25 for a lot of our staff, to keep them on site, but also

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1       to provide opportunities for people who, whether they  
2       live in this neighborhood or within this county, to  
3       find new housing that they may not otherwise be able to  
4       afford and to launch a new career in an industry such  
5       as hospitality.

6               And another big point is the taxation. You  
7       know, by Year 10, we'll have generated -- estimated, of  
8       course -- \$39 million of sales tax for the state,  
9       nearly 13 million of hotel occupancy tax, and four  
10      million of estimated property tax. So these are big  
11      numbers, and they only get bigger as the hotel becomes  
12      more successful and expands. So I hope that is taken  
13      into consideration as, you know, we do think this is  
14      going to be a driver not only for taxation, but local  
15      businesses.

16             You know, the agribusiness situation needs  
17      this kind of client to be brought into the town. They  
18      spend multiples of what a day tripper spends. And the  
19      reality is, and, you know, our hope is, that people are  
20      eating a meal on our site, but also going into the  
21      town. And I truly do believe that, as that happens,  
22      the stores and the quality of what is also available  
23      will continue to improve, because people have a reason  
24      to invest into themselves. So we think this is a net  
25      positive for many reasons for the town.



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1 CHAIRMAN BRAND: Great. Thank you.

2 MR. GAROFALO: Mr. Chairman, can I make one  
3 comment?

4 CHAIRMAN BRAND: Mr. Garofalo.

5 MR. GAROFALO: I'd like to thank you for  
6 relooking at the access to Lattintown Road. Under the  
7 State Fire Code D104.2, given the size of the facility,  
8 it's eventually going to be over 200,000 square feet,  
9 you're required to have two fire accesses. So I want  
10 to make sure that your redesign of the Lattintown Road  
11 meets the fire district's requirements for a fire  
12 access as well as the Ridge Road access. Thank you.

13 MR. ACHENBAUM: Right. So we do have a  
14 secondary access, which is Ridge Road, because there  
15 are two fire departments that are actually responsible  
16 for different portions of the site. But we have a  
17 bridge that bridges the totality of it, and there is  
18 access for vehicles, fire vehicles, to come across the  
19 entirety of the site.

20 MR. GAROFALO: But I just want to make sure  
21 that the redesign is sufficient to hold their fire  
22 trucks. That's all. You don't have to answer that  
23 now. You can just make sure you take a look at it.  
24 Thank you.

25 CHAIRMAN BRAND: Great. This is a public

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1       hearing.  If there's anyone here that would like to  
2       speak for or against, you can have an opportunity to be  
3       heard at this time.  I would just ask that you come up  
4       to the podium, state your name clearly for the  
5       stenographer, and perhaps spell it.  Thank you.

6               MS. FLYNN:  Mr. Chairman, 60 went out.

7               CHAIRMAN BRAND:  Okay.

8               MR. CERONE:  Good evening.  My name is Chris  
9       Cerone, 44 Bingham Road, Marlboro, New York.  That's  
10      C-E-R-O-N-E.  Thank you for the opportunity to meet you  
11      guys tonight, see you guys tonight.  It's been a while.

12              I'm here on behalf of Laborers Local 17 and  
13      myself as a resident.  I'm currently the Ulster County  
14      field rep with Local 17 and vice president, and I have  
15      had the privilege of sitting on this Board, the Town  
16      Board, and acting as Town Supervisor in the past.  So  
17      I'm pretty familiar with these types of projects, and  
18      I've been in construction for 35 years.  So I'm pretty  
19      knowledgeable about these kind of processes.

20              As I said, I'm here to convey my support and  
21      the support of our members who are here tonight, many  
22      of whom are local residents and may potentially have an  
23      opportunity to work on this project.  I think this is a  
24      win-win for the town.  It provides a great tax base.  
25      It provides money for school, money for town.  And it

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1       also provides, even more importantly, jobs for our  
2       youth, and even good paying jobs for some of our  
3       residents locally here. We need this opportunity. I  
4       can't think of a better location for this opportunity.  
5       I'm very familiar with the property as well. And I  
6       hope that between the Town Board and the Planning  
7       Board, I have a lot of confidence in both boards, that  
8       we can find a way to make this project a success for  
9       the Town residents. Thank you. Nice to see you. I  
10      appreciate the opportunity.

11                   CHAIRMAN BRAND: Thank you.

12                   MS. ROSENSHEIN: Hi, my name is Ellen  
13      Rosenshein, R-O-S-E-N-S-H-E-I-N. I live at 646  
14      Lattintown Road. I do not know where the letters were  
15      sent to, but I live within a quarter of a mile of the  
16      Lattintown entrance, and I did not receive a letter  
17      about any meetings. If my neighbor had not texted me,  
18      I would not have known that any of this was happening.

19                   I have been concerned about the project, and  
20      I am sorry that I've not been able to make it to any  
21      meetings before this. The increased traffic on  
22      Lattintown Road is a concern for me. We already have a  
23      lot of traffic from agricultural equipment, tourism,  
24      apple trucks, and that is expected and understood. I  
25      like seeing the farmers doing their work. I do not

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1 mind being stuck behind a farmer who is doing their job  
2 and providing for us. But I really do worry about  
3 inpatient city tourists on a very windy, very narrow  
4 road, speeding, trying to get around that farm  
5 equipment, trying to get to their reservation, and  
6 increasing the number of accidents and definitely  
7 changing the character of our neighborhood.

8 Other concerns I have are about noise. In  
9 that piece of that little valley, noise ricochets and  
10 comes from weird directions. There have been nights  
11 that I can't figure out where the fireworks I can hear  
12 are coming from, if they're from Buttermilk Falls or if  
13 they're from across the river. But I hear a lot of  
14 noises from different areas. I can hear parties  
15 happening half a mile away sometimes, because it just  
16 depends on what the atmosphere is doing. So I'm very  
17 concerned about taking away what quiet enjoyment we do  
18 get. This isn't frequent, that people are throwing  
19 parties or that there's fireworks, but I do worry about  
20 large event spaces producing a lot of noise. I do  
21 appreciate what was said earlier today in the meeting  
22 before, about how they're going to try to mitigate it.  
23 I don't mind the noise of the farmers trying to save  
24 their crops when you hear the helicopters and the fans.  
25 I love that because that means there's good people

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1       working to do what they're supposed to be doing and to  
2       help provide for us. But I worry about hearing other  
3       kinds of event noises.

4               And then my last concern is environmental  
5       concerns. My property backs onto Lattintown Creek. I  
6       have a small beaver dam. I don't know how many of you  
7       know the difference between a beaver dam and a lodge.  
8       A dam means they're just blocking the stream. It's not  
9       where they live. So some of them love my area, and  
10      they flood my backyard. And I don't care. I don't  
11      care when they flood my backyard because it's amazing  
12      that beavers have returned to these streams that they  
13      were extricated from a hundred years ago. I want them  
14      there. Many migrating birds, including warblers,  
15      kinglets, sparrows, and more utilize the creek. Many  
16      more birds remain year round. I'm upstream of the  
17      property, but I know, I'm sure, that through the  
18      property and downstream the same birds are there. I've  
19      spotted at least 70 different species of bird on my  
20      4.7 acres in just the four years I have lived here.  
21      It's incredible. And I know that that diversity exists  
22      up and down Lattintown Creek. Red-tailed hawk, foxes,  
23      bobcats, coyotes, deer, and mink utilize the area, and  
24      I worry about the harm that comes to them. Sorry if I  
25      went too fast. Thank you.

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1                   CHAIRMAN BRAND: Thank you. Anyone else?

2                   MS. FLYNN: Hi, I'm Virginia Flynn. I'm at  
3                   235 Ridge Road. I know I asked you earlier -- I'm just  
4                   putting it on the record -- about the Fjord property,  
5                   if you're planning on using that when their time is up  
6                   with their leasing of the property, if you were  
7                   planning to do anything with that.

8                   MR. ACHENBAUM: Never thought about it until  
9                   you raised it, actually, so no. The answer is,  
10                  actually, part of our land I was thinking of actually  
11                  offering to them by tearing out dead trees that exist  
12                  and possibly having them take it and use it for  
13                  something positive, which would be agriculture.

