

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

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

4 - BOARD BUSINESS
5 - TRAINING EDUCATION - MEMBER LaMELA

6 -----X
7 BOARD BUSINESS

8 Date: January 6, 2025
9 Time: 7:00 p.m.
10 Place: Town of Marlborough
11 Town Hall
12 21 Milton Turnpike
13 Milton, New York 12547

14 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON
15 FRED CALLO
16 STEVE JENNISON
17 CINDY LANZETTA
18 JOE LOFARO
19 BOB TRONCILLITO
20 JOHN LaMELA

21
22
23
24 ALSO PRESENT: PAT HINES

25 GERARD COMATOS, ESQ.

JEN FLYNN

20

21

22

23

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

-BOARD BUSINESS-

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: Agenda, Town of Marlborough
6 Planning Board, January 6, 2025, regular meeting at
7 7:00 p.m. On the agenda this evening we have the
8 approval of the minutes for the December 2nd and
9 December 16th meetings. We have a public hearing for
10 Summit Drive Properties of their site plan at Summit
11 Drive in Marlboro. Under Ongoing Application Review,
12 we have Marlboro Property Management for a final of
13 their subdivision on Burma Road in Marlboro. We have
14 Highland Solar for a final of their site plan at 206
15 Milton Turnpike in Milton. We have Nicholas Atkins
16 two-lot subdivision for a sketch of their subdivision
17 at 6 Cubbard Drive and 33-35 Old Indian Road. Under
18 New Application Review, we have Nathanson B&B for a
19 sketch of a site plan at 69 Bingham Road. The next
20 deadline is Friday, January 10th. The next scheduled
21 meeting is Tuesday, January 21st.

22 Before we start, I would like to take a
23 minute to congratulate Mr. John LaMela on his
24 appointment to the Planning Board. Mr. LaMela, welcome
25 to the Board. I also would like to congratulate

-BOARD BUSINESS-

1 Ms. Lanzetta on her reappointment. Congratulations,
2 Ms. Lanzetta and John.

3 I would like to have a motion for the
4 approval of the December 2nd and 16th minutes
5 respectively.

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

7 MR. TRONCILLITO: I'll second it.

8 CHAIRMAN BRAND: Any discussion?

9 (No response.)

10 CHAIRMAN BRAND: Any objection?

11 (No response.)

12 CHAIRMAN BRAND: So moved. Announcements.

13 MR. LaMELA: Mr. Chairman, first I'd like to
14 say it's an honor to be appointed as a member of this
15 Board and work alongside of you all. I'm grateful for
16 the opportunity by the Town and look to live up to what
17 the Town expects of me.

18 That said, I'd like to announce the
19 completion of the Department of State Planning Board
20 Overview, earning the hour and a half certificate to
21 the annual training.

22 CHAIRMAN BRAND: Great. You can just give
23 that to the secretary before we leave tonight. Ms.
24 Lanzetta.

25 MS. LANZETTA: I just wanted to say that a

-BOARD BUSINESS-

1 couple of weeks ago, I had read in the Southern Ulster
2 Times, it was reported that our Planning Board had made
3 a motion to have an Approval Resolution made for the
4 Orchards on Hudson project, and I realized that that
5 was not correct. And so I sent an email to the editor
6 with the subject line, Correction, and explained to him
7 why it was not correct. And so we went back and forth
8 about it, and I thought it was -- I thought everything
9 was understood. And then I was very surprised to see
10 it as a letter to the editor in the following week's
11 paper, and I had not submitted it as a letter to the
12 editor. It was simply for a correction. And he had
13 also -- the editor had put in there that -- my name,
14 stating Town of Marlborough Planning Board. And I was
15 upset because I thought that perhaps people would read
16 that -- I stand behind everything in the correction,
17 but I didn't want people to think that I was writing on
18 behalf of the Marlborough Town Board, because I wasn't.

19 And so I just want my fellow members to know
20 that this was never meant to go out publicly as a
21 letter to the editor. It was simply a correction. And
22 I believe that the Southern Ulster Times is going to be
23 a little more careful when they print in the future.

24 CHAIRMAN BRAND: Thank you.

25 MS. FLYNN: Mr. Chairman, do you want me to

-BOARD BUSINESS-

1 tell everybody their hours that carried over, or do you
2 just want me to send an email?