14                  MS. FLYNN: Thank you.

15                  MS. SCAFFIDI: Hi, my name is Kathleen  
16                  Scaffidi, and I live at Ridge Road, at 240 Ridge Road,  
17                  but also 242 and 246.

18                  My concerns were basically the distillery  
19                  that was right across the street, the distillery that  
20                  was right across the street from my homes. I was  
21                  concerned about the traffic, the Ubers that now come to  
22                  the area, and people are standing there with their  
23                  little brown bags now. And, you know, it just takes  
24                  away from the residential area with having a  
25                  distillery.

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1                   Now, Michael has said, okay, we're moving  
2                   that off the -- out of my viewpoint, which I  
3                   wholeheartedly appreciate.

4                   The other things that I was concerned about  
5                   is the drainage. My front yard floods all the time  
6                   from Fjord's. It's not really Fjord's, but I'm  
7                   concerned that -- to make sure that that doesn't happen  
8                   again also.

9                   I mentioned the lighting; that I don't want  
10                  these lights to be, you know -- be very obtrusive into  
11                  my daily life.

12                  Safety. Safety is everybody's concern here.  
13                  The sidewalks, the families who walk their dogs, walk  
14                  their kids in strollers.

15                  Lastly, I think if there was some way that  
16                  you could ensure that my property value is not going to  
17                  go down with the incoming resort, I would love to hear  
18                  that.

19                  MR. ACHENBAUM: A couple of things. The  
20                  lighting, we discussed a few of these issues earlier,  
21                  at 6:00. Some people came unofficially just to talk.  
22                  We have the light -- what's it called?

23                  MR. LaPORTA: Dark sky compliant.

24                  MR. ACHENBAUM: Dark sky compliant, but  
25                  everything is sort of down facing. And on that side,

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1       it's mostly going to be bollards facing downwards, just  
2       to give people directional sense.

3               As far as the drainage, we are actually  
4       improving the situation for you and putting in a  
5       drainage ditch near you, so that should hopefully  
6       protect you more than the current situation.

7               And what was the last thing she raised? What  
8       was the last issue you raised?

9               MS. SCAFFIDI: Property values.

10              MR. ACHENBAUM: Oh, your values are going to  
11       go way up. I don't know what to tell you. Your value  
12       is going to go way up. I know you don't feel that way,  
13       but I'm telling you, it's -- what's that other town?

14              MR. LaPORTA: Gardiner.

15              MR. ACHENBAUM: Gardiner, the values are  
16       skyrocketing. I'm telling you, your values are going  
17       to go up.

18              MS. SCAFFIDI: I know Gardiner's are  
19       skyrocketing, but what about the people who live by  
20       Jellystone Park?

21              MR. ACHENBAUM: I can't reference that  
22       because it's not something I'm familiar with. But I'm  
23       telling you, your values are going to go up.

24              MS. SCAFFIDI: Thank you.

25              MR. GIOFFRE: Mr. Chairman, just in between



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1 speakers, I just want to note for the record, I spoke  
2 to Ms. Rosenshein, who advised that she lives a quarter  
3 of a mile away. The public notice requirement is  
4 500 feet, so she's beyond that requirement.

5 CHAIRMAN BRAND: Thank you.

6 MR. LaMELA: Hello. My name is John LaMela,  
7 L-A-M-E-L-A. I live on Willow Tree Road, 147 Willow  
8 Tree. I'm a member of the small business community in  
9 support of this project.

10 During COVID, post COVID, it was northern  
11 Orange and Ulster County was showing the greatest  
12 transfer of wealth from Westchester to New York City.  
13 Gardiner, Highland, Wallkill, Accord, towns outside of  
14 Woodstock. Even Kerhonkson went from locals calling it  
15 Kerhonkeytonk to the Kerhamptons in about two years.  
16 And although our town has grown, it was seemingly left  
17 with the crumbs from other towns that before COVID was  
18 able to offer so much less, and we offer so much more,  
19 which brings an amazing opportunity to you all. And  
20 I'm so happy that you guys are taking advantage of it.

21 Now, I do support this resort, as opposed to  
22 the type of investment in the previous minutes, for one  
23 major difference as alluded to earlier, it benefits our  
24 town. It supports the image of the greater Marlboro  
25 area, complementing the agritourism that our town uses

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1       as an economic foundation. I believe this resort will  
2       build upon the wineries, pick-your-owns, farm stands,  
3       which bring constant outside capital to our  
4       restaurants, bars, delis, and bakeries, along with all  
5       the contractors filling the support roles of these  
6       companies we are proud of. So, please, with the help  
7       of you guys and, of course, you (indicating), let's  
8       build upon this agritourism and economic prosperity.

9               Thank you, Board, for holding this meeting.  
10       Thank you all for attending, and thank you members of  
11       this hospitality group for choosing our town to invest  
12       in.

13               CHAIRMAN BRAND: Thank you.

14               MR. CURCI: Good evening. My name is Angelo  
15       Curci, C-U-R-C-I. I run a local winery here in the  
16       town, Benmarl Winery. I'm representing Benmarl Winery  
17       and Fjord Vineyards tonight due to the fact that the  
18       owners cannot make this meeting tonight. And we are in  
19       favor for this project. I'm going to start with this  
20       is what they wanted me to say tonight.

21               Thank you to the Board members and community  
22       members for taking the time to come out to this meeting  
23       tonight. As both stakeholders and shareholders in the  
24       Town of Marlborough, we wholeheartedly support this  
25       project, as the Town has promoted agritourism. This

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1 project will support our local farms, businesses, and  
2 wineries, as well as preserve open space. Projects  
3 like these have proven time and time again to stimulate  
4 the local economy, create sustainable jobs for the  
5 community, and drawing customers that will continue to  
6 invest in the local economy. We, as farmers and  
7 winemakers, see the project as both an outlet for our  
8 products as well as input to our direct consumer sales.  
9 If we as a community want to promote our existing farms  
10 and businesses, this project is a must. Thank you.

11 CHAIRMAN BRAND: Anyone else who would like  
12 to speak?

13 MS. BOLOKHOVA: Hi, my name is Alina  
14 Bolokhova. That's B-O-L-O-K-H-O-V-A. I live at 16  
15 Christina Way. And, basically, you go up my backyard,  
16 and you're right into Fjord. And I heard you mention  
17 you hadn't thought about what you're going to do with  
18 Fjord, but did you just say that you were going to tear  
19 up some of those trees possibly?

20 MR. ACHENBAUM: I have a field of dead trees,  
21 so we were thinking of maybe having that torn out,  
22 using the wood on some level, and providing another  
23 space for someone to do something positive, which is  
24 agriculture, instead of having a field of dead trees.

25 MS. BOLOKHOVA: Okay. So it's just the dead

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1       trees. Because there are some apple trees that are  
2       lining our backyard, and if you chop those down, you'd  
3       be looking right into our bedrooms.

4               MR. ACHENBAUM: No.

5               MS. BOLOKHOVA: Other than that, I'm really  
6       excited about the project, and I really appreciate your  
7       taking such care to mention dark sky and thinking about  
8       local animal populations and also the local trees. So  
9       thank you.

10              CHAIRMAN BRAND: Is there anyone else who  
11       would like to speak?

12              MR. KORMANNSHAUS: My name is Claus  
13       Kormannshaus. I live at 249 Ridge Road. My property  
14       is facing I guess --

15              CHAIRMAN BRAND: I'm sorry. Could you just  
16       spell your last name for the stenographer?

17              MR. KORMANNSHAUS: Sure. No problem. It's a  
18       difficult Irish name. K-O-R-M-A-N-N-S-H-A-U-S. If you  
19       believe that's Irish, I've got a house for sale for  
20       you.

21              I'm just concerned about the drainage as one  
22       important thing that Kathy mentioned, because right now  
23       with the gravel road that kind of comes and goes every  
24       rainstorm, it abuts my property, it leaves quite a mess  
25       in my yard. You know, if you pull the trees out above

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1       that, that could be a significant issue with the  
2       runoff. I have a sump pump in my basement, which  
3       fortunately I don't have to use at the moment. I'd  
4       hate to have to. So that is a concern, and just, you  
5       know, what it could do to just that runoff, and water  
6       does what it does. If those trees are gone, I'm  
7       concerned about that.

8               As far as the driveway goes, I'm not sure  
9       what your plans are for that road or how you're going  
10      to utilize that. I believe you're going to put a road  
11      in there somewhere for the dorms to go in where that  
12      distillery was supposed to be; is that correct?

13             MR. ACHENBAUM: So there's a preexisting dirt  
14      road that runs up the right side, but where -- you were  
15      at the previous meeting for the zoning -- ZBA meeting,  
16      I believe. So we moved the distillery away, which I  
17      knew made you unhappy, and we're putting a drainage  
18      ditch at the bottom of the hill as well. And net net,  
19      we're going to have far less water spillage than what  
20      was existing. We have a responsibility to deliver  
21      that, and we will.

22             MR. KORMANNSHAUS: I'm not sure what you  
23      mean, drainage ditch. You're going to put like a gully  
24      along the road?

25             MR. LaPORTA: So along the frontage we are

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1       designing an infiltration basin. We have percolation  
2       rates that support that. Moving the distillery allowed  
3       us to make that basin bigger. So we will have a  
4       drainage collection system that could direct the  
5       majority of the runoff to that basin, and for what  
6       remains -- you know, there is an existing problem there  
7       that we identified. We've actually been talking with  
8       Pat about this. There's potential to put a small  
9       drainage ditch along the side of Ridge Road to at least  
10      keep the drainage concentrated along the roadside to a  
11      culvert that already exists. It's probably only a few  
12      hundred feet away.

13               MR. KORMANNSHAUS: Yeah, because right now  
14      there is a pipe that runs under the road, and I believe  
15      it goes beyond Kathy's property. That clogs a lot.  
16      I've had to dig that out a few times myself, just  
17      because that will flood the front yard. Again, I'm  
18      just concerned if we pull more of those trees out,  
19      trees absorb water, and that could be an issue. So I  
20      am concerned about that.

21               I'm also concerned about the lighting and the  
22      noise from the dorms you're going to put in back there.  
23      I'm not sure how far back those are going to be and how  
24      that's going to be set up. I might be interested to  
25      know.

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1                   MR. ACHENBAUM: I have an image of what the  
2                   dorm is going to look like, and it's -- so if you look  
3                   on the far right side where you see the little orange  
4                   dot, way on the right side, so it's a couple hundred  
5                   feet up the hill, and --

6                   MR. KORMANNSHAUS: So Ridge Road is all the  
7                   way down the bottom?

8                   MR. ACHENBAUM: Yeah.

9                   MR. KORMANNSHAUS: It looks like it's set  
10                  back quite a bit.

11                  MR. ACHENBAUM: It is set back quite a bit.  
12                  And the look of the building -- which I was going to  
13                  show you all this, but we sort of skipped the pretty  
14                  pictures part -- this is our entry building for the  
15                  site. This is the main restaurant and the thing that  
16                  we call the orangery, which is a small event space.  
17                  This is our spa. This is our events -- our larger  
18                  ballroom event space. This is our walled garden, kind  
19                  of English countryside experience with gardens right in  
20                  front of it. This is the cabins that go into the  
21                  forest.

22                  And this is the dorm. So that's the side  
23                  that you will see from where you are. This is the  
24                  bottom side of it, and the other side of it, there's  
25                  like another fascia obviously that has a different

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1        parking lot. But this is the side where the staff will  
2        enter, and the people who live in the building will  
3        enter from the other side.

4                MR. LaPORTA: With that said, we are  
5        proposing a landscaping buffer along Ridge Road too, so  
6        it won't be just a straight-on view of the building  
7        there.

8                UNIDENTIFIED PERSON: Are there --

9                CHAIRMAN BRAND: I'm sorry. If you could  
10       just wait to come up and state your name for the  
11       stenographer.

12               MS. PERRONE: So that building --

13               CHAIRMAN BRAND: What was your name?

14               MS. PERRONE: Rosella Perrone, P-E-R-R-O-N-E.  
15       So that building is going to be right across from us?

16               MR. ACHENBAUM: Well, I mean, it's a few  
17       hundred feet up the hill. It's not right -- where the  
18       distillery was, there's going to be nothing but trees  
19       and a ditch and water reception.

20               MS. PERRONE: And how many units is that?

21               MR. ACHENBAUM: It's 32 little rooms, which  
22       can house between 32 and 45 to 50 people depending on  
23       the season.

24               MS. PERRONE: So we're talking at least 32  
25       cars for the --



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1                   MR. ACHENBAUM: No, because -- sorry. I  
2                   don't want to interrupt you. I apologize.

3                   MS. PERRONE: We're talking about the same  
4                   issue that before people were talking about. We're  
5                   gonna have an added addition of traffic for the people  
6                   that are going to live in those dorms.

7                   MR. ACHENBAUM: Well, those people who live  
8                   there are also working on site. It's only for people  
9                   who work on site. So unless they're leaving to go to  
10                  town in an evening when they're not working, which they  
11                  will sometimes, but the norm will be -- because I feed  
12                  them there. So they're going to normally get taken  
13                  across the site and then be brought back and have most  
14                  of their meals there. And on the side hill closest to  
15                  Fjord side, facing the hill to the left, there's going  
16                  to be like a barbecue area with some grass and a nice  
17                  patio for them to be able to sit outside and to enjoy,  
18                  you know, the beautiful view. But it's meant -- one of  
19                  the reasons to do this is actually a reduction of  
20                  traffic from our staff. That is one of the reasons why  
21                  we actually have --

22                  MS. PERRONE: You don't think they're going  
23                  to be owning cars?

24                  MR. ACHENBAUM: I think some will, but I  
25                  think many will not. I think that's one of the

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1        advantages, is that this is -- hospitality is generally  
2        a younger industry, and the people who are choosing to  
3        live here -- there are seven rooms that have their own  
4        bathrooms, so those may be managers, but most of the  
5        staff are going to be lesser level staff. So I would  
6        think many of them actually will not have cars. So I  
7        think many of them are living there because it's  
8        convenient, because they can afford to live there,  
9        because we're basically subsidizing their housing and  
10       providing the opportunity for us to have -- one of the  
11       biggest issues in hospitality is you spend a lot of  
12       time training your staff, and they leave you. So by  
13       providing housing, we are hoping to stabilize our staff  
14       and have a well-trained, consistent staff. And we hope  
15       that most of these people stay there for a very long  
16       time. That's our hope.

17                    MS. PERRONE: What about noise?

18                    MR. ACHENBAUM: I removed the distillery, I  
19       pushed it back, because that was your biggest concern.  
20       And I get it; you have other concerns as well.

21                    MS. PERRONE: Traffic.

22                    MR. ACHENBAUM: Right, which is a big concern  
23       as well. But we really tried to take into  
24       consideration what felt like your top concern, which  
25       was having loud people drinking and partying right

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1       there. The biggest difference between these people and  
2       the people that you, in theory, thought might be  
3       partying right across the street from you is that they  
4       work for me. If they're loud and obnoxious, they will  
5       lose their job. So you have that balance between -- my  
6       security office is -- you see where that little person  
7       is standing in the front? My security office is right  
8       there. That's my primary security office. And who can  
9       get onto the site, especially until we build the second  
10      phase and third phase, there is a gate that allows  
11      people onto my site from the Ridge Road side.