3 CHAIRMAN BRAND: You can send it out to the
4 Board.

5 Time noted: 7:07 p.m.

6

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

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9 Certified to be a true and accurate transcript.

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11 Stacie Sullivan

12 Stacie Sullivan, CSR

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

4 In the Matter of
5

6 SUMMIT DRIVE PROPERTIES
7

8 Project No. 23-1004
9 Summit Drive, Marlboro
10 Section 108.4; Block 6; Lot 29.311
11 -----X

12 PUBLIC HEARING - SITE PLAN
13

14 Date: January 6, 2025
15 Time: 7:08 p.m.
16 Place: Town of Marlborough
17 Town Hall
18 21 Milton Turnpike
19 Milton, New York 12547
20

21 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON
22 FRED CALLO
23 STEVE JENNISON
24 CINDY LANZETTA
25 JOE LOFARO
BOB TRONCILLITO
JOHN LaMELA
26

27 ALSO PRESENT: PAT HINES
28

29 GERARD COMATOS, ESQ.
30

31 JEN FLYNN
32

33
34 -----X
35 Stacie Sullivan, CSR
36 staciesullivan@rocketmail.com
37

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 CHAIRMAN BRAND: First on the agenda tonight
2 we have the public hearing for the site plan at Summit
3 Drive in Marlboro. Can I have a motion to reopen the
4 public hearing?

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

6 MR. CALLO: I'll second it.

7 CHAIRMAN BRAND: Just to keep everybody in
8 the loop, we did receive a letter from Willingham
9 Engineering. I'd like to read it into the record. It
10 was addressed to myself and the Board members, and it
11 reads as follows:

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 reopen the public hearing. Thank you for your
2 consideration in this matter. Please feel free to
3 contact me at your convenience. Signed, Willingham
4 Engineering, Matthew Towne, Professional Engineer.

5 That being said, if you are a member of the
6 public who is here for the public hearing, you would
7 have an opportunity to speak, but I would encourage you
8 to only do so if you have something new. We will be
9 adjourning the public hearing at this time unless you
10 have something dire that you need to explain. When and
11 if they do reapply, we will reopen the public hearing
12 with the materials that are newly presented, but at
13 this time it looks like any comments you may have may
14 not be relevant to what's being -- on the table at this
15 time.

16 Yes, sir. Please. If you could just state
17 your name for the stenographer.

18 MR. GRIFFITHS: It's Drew Griffiths, 8 Summit
19 Drive.

20 Just for anything further, I know at the last
21 meeting we mentioned that the -- I'm trying to recall,
22 but per the Fire Code or something with the single
23 access point, we mentioned that there was already the
24 maximum allowed number of houses/dwellings on this road
25 for a single access point, so I was wondering if it's

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 something that could be considered for the future. Now
2 that they're proposing something else, it still brings
3 up the same point of the access code and the dilemma
4 with that. So is there any way that we can kind of
5 present that to them, like, hey, given your entrance
6 through Summit Drive --

7 CHAIRMAN BRAND: Those comments were
8 addressed by our engineer in his comments to them. We
9 don't know if the new proposal is even going to be on
10 Summit Drive at this point, so I can't really answer
11 that.

12 MR. GRIFFITHS: Okay. Cool. Thank you.

13 MR. TRONCILLITO: Mr. Chairman, the
14 information I got today was that he didn't have access
15 to Grand Street. His property doesn't extend down to
16 there. Now, that's going to have to get looked at in a
17 little bit more detail. Did you see anything on that,
18 Pat?

19 MR. HINES: I don't have it in front of me
20 right now. I know they had access to the sewer. I
21 think we need to wait and see what they're going to
22 propose.

23 MR. WIECZOREK: Justin Wieczorek, 7 Overlook
24 Bluff.

25 This thing has been beaten to death already,

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 but with the significant revision, if and when it
2 happens, whether it's six weeks, six months, six years,
3 would that reopening of the public hearing with the
4 significant redesign require a new circulation of
5 public notice to affected neighbors?

6 CHAIRMAN BRAND: It would not. We would just
7 ask the attorney -- I don't believe that it would.
8 Gerry, am I wrong with that interpretation?

9 MR. COMATOS: Well, unless you -- if you
10 adjourn it without date and then you decide to
11 establish a date, then I think notice of that date
12 would have to be given.