12               MS. PERRONE: Just wondering.

13               MR. ACHENBAUM: So we're trying.

14               MR. KORMANNSHAUS: And, again, we appreciate  
15      you moving distillery.

16               MR. ACHENBAUM: Of course. Thank you.

17               MS. PERRONE: Thank you very much.

18               CHAIRMAN BRAND: Thank you.

19               MR. DeMARCO: My name is John DeMarco,  
20      D-E-M-A-R-C-O. Long time resident of Marlboro.

21               And I am really excited about this project.  
22      I really am. Most of you know that I have a real  
23      estate business in town, and I own quite a few  
24      properties in the town as well. I had the pleasure of  
25      meeting Michael and his team a couple years ago now,

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1       and with the Guarinos, who owned the property prior.  
2       And we all got excited, because while I do a lot of  
3       business in Dutchess County and Orange County, I live  
4       here in Ulster County. I live here in Marlboro. So  
5       whenever we can connect the dots, and it's win, win,  
6       win, that gets me really excited, especially for the  
7       town.

8               A lot of the benefits of the project have  
9       been discussed already. You know, the drag effect on  
10      the economy; you know, the jobs, the investment level,  
11      can't be understated. Somebody was concerned about the  
12      value of their home. I agree with Michael. I've seen  
13      many projects like this -- I call them experiential  
14      thematic type properties that cater to a certain type  
15      of person that wants to stay here for a weekend and  
16      enjoy the country. Some don't work. They don't work  
17      because in some cases -- I just had an incident with a  
18      project that I couldn't support in another town, also  
19      in Ulster County, not in Marlboro. But the problem  
20      with that location was there were no amenities. There  
21      was nothing associated with the project that required  
22      people to stay there. So if you wanted to eat, you had  
23      to leave and come back and leave and come back. It was  
24      a highly densified area of houses. So lighting was an  
25      issue. Noise was going to be an issue. And definitely

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1       it would change the character of that neighborhood. So  
2       I, myself, could not support that project. But this is  
3       something very, very, very different.

4               When I first met Michael and his team, they  
5       already started talking about the end game. In fact, I  
6       remember thinking -- and I didn't tell you this, but I  
7       remember thinking, we've gotta slow him down a little  
8       bit here because there's a lot of detail that you gotta  
9       talk about: Can you actually do that; will the zoning  
10      let you do that; will the topo let you do that on the  
11      property? They're very experienced at this. They have  
12      a proven track record. They build a quality product.  
13      And when we have the opportunity to attract a developer  
14      like this hotel group who wants to come here, make this  
15      level of investment in our town, with the level of  
16      quality they're known for, boy, oh, boy, I tell you, we  
17      are very lucky to have them here.

18             So I just want to say I'm in support of that.  
19      Somebody was concerned about the value of their home.  
20      Trust me, you're not going to be worried about the  
21      value of your home when this is done. I agree with  
22      Michael on that. It's going to have a positive effect  
23      on the whole town, and I can't think of a reason why we  
24      wouldn't do it. So thank you.

25             CHAIRMAN BRAND: Thank you.

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1                   MR. DRAGISICS: Good evening, everyone. My  
2                   name is Thomas Dragisics, D-R-A-G-I-S-I-C-S. I live at  
3                   261 Ridge Road, which is basically right next to this  
4                   apartment structure.

5                   I think the property and everything about it  
6                   is great. I understand what it's going to do for the  
7                   local community. I don't think we're all here trying  
8                   to stop it from happening, but I think we're going to  
9                   try to keep tweaking it. The distillery was step one  
10                  for me.

11                  This is going to completely change my view  
12                  (indicating). My bedroom is essentially right to the  
13                  right of this image. Any time anyone drives up and  
14                  down that road on the farm, they wake us up in the  
15                  middle of the night. They spray at 2:00 in the morning  
16                  once a month. Right now, in the fall, they drive down  
17                  once a day.

18                  So there's one car a day that comes down that  
19                  road, and we're going to now turn that into 20, 30 a  
20                  day. I know it may seem small, but we moved to this  
21                  area to have a very, very quiet experience. I would  
22                  love to maintain that. I would love to not have to  
23                  move one day because of too much noise pollution, but  
24                  this structure is going to drastically alter when you  
25                  pull up on Ridge Road. If there's any way we can shift

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1       this back, that would be my biggest push. There's an  
2       orchard in the back. Maybe flip the two. So when you  
3       drive up, just like the Lattintown side, there is --  
4       you don't see it from the road. I would love to keep  
5       that aesthetic on Ridge Road. If there's anything the  
6       Town can do to push them to keep that historic look to  
7       the orchard, that would be my goal.

8               Ultimately, in my backyard, it's pitch black.  
9       I sit there and look at the stars at night. I know  
10      we're going to try to not have light pollution, but we  
11      all know there's going to be some lights. So the  
12      further back this can go, the less it's going to impact  
13      all the residents.

14             So, again, I appreciate you guys moving the  
15      distillery. If there's anything you can do to push  
16      this back, to keep the noise down. I think you guys  
17      have done a great job of mitigating all of these  
18      things. I think the last one on this list is keeping  
19      the residents on Ridge Road probably happy, and after  
20      that, I think you guys have done everything else.  
21      We're going to lose the traffic, unfortunately. I  
22      think we all see that one coming, but I hope that you  
23      guys can reconsider that -- the usage of that road  
24      essentially that is adjacent to my home that is now  
25      going to have a lot more than just one farm truck going

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1 up and down. But, yeah, I think that's all my points.  
2 Thank you.

3 CHAIRMAN BRAND: Thank you. Anyone else?

4 MS. HARTMANN: Hi, my name is Kelley  
5 Hartmann, K-E-L-L-E-Y, H-A-R-T-M-A-N-N. My husband  
6 just spoke. I have a letter from my lawyer that was  
7 sent to the Town, the secretary, today that I'm going  
8 to try to read.

9 Together with the residents, I have reviewed  
10 the latest site plan for the project submitted to the  
11 Planning Board and the applicable zoning laws and  
12 regulations. First issue at issue is the location of  
13 Road K as designated in the site plan, which runs  
14 adjacent to the residents' property --

15 CHAIRMAN BRAND: Can you slow down a little  
16 bit. If you sent the letter, we'll put it into the  
17 minutes. You don't necessarily have to read it  
18 verbatim. She'll put all of that into there. If you  
19 just want to hit the high notes of it.

20 MS. HARTMANN: Okay. Yes. So that Road K is  
21 right next to my house. As my husband mentioned, we  
22 hear everything, and having it be a very busy road, it  
23 would be quite impactful to our experience at home.

24 Also, I don't know exactly how far away -- I  
25 was looking at it today, and the current road, which



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1 I'm not sure if you're trying to change how far away it  
2 is, and I don't know exactly where the property line  
3 is, but I was out there today, and the rock wall that  
4 separates my property from your property is 15 feet, if  
5 not less, from the current farm road, and it's supposed  
6 to be 50 feet from the property line.

7 And then the other note is about traffic. My  
8 lawyer said that there were extensive traffic reports  
9 conducted on Lattintown, but not anything similar on  
10 Ridge Road. And I thought this was because Ridge Road  
11 was just going to be emergency use or just for the  
12 residents, but it seems like it's going to be much more  
13 than that in your long-term goal. And I'm concerned  
14 that there's already a lot of traffic. Anyone who  
15 lives on Ridge Road has seen me walking my dog, which I  
16 do almost every day.

17 And that, obviously, this building that we  
18 see on the screen here is much larger than I thought it  
19 was going to be. Honestly, I'm scared of this image,  
20 because right now we have apple orchards and it's  
21 beautiful. That's why we moved here. I don't want  
22 that. That's it.

23 CHAIRMAN BRAND: Thank you.

24 MR. JENNISON: Can you put up the image of  
25 where on Ridge Road that is on the map?

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1                   MR. ACHENBAUM:   Sure.

2                   CHAIRMAN BRAND:   While he's doing that, is  
3                   there anyone else that would like to come up?   Please.

4                   MS. BOZZO:   Hello, my name is Kayleigh, last  
5                   name is Bozzo, B-O-Z-Z-O.   I didn't prepare anything,  
6                   and I'm talking on a whim, but having grown up as a  
7                   resident of this town and currently a business owner in  
8                   this town as well for the last what will be hopefully  
9                   ten years in November, we are an agricultural family  
10                  and live on a farm and have an agritourism business in  
11                  this town.   We own Nostrano Vineyards.   I haven't had  
12                  the opportunity to meet you, but I'm familiar with the  
13                  Guarinos and your project, and we are totally in  
14                  support of what you have planned for the area.

15                  Having seen Marlboro grow in the last ten  
16                  years at least from our perspective, this will  
17                  definitely expand on what all of us smaller wineries  
18                  and vineyards and farms are doing.   I can't speak to  
19                  any of the infrastructure issues.   That's why you guys  
20                  are here.   And I also can't speak to anyone who will be  
21                  impacted on Ridge Road.   I'm sorry you are upset by  
22                  that.   But I do hope that we can move forward and  
23                  everyone can enjoy this one day.   That's all.

24                  CHAIRMAN BRAND:   Thank you.   Anyone else care  
25                  to speak?

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1 (No response.)

2 CHAIRMAN BRAND: No. I'd like to have a  
3 motion to close the public hearing.

4 MR. TRONCILLITO: I'll make it.

5 MS. LANZETTA: I'll second it.

6 CHAIRMAN BRAND: Any discussion?

7 MR. JENNISON: Yes. Does the clock start  
8 legally? Where are we at, or will they waive that  
9 clock starting by us closing the public hearing?

10 CHAIRMAN BRAND: Is the applicant willing to  
11 waive the shot clock?

12 MR. ACHENBAUM: I don't know what that means.  
13 Sorry.

14 MR. GIOFFRE: So, we're hopeful that the  
15 Board will close the public hearing and direct a  
16 resolution to be considered. Timing is very important  
17 to us. Obviously, I want to work with the Town in  
18 every way, shape, or form that we can. I don't know  
19 what open issues there would be to extend beyond the  
20 time frame that the Board needs to render a  
21 determination, but we'd like to move this project  
22 forward.

23 CHAIRMAN BRAND: Pat or Gerry, do you have  
24 any comments on that? Do you think it's necessary to  
25 keep --

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1                   MR. COMATOS: If you have any doubts or  
2 concerns, then keep the public hearing open to avoid an  
3 approval by default.

4                   CHAIRMAN BRAND: What is the time frame?  
5 Pat, what is the time frame?

6                   MR. COMATOS: It's 62 days from close of the  
7 public hearing.

8                   MR. JENNISON: I just want to make sure we're  
9 going to finish everything we need to.

10                  MS. LANZETTA: Do we have to have the  
11 agreement signed with the Town -- not we, the Planning  
12 Board, but does the Town have to have the agreement for  
13 the water before we can approve this?

14                  MR. COMATOS: It would, at the very least,  
15 have to be a condition of approval.

16                  MR. GIOFFRE: Given the number of parties  
17 that are involved, we would certainly expect that a  
18 condition of approval would be appropriate. We have to  
19 work with the Town Board. We have to work with an  
20 adjacent municipality. So we would hope that that  
21 would be a condition of approval. Otherwise, it's --

22                  MR. ACHENBAUM: Just to say one thing, we  
23 made tremendous progress on that issue. It's not  
24 finalized. There's definitely some details that your  
25 counsel, our counsel, have to work out, but the Town

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1 supervisor has made tremendous progress discussing this  
2 issue with us, and so we're very close. It's something  
3 I think that can be wrapped into the totality of  
4 these -- you know, as we do the resolution, doing that  
5 paperwork as well.

6 MR. GIOFFRE: And something that should not  
7 hold up the Planning Board's determination.

8 MS. LANZETTA: I just want to be sure that  
9 the wastewater treatment plant would be dependent on  
10 the amount of water that you could receive from New  
11 York City, so they can't do their approvals either  
12 until that's in place; correct?

13 MR. GIOFFRE: Part of the reasoning why that  
14 it should not hold up the Planning Board's  
15 determination, if it's a condition of approval, that  
16 all of those entities would need to be satisfied before  
17 we can move forward to building permit or anything  
18 else.

19 CHAIRMAN BRAND: Gerry, do you see any  
20 concern with that?

21 MR. COMATOS: Excuse me?

22 CHAIRMAN BRAND: Do you see any concern with  
23 what he said?

24 MR. COMATOS: Well, you say you're very close  
25 to working out an agreement on the extension of the

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1           water district. That's great news, but I'm not -- you  
2           know, I'm supposed to be a part of that. I'm not aware  
3           of any progress that's been made to date.

4                   MR. GIOFFRE: I haven't been part of those  
5           discussions either. My understanding is the terms are  
6           being discussed, but, obviously, we would need to  
7           continue to work and don't want those discussions or  
8           working with other agencies or other entities to hold  
9           up our progress in moving forward.

10                   MR. GAROFALO: Mr. Chairman, I would like to  
11           see the Fire Department look at the new road  
12           improvements that they're proposing to make sure it  
13           will handle their fire trucks.

14                   I would also like to see the sight lines put  
15           on the map so that the areas have to be maintained  
16           clear for those sight lines will be shown on the map.  
17           And the speeds for those roads also shown. I don't  
18           think that's a hard ask, but I think the concern about  
19           the road and whether it can handle the fire trucks is  
20           very important.

21                   MR. LaPORTA: And we think that could be a  
22           condition of approval. We're also planning -- in  
23           advance of next meeting, we're going to submit updated  
24           drawings showing that roadway, but it will be exactly  
25           what we said in our -- as a follow-up to our

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1       discussions with Creighton Manning. We're going to  
2       widen the road to the maximum extent possible, minimum  
3       16 feet, and I think in some areas we can do better  
4       than that.

5               MR. TRONCILLITO: Jim, what road are you  
6       talking about so I can get with my chief?

7               MR. GAROFALO: That's the access to  
8       Lattintown Road that under the original plan was only  
9       ten feet wide. And it's going to handle two-way  
10      traffic, that they are going to widen it. They're  
11      talking about using -- not paving, but some kind of  
12      gravel or whatever, but I want to make sure that you  
13      guys are happy with that.

14              And I would also like to make sure that all  
15      of the comments that Creighton Manning made are -- the  
16      information is provided, answering their questions,  
17      because they had quite a few questions, and I would  
18      like to see all of those responded to.

19              CHAIRMAN BRAND: All right. That being said,  
20      there was a motion on the floor to close the public  
21      hearing. There was a second. Is there any further  
22      discussion?

23              (No response.)

24              CHAIRMAN BRAND: Is there any objection?

25              MR. GAROFALO: Yes.

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1 CHAIRMAN BRAND: I'm sorry, James?

2 MR. GAROFALO: Yes.

3 CHAIRMAN BRAND: You're objecting?

4 MR. GAROFALO: Yes. I'm only one vote, I  
5 guess.

6 CHAIRMAN BRAND: That motion passes.

7 MR. COMATOS: Mr. Chairman?

8 CHAIRMAN BRAND: Yes.

9 MR. COMATOS: I haven't heard any discussion  
10 about what I believe would be the applicant's position  
11 that a Negative Declaration is in order, and I've seen  
12 an EAF Part 2, but are you offering to prepare a  
13 Negative Declaration?

14 MR. GIOFFRE: We would be happy to offer to  
15 prepare a Negative Declaration for the Board's  
16 consideration. We'd ask, if the Board is inclined, to  
17 direct staff to prepare a Resolution of Approval with  
18 conditions for your consideration. And we'd be happy  
19 to work on the other outstanding items that we talked  
20 about in the interim.

21 CHAIRMAN BRAND: Do I have a motion to  
22 authorize the attorney to draft a Negative Declaration?

23 MR. TRONCILLITO: So moved.

24 MR. JENNISON: Second.

25 CHAIRMAN BRAND: Any discussion?



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1 (No response.)

2 CHAIRMAN BRAND: Any objection?

3 MR. HINES: I think they're suggesting  
4 they're going to provide it.

5 CHAIRMAN BRAND: They're providing it to our  
6 attorney, yes.

7 MR. GIOFFRE: We could write it. We're  
8 asking for the site plan approval resolution.

9 CHAIRMAN BRAND: Okay. Any objection to  
10 that?

11 (No response.)