13 CHAIRMAN BRAND: It would have to be via mail
14 or via the website?

15 MR. COMATOS: Probably the same means that
16 public notices are always given. So if you're going to
17 adjourn it without date and then reschedule it for a
18 specific date, there's no means of knowing, so I think
19 under those circumstances you want to renotice.

20 CHAIRMAN BRAND: Okay.

21 MR. WIECZOREK: Thank you.

22 CHAIRMAN BRAND: He said we would have to
23 renotice it, the public hearing. Mr. Garofalo.

24 MR. GAROFALO: James Garofalo. The issue
25 that was brought up -- I first brought it up

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 October 2nd, 2023 -- that's on page 51 of the
2 minutes -- dealing with the number of dwelling units on
3 a single access and later on realized that this was not
4 a Town Code but a Fire Code, D107.1. And because that
5 may have implications to other developments within the
6 town that are currently before the Board, I think I
7 would like to have information considering how the
8 courts have adjudicated that particular code. Thank
9 you.

10 CHAIRMAN BRAND: Thank you. Is there anyone
11 else who would like to have an opportunity to speak?

12 (No response.)

13 MR. JENNISON: I'd like to make a motion to
14 indefinitely postpone this public hearing.

15 CHAIRMAN BRAND: Indefinitely adjourn.

16 MR. JENNISON: Indefinitely adjourn.

17 MR. TRONCILLITO: I would second that.

18 CHAIRMAN BRAND: Any discussion?

19 MS. LANZETTA: I just want -- not on that
20 one. Not on the motion.

21 CHAIRMAN BRAND: There's a motion to
22 indefinitely adjourn the public hearing until a date to
23 be determined. We have a second. Any discussion?

24 (No response.)

25 CHAIRMAN BRAND: Any objection?

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 (No response.)

2 CHAIRMAN BRAND: So we will do so, and the
3 property owners will be notified. All right.

4 MS. LANZETTA: I also want to bring up the
5 code that Pat Hines called to our attention with
6 special permits. Now, even though multi-family is
7 allowed in residential, it is only allowed as a special
8 use. So if you go and look at Town Code 155-32E, under
9 special use, there are even more requirements for us as
10 a Planning Board to take into consideration when we do
11 any site plan within a residential area.

12 And I think if I just read this first
13 sentence, it says: General consideration for special
14 use permits. In permitting any special use, the
15 Planning Board shall take into consideration the public
16 health, safety, and general welfare and the comfort and
17 convenience of the public in general in the town and
18 the immediate neighborhood in particular.

19 And if you go through the Code, you will see
20 that there are special things that our Planning Board
21 is obligated to take a look at. Now, when it comes
22 by -- when you have a site plan that's by use, you
23 know, pretty much everything is dictated by the law.
24 But when it's a special use, it allows the Planning
25 Board additional leeway and subjectivity in deciding on

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 what's best for that community that this particular
2 site plan is going into.

3 And I have gone back and looked at our other
4 multi-family projects, and we have never had to dictate
5 to those projects how many parking spaces that they
6 should have because they've come in automatically with
7 two parking spaces per unit and also additional parking
8 for guests. So this is really the first time that
9 we've run into this. And I was looking at the
10 standards for the multi-family, and I think it's
11 important to note that the standard is one and a half
12 parking spots, but that says that that is the minimum
13 established. That doesn't mean that we don't have the
14 leeway to ask for additional parking. And I think
15 based on what the people in the neighborhood have said,
16 I think it behooves this Planning Board to let the
17 applicant know that anything they come back with is
18 going to have to have additional parking. I would like
19 to say that we would say that they have to have at
20 least two parking spaces per unit and also accommodate
21 additional parking so that we're not negatively
22 impacting the adjoining neighborhood and risking their
23 safety.

24 So being that they're looking at redoing this
25 project, I think I would like for the Planning Board to

SUMMIT DRIVE PROPERTIES - PUBLIC HEARING SITE PLAN

1 let them know that we are expecting additional parking,
2 and I think that would significantly impact the amount
3 of units that they're going to have in that project.

4 CHAIRMAN BRAND: Thank you. Anything else on
5 this one?

6 (No response.)