12 MS. LANZETTA: At the next meeting, if you  
13 could reply to the technical comments by both our  
14 engineer and the Ulster County Planning also, that  
15 would be helpful.

16 MR. LaPORTA: Happy to do that.

17 CHAIRMAN BRAND: The next meeting will be  
18 November 4th, upstairs.

19 MR. GIOFFRE: Mr. Chairman, was there a vote  
20 on directing the resolution of approval?

21 CHAIRMAN BRAND: Yes. It passed.

22 MR. GIOFFRE: It did. Okay. I just wanted  
23 to clarify.

24 CHAIRMAN BRAND: I think there's concerns  
25 about the next meeting being held upstairs.

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1 MR. JENNISON: Only 15 people can fit in the  
2 room. Mr. Supervisor, can we use -- for the next  
3 meeting, can we hold it at the community center?

4 SUPERVISOR CORCORAN: What's the date?

5 CHAIRMAN BRAND: November 4th.

6 SUPERVISOR CORCORAN: The 4th probably will  
7 work. We have early election voting up there. It  
8 should be done by then. Just send us the date, give it  
9 to Jen. I'm sure it will work.

10 CHAIRMAN BRAND: So we'll plan for the 4th  
11 and possibly at a different location at the new rec  
12 center.

13 MR. GIOFFRE: Okay. We'll certainly  
14 coordinate. Thank you very much. We appreciate your  
15 time.

16 Time noted: 9:00 p.m.

17

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

19

20 Certified to be a true and accurate transcript.

21

22

Stacie Sullivan

23

Stacie Sullivan, CSR  
Senior Court Reporter

24

25

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

2 -----X  
In the Matter of

3 BUTTERMILK FALLS RESORT HOTEL

4 Project No. 23-2019  
5 220 North Road, Milton  
6 Section 103.1; Block 2; Lots 12.200, 13,  
11.200, 10, 11.100, 75, 71, 72  
-----X

7 SKETCH - SITE PLAN

8  
9 Date: October 21, 2024  
10 Time: 9:00 p.m.  
11 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, New York 12547

12  
13 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON  
FRED CALLO  
14 JAMES GAROFALO  
STEVE JENNISON  
15 CINDY LANZETTA  
BOB TRONCILLITO

16  
17 ALSO PRESENT: PAT HINES  
GERARD COMATOS, ESQ.  
18 JEN FLYNN

19  
20  
21  
22  
23  
24 -----X  
25 Stacie Sullivan, CSR  
staciesullivan@rocketmail.com

*BUTTERMILK FALLS RESORT HOTEL - SKETCH SITE PLAN*

1                   CHAIRMAN BRAND: Next on the agenda we have  
2                   Buttermilk Falls Resort for a sketch of their site plan  
3                   at 220 North Road in Milton.

4                   MR. COMATOS: Chairman Brand, the applicant  
5                   has asked to withdraw from tonight's agenda and be  
6                   placed on the November 4th agenda.

7                   CHAIRMAN BRAND: Is there any objection to  
8                   moving that to the November 4th agenda?

9                   (No response.)

10                  CHAIRMAN BRAND: I'd like to have a motion --  
11                  Pat, do you have additional comments for Buttermilk  
12                  Falls? We have the Negative Declaration prepared;  
13                  right? That was all we were doing this evening.

14                  MR. HINES: Yes. I think they were concerned  
15                  about timing. They thought they were going to be here  
16                  until midnight.

17                  MS. LANZETTA: But it's been prepared. If  
18                  the Board feels it's sufficient, why can't we just vote  
19                  for it?

20                  MR. COMATOS: I can withdraw his request to  
21                  be withdrawn if you're inclined to grant him the thing  
22                  that he was looking for.

23                  CHAIRMAN BRAND: Do you want to give us a  
24                  brief overview of the Negative Dec?

25                  MR. COMATOS: In my opinion, it's complete.

*BUTTERMILK FALLS RESORT HOTEL - SKETCH SITE PLAN*

1           It's a complete document.

2                   MS. LANZETTA: I read through the whole thing  
3           today, and I wouldn't have any problem with voting on  
4           it. I make a motion to accept the Neg Dec that was  
5           prepared for us.

6                   MR. CALLO: I second it.

7                   CHAIRMAN BRAND: Any discussion?

8                   (No response.)

9                   CHAIRMAN BRAND: Any objection?

10                  (No response.)

11                  CHAIRMAN BRAND: All right. So we approved  
12           their Negative Declaration on the advice of our  
13           attorney.

14                  Time noted: 9:05 p.m.

15

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

17

18   Certified to be a true and accurate transcript.

19

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\_\_\_\_\_  
*Stacie Sullivan*

21

Stacie Sullivan, CSR  
Senior Court Reporter

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

2 -----X  
In the Matter of

3 HIGHLAND SOLAR

4 Project No. 24-2010  
5 206 Milton Turnpike, Milton  
6 Section 95.4; Block 3; Lots 7.21, 7.11, 7.22  
-----X

7 SKETCH - SITE PLAN

8 Date: October 21, 2024  
9 Time: 9:05 p.m.  
10 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
11 Milton, New York 12547

12 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON  
13 FRED CALLO  
JAMES GAROFALO  
14 STEVE JENNISON  
CINDY LANZETTA  
15 BOB TRONCILLITO

16 ALSO PRESENT: PAT HINES  
17 GERARD COMATOS, ESQ.  
JEN FLYNN  
18

19 APPLICANT'S REPRESENTATIVE: NIC CUNHA  
20  
21  
22  
23

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

*HIGHLAND SOLAR - SKETCH SITE PLAN*

1                   CHAIRMAN BRAND: Next, moving on, Highland  
2 Solar for a sketch of a site plan at 206 Milton  
3 Turnpike in Milton.

4                   Pat, since we've been skipping over all the  
5 comments, if you just want to highlight?

6                   MR. HINES: Sure, I'll highlight these.

7                   So the lithium ion battery storage has been  
8 removed from the project. We're confirming that.

9                   We circulated a Notice of Intent for Lead  
10 Agency on 19 September, so that time frame has expired.

11                  They've provided visual simulations from  
12 Milton Turnpike and South Road at Locust Grove, from  
13 across the river. They've shown that from across the  
14 river intervening topography and vegetation obscure the  
15 site from view. We noted that the sports zone is a  
16 good reference point when you're looking at those  
17 views. So we just want to make sure that the Board is  
18 okay with the visual simulations that have been  
19 provided to date and that they meet the requirements  
20 that the Board was looking for.

21                  The Wetland/Threatened and Endangered Species  
22 Report for the site identifies three Army Corps  
23 wetlands, one non-jurisdictional wetland, an  
24 intermittent stream, and an open water pond. There's  
25 no DEC wetlands on the site right now, but we've been

*HIGHLAND SOLAR - SKETCH SITE PLAN*

1 cautioning all applicants that the DEC wetland  
2 regulations are proposed to change. There's changes to  
3 the regulations coming into effect on January '25.  
4 Whether or not that impacts this project, we don't know  
5 yet, but just kind of a buyer beware, heads-up for the  
6 applicant and the Board.

7 The applicants provided a habitat evaluation  
8 for threatened and endangered species: Bat species,  
9 Bog turtles, and Monarch butterflies. The report  
10 concludes the Monarch butterfly is currently a  
11 candidate and not regulated, and the impact analysis  
12 for a Bog turtle did not identify any habitat. And  
13 there will be a tree clearing limitation to protect bat  
14 species.

15 They provided a glare study with no impacts  
16 of glare from the facility. It was a rather detailed  
17 report. I think we discussed that somewhat at the last  
18 meeting.

19 The decommissioning plan and cost estimate  
20 has been provided. The totals are based on guidance  
21 from NYSERDA and the Massachusetts Solar Market.  
22 Decommissioning security requires Town Board approval,  
23 I believe, and can be a condition of any subsequent  
24 approval.

25 We also provided stormwater comments on the



*HIGHLAND SOLAR - SKETCH SITE PLAN*

1 Stormwater Pollution Prevention Plan that should be  
2 addressed.

3 And that's the extent of our comments to  
4 date.

5 CHAIRMAN BRAND: Great. Thank you. Comments  
6 or questions from the Board in response?

7 MS. LANZETTA: Just remind me again, is this  
8 a lease arrangement?

9 MR. CUNHA: It is a lease arrangement, yes.

10 MS. LANZETTA: Twenty years?

11 MR. CUNHA: Twenty years with extensions up  
12 to 40. It's a 20-year lease to begin with, and, after  
13 that point, if both parties are amenable, you can  
14 extend to 40 in five-year increments, I believe.

15 MS. LANZETTA: Thank you.

16 MR. TRONCILLITO: How long do the panels  
17 usually stay effective?

18 MR. CUNHA: The panels do -- the efficiency  
19 of the panel does decrease over time. The lifetime is  
20 rated for the lifetime of the project. These typically  
21 are 20-year projects. However, we're partnering with a  
22 company called Nexamp, which owns the other project by  
23 this on Milton Turnpike, and they have an operations  
24 maintenance program that replaces those as they see  
25 fit. So if, in five years, there's a way more

*HIGHLAND SOLAR - SKETCH SITE PLAN*

1 efficient panel and it makes sense for them to go  
2 across their whole fleet and replace them, they'll do  
3 so.

4 MR. TRONCILLITO: Thank you.

5 MS. LANZETTA: Also, in regards to the  
6 organic valley, have you had discussions with the  
7 owners about use of the pesticides or herbicides that  
8 you might use and how that would affect the long-term  
9 viability as an organic option for them?

10 MR. CUNHA: So regarding the vegetation  
11 management plan, for us, that was a misunderstanding.  
12 There will no pesticide usage. It's just cut twice a  
13 year, max. So there's not massive pesticide spraying  
14 or anything like that.

15 MS. LANZETTA: How about herbicides?

16 MR. CUNHA: Herbicides, same.

17 MR. GAROFALO: Your documents in two places  
18 mention herbicide use, and that's one of the concerns,  
19 whether or not -- how much will be used, what will be  
20 used, and whether or not the owner is aware of exactly  
21 what you're going to be using.

22 MR. CUNHA: For my own reference, just to  
23 make sure that's removed from there, you're pointing to  
24 two places. Is it on the EAF, or is it in another  
25 location?

*HIGHLAND SOLAR - SKETCH SITE PLAN*

1                   MR. GAROFALO: I think one might have been on  
2                   some of the plans and one might have been somewhere  
3                   else on the application. I would have to go back and  
4                   find those, but there were at least two instances where  
5                   I saw that herbicides were mentioned, and that's why  
6                   there's a concern over that.

7                   MR. CUNHA: I'll make sure that's stricken  
8                   from there. It shouldn't be there.

9                   MR. GAROFALO: Also, item -- I think this is  
10                  in the EAF, D.1.b.(a), one of the numbers is covered  
11                  up. You can't read it. So it's just --

12                  MR. CUNHA: D.1.b.(a)?

13                  MR. GAROFALO: D.1. B as in boy, (a).

14                  The construction you mention is going to be  
15                  7:00 a.m. to 7:00 p.m. And is construction going to  
16                  occur when it's actually dark, half an hour after  
17                  sunset or half an hour before sunrise, or can we  
18                  restrict -- can we put a restriction on that?

19                  MR. CUNHA: It is totally within the Board's  
20                  purview to restrict construction during certain times.  
21                  We would only do construction at the times permitted by  
22                  the Board, so if the Board sees fit as a condition of  
23                  approval to restrict the times of construction, that's  
24                  totally within your jurisdiction.

25                  MR. GAROFALO: Would you find that to be

# HIGHLAND SOLAR - SKETCH SITE PLAN

1           onerous on the construction?

2 MR. CUNHA: It's a common concern, so within  
3 normal business hours is typically what we do. That  
4 varies from town to town. I think we start with 7:00  
5 to 7:00 because that's the maximum normal business hour  
6 window, but in other towns, it's been --

7 MR. GAROFALO: I'm somewhat concerned about  
8 the neighbors and also the quality of the work when  
9 you're trying to work at night.

10 MR. CUNHA: Totally valid. It's totally  
11 within the Board's purview to restrict that.

12 MR. GAROFALO: The coverage, was the coverage  
13 based on the net buildable, taking out the slopes over  
14 25 percent and the wetlands?

15 MR. CUNHA: Can you clarify your question?

16 MR. GAROFALO: The coverage in the zoning  
17 table, I want to make sure that that's based on the net  
18 buildable, which would exclude the wetlands and I  
19 believe anything over 25 percent. I think the Board is  
20 going to have to be very careful about looking at those  
21 numbers.

22 MR. CUNHA: I can look into that. I believe  
23 it should be in compliance with the Zoning Code, but  
24 off the top of my head, I cannot opine on that.

25 MR. GAROFALO: Please check. Thank you.

*HIGHLAND SOLAR - SKETCH SITE PLAN*

1                   CHAIRMAN BRAND: Any other comments or  
2 questions?

3                   (No response.)

4                   CHAIRMAN BRAND: We did not have a public  
5 hearing for this one; correct?

6                   MR. HINES: You have not yet, no.

7                   CHAIRMAN BRAND: Are we ready to move forward  
8 to schedule a public hearing?

9                   MR. HINES: I mean, we have some technical  
10 comments, but it's always good to get the public's  
11 comments early as possible so they can adjust their  
12 plans.

13                  CHAIRMAN BRAND: When do you think you can be  
14 ready?

15                  MR. CUNHA: We can be ready as early as that  
16 first meeting in November. I think you said it was  
17 November 4th. Or we can do the first meeting in  
18 December as well.

19                  CHAIRMAN BRAND: There is no second meeting  
20 in November.

21                  MS. FLYNN: December 2nd.

22                  CHAIRMAN BRAND: December 2nd?

23                  MR. CUNHA: That works.

24                  CHAIRMAN BRAND: Can I have a motion --

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

*HIGHLAND SOLAR - SKETCH SITE PLAN*

1                   CHAIRMAN BRAND:  -- to schedule a public  
2                   hearing?

3                   MR. CALLO:  I'll second it.

4                   CHAIRMAN BRAND:  Any discussion?

5                   MR. CUNHA:  I have a couple of questions for  
6                   the Board.

7                   CHAIRMAN BRAND:  Okay.  One second.  
8                   December 2nd, public hearing; correct?

9                   MS. FLYNN:  Yes.

10                  CHAIRMAN BRAND:  Go ahead.

11                  MR. CUNHA:  One is on the visual simulations.  
12                  Did they all make sense to you?  Did you want to see  
13                  anything else?  The biggest concern in our review of  
14                  the previous application was the stake across the  
15                  river, and we're pretty well hidden from that.  And  
16                  then, otherwise, on the road, we're doing the best we  
17                  can.  Given the nature of the site, you can only hide  
18                  it so well.  I will say it is likely that some panels  
19                  will be peeled back a little bit.  Especially after  
20                  conversation with some of the neighbors, that's likely  
21                  to occur.  The final design hasn't happened in that  
22                  regard yet, but it's kind of put what's out there, out  
23                  there, and then as we optimize, we identify places for  
24                  improvements.  So that's likely to be one of them, so  
25                  that's just one caveat to those visual simulations.



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

2 -----X  
In the Matter of

3 MARLBORO PROPERTY MANAGEMENT

4 Project No. 24-2012  
5 Burma Road, Marlboro  
6 Section 108.3; Block 1; Lot 21.132  
-----X

7 SKETCH - SUBDIVISION

8 Date: October 21, 2024  
9 Time: 9:16 p.m.  
10 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
11 Milton, New York 12547

12 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON  
13 FRED CALLO  
JAMES GAROFALO  
14 STEVE JENNISON  
CINDY LANZETTA  
15 BOB TRONCILLITO

16 ALSO PRESENT: PAT HINES  
17 GERARD COMATOS, ESQ.  
JEN FLYNN  
18

19 APPLICANT'S REPRESENTATIVES: SAM DONG  
DAVID MEAD  
20

21  
22  
23  
24 -----X  
Stacie Sullivan, CSR  
25 staciesullivan@rocketmail.com



*MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION*

1                   CHAIRMAN BRAND: Marlboro Property  
2           Management, sketch of a subdivision on Burma Road in  
3           Marlboro.

4                   Pat, do you want to run through your  
5           comments?

6                   MR. HINES: Sure. Since the previous  
7           meeting, the adjoining houses, wells, and septic have  
8           been placed on the plans.

9                   The common driveway is proposed to serve Lots  
10          2 and 3. That driveway has been relocated generally  
11          south based on the Board's discussion. I think they  
12          missed the mark by .1 feet. It's .1 feet. So they're  
13          pretty close to providing that 200-foot sight distance.  
14          Depends on where you park in the driveway.

15                  A common driveway access and maintenance  
16          agreement will be required. I think Gerry has just  
17          offered to provide a template for that.

18                  We're recommending that the septic plans be  
19          submitted to the Town. They came in with their permits  
20          already issued, but I think to complete the Town's  
21          file, the Ulster County approved septic plan should be  
22          in the Town's files. We noted that the septic permit  
23          for Lot 2 is missing from our file.

24                  The front yard lot line has now been  
25          calculated from 16.5 feet from the center line. So

*MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION*

1           they're basically demarcating that roadway by use now  
2           and making that the front yard line.

3                   The building envelope depicted on the plans  
4           should be revised based on the roadway boundaries. You  
5           changed the front yard setback. It meets the  
6           requirements, but the 50-foot setback needs to be  
7           revised on the plan to strike the building envelope.

8                   Turnarounds and turnouts in compliance with  
9           the Fire Code should be provided on the shared  
10          driveway. I think that's a 300-foot distance. Just  
11          check that. It may be a turnout.

12                   We're looking for the limits of disturbance  
13          to be shown on the plans to confirm less than one acre  
14          of a grading plan for the driveway and houses would be  
15          utilized, to depict that.

16                   The plus or minus symbols should be removed  
17          from lot areas.

18                   And you've confirmed that there is a  
19          prescriptive easement for the existing utility line  
20          crossing the property, I believe -- no. I'm sorry.  
21          I'm confusing the property. There is a utility line  
22          crossing this site going to one of the houses to the  
23          rear, and I just want to make sure that there's an  
24          easement for that that is depicted.

25                   MR. DONG: Oh, yeah.

*MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION*

1                   MR. MEAD: Yes. I thought that was already  
2 addressed before, that there was an easement there, but  
3 there's nothing over here. We're talking about for  
4 Lots 2 and 3?

5                   MR. HINES: I'll point to it there. This has  
6 a line that I guess goes to this house. I just don't  
7 know if there's an easement for that across  
8 (indicating).

9                   MR. MEAD: I'm unsure if there's an easement.

10                  MR. HINES: You'll need to find that out, but  
11 I believe this has progressed to a point where a public  
12 hearing could also be held. I know we're loading up  
13 that agenda. I don't know if you want to push it out.  
14 You may need a bigger room.

15                  CHAIRMAN BRAND: Let's go with comments or  
16 questions from the Board.

17                  MR. GAROFALO: Yes. There are two comments  
18 dealing with the driveways.

19                  One, I had asked for them to look at Lot  
20 Number 1 driveway, as to whether that could be  
21 relocated at the apex of the road. And if I could show  
22 this -- pass this down to the Chairman so he can see  
23 what I'm talking about. They can take a look at it and  
24 decide if that's something that they can do or want to  
25 do, but it looks like it would shorten actually the

*MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION*

1 amount of pavement and hopefully give them better sight  
2 distance. But whether they can do it or not, that's a  
3 different thing.

4 MR. MEAD: Lot Number 1, is that what you're  
5 saying?

6 MR. GAROFALO: Rather than bring the driveway  
7 on this side of the house close to the intersection,  
8 bringing it over here to the apex of this curve, as to  
9 whether or not you can do that.

10 MR. MEAD: That's this one (indicating)?

11 MR. GAROFALO: Yeah.

12 MR. MEAD: So this driveway is proposed. We  
13 got room here to go any way you would like us to go.  
14 We have room. Anywhere you would want to move this  
15 driveway, we could move it to because there's plenty of  
16 room.

17 MR. GAROFALO: But what I'm suggesting when I  
18 come out here --

19 MR. MEAD: Because this is a solid shale  
20 rock. That was an old barn up on the top that is gone  
21 now, off the map, but that was blocking, right on the  
22 road. So that's all gone, but that whole thing is just  
23 a solid rock.

24 MR. GAROFALO: That's why I don't always  
25 know, and I ask.

*MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION*

1                   MR. MEAD: This is proposed. We can put this  
2                   driveway anywhere on the map. Whatever you guys think  
3                   that the best sight distance is, we can move it to.

4                   MR. GAROFALO: Whether you move it away from  
5                   the intersection, then the vehicle speeds will be  
6                   higher coming off of the intersection, but you'll have  
7                   more sight distance. You know it's --

8                   MR. MEAD: So you're saying move it south?

9                   MR. GAROFALO: No. I'm saying, if you do  
10                  move it away from the intersection, you get more sight  
11                  distance; however, the vehicles coming around the curve  
12                  are going to be going faster. So, on one hand, you're  
13                  gaining, and on the other hand, you're losing.

14                  MR. MEAD: Right there, where that driveway  
15                  is, it's kind of in the middle. You got the turn off  
16                  Idlewild onto Burma, and then you got a hill right  
17                  there by Mr. Slater's house. So anybody coming over  
18                  that hill, we're farther away now, so the sight  
19                  distance, you'll have a little bit more on the hill  
20                  than you would -- you have to stop at Idlewild and  
21                  Burma to come down.

22                  MR. GAROFALO: I'm not sure you would want to  
23                  reduce that sight distance.

24                  On the Lot Number 3, I want you to take a  
25                  look at another suggestion. If you had considered,

*MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION*

1       rather than doing this with the driveway, coming --  
2       doing this S turn, just coming straight down so it's a  
3       much shorter distance. I don't know, again, with the  
4       grades and whatever is there, I don't know if you can  
5       do that, but to take a look at if you can basically  
6       come straight down. It would mean that you would have  
7       a larger shared road.

8               MR. MEAD: We'd have a larger shared road,  
9       but, also, this is Mr. Slater's property here, and he  
10      has a row of apple trees there (indicating). We were  
11      trying to make it to keep him private. It would come  
12      in and come into the house. That's why we tried to  
13      make one driveway here, not to disturb this person.

14             MR. GAROFALO: So you want -- you didn't want  
15      to do this, even though it's shorter?

16             MR. MEAD: Right. Because we want to try to  
17      keep everybody up there, you know, happy.

18             CHAIRMAN BRAND: Just to be clear, the  
19      Highway Superintendent will sign off on the --

20             MR. HINES: Yes.

21             CHAIRMAN BRAND: Anything else for the Board?

22             MR. GAROFALO: Just one other thing. Make  
23      sure there's a turnaround so there's enough room that  
24      the cars can actually turn around and don't have to  
25      back all the way down.

## MARLBORO PROPERTY MANAGEMENT - SKETCH SUBDIVISION

1 MR. DONG: Right.

2 CHAIRMAN BRAND: So the public hearing, Jen?

3 MS. FLYNN: December 2nd.

4 CHAIRMAN BRAND: December 2nd, you guys good  
5 with that?

6 MR. MEAD: Okay.

7 CHAIRMAN BRAND: Just make sure that you send  
8 out the correct mailings and everything for that. Talk  
9 to Jen. She'll assist. That's it. We'll move the  
10 solar discussion to the next meeting. Motion to  
11 adjourn?

12 MR. TRONCILLITO: Yes.

13 MR. CALLO: Second.

14 CHAIRMAN BRAND: Thank you.

15 Time noted: 9:26 p.m.

16

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

18

19 Certified to be a true and accurate transcript.

20

21 Stacie Sullivan

22 Stacie Sullivan, CSR  
23 Senior Court Reporter

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25