7 Time noted: 7:18 p.m.

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

11 Certified to be a true and accurate transcript.
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Stacie Sullivan

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Stacie Sullivan, CSR

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

4 In the Matter of
5

6 MARLBORO PROPERTY MANAGEMENT
7

8 Project No. 24-2012
9 Burma Road, Marlboro
10 Section 108.3; Block 1; Lot 21.132
11 -----X

12 FINAL - SUBDIVISION

13 Date: January 6, 2025
14 Time: 7:18 p.m.
15 Place: Town of Marlborough
16 Town Hall
17 21 Milton Turnpike
18 Milton, New York 12547

19 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON
20 FRED CALLO
21 STEVE JENNISON
22 CINDY LANZETTA
23 JOE LOFARO
24 BOB TRONCILLITO
25 JOHN LaMELA

26 ALSO PRESENT: PAT HINES
27

28 GERARD COMATOS, ESQ.
29 JEN FLYNN
30

31 APPLICANT'S REPRESENTATIVES: SAM DONG
32 DAVE MEAD
33

34 -----X
35 Stacie Sullivan, CSR
36 staciesullivan@rocketmail.com

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 CHAIRMAN BRAND: Moving along, under Ongoing
2 Application Review, we have Marlboro Property
3 Management for a final of their subdivision.

4 Pat, you have a couple of comments?

5 MR. HINES: So in order to address our
6 previous comments, the limits of disturbance have been
7 added to the plan, which identify 1.28 acres of
8 disturbance between the three lots. Projects with one
9 to five acres -- residential projects one to five acres
10 of disturbance require an erosion and sediment control,
11 and coverage under the DEC Stormwater permit is
12 required. So that will be a condition of approval.

13 They've added the Fire Department turn-outs
14 to the plans based on the driveway lengths. They
15 actually went above and beyond what is required.

16 Plans have been revised to show individual
17 driveways for each of the lots. There was a former
18 common driveway serving Lots 2 and 3. They're now
19 having individual ones, so the previous comments
20 regarding common driveway access and maintenance
21 agreements are eliminated.

22 A ten-foot wide utility easement has been
23 depicted on the plans to share access to utilities
24 across the site. The filing of that easement should be
25 a condition of approval.

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 We received an email from the Code
2 Enforcement Officer -- or to the Code Enforcement
3 Officer from the Ulster County Health Department,
4 addressing the setbacks for the subsurface sanitary
5 sewer disposal systems. They apparently met in the
6 field and confirmed that the well on proposed Lot 2 has
7 a disconnect in the flow of surface water between that
8 lot and the adjoining lot. The email states that:
9 This department has confirmed that their previous
10 permit issued for the subsurface sanitary sewer
11 disposal system remains valid. And that was written by
12 the Ulster County Health Department representative.
13 There's a copy of that attached to my comments. That's
14 from Chris Kessler of Ulster County. I know that came
15 up during the public hearing.

16 Notes have been added to the bulk table,
17 identifying Lot 1 is proposed for a two-family house.
18 Lot 1 would require a two-acre minimum. It has greater
19 than that. It has 2.51 acres. Lots 2 and 3 do not
20 have sufficient area to permit a two-family residential
21 use, as that was a comment during the public hearing.
22 People were concerned that the additional lots would be
23 constructed as two-family.

24 So, with those couple of comments included in
25 the Resolution of Approval, we have no further

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 comments.

2 CHAIRMAN BRAND: Comments or questions from
3 the Board?

4 (No response.)

5 CHAIRMAN BRAND: No. We also have -- before
6 us this evening we have a SEQR Negative Declaration and
7 Notice of Determination of Non-Significance for the
8 Town of Marlborough Property Management -- sorry, the
9 application of Marlboro Property Management. Jen,
10 would you poll the Board?

11 MS. FLYNN: Chairman Brand.

12 CHAIRMAN BRAND: Yes.

13 MS. FLYNN: Member Lanzetta.

14 MS. LANZETTA: Yes.

15 MS. FLYNN: Member Lofaro.

16 MR. LOFARO: Yes.

17 MS. FLYNN: Member Callo.

18 MR. CALLO: Yes.

19 MS. FLYNN: Member Jennison.

20 MR. JENNISON: Yes.

21 MS. FLYNN: Member LaMela.

22 MR. LaMELA: Yes.

23 MS. FLYNN: Member Troncillito.

24 MR. TRONCILLITO: Yes.

25 CHAIRMAN BRAND: We also have a Resolution of

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 Approval by the Town of Marlborough Planning Board.

2 Gerry, is there anything you would like to highlight
3 there?

4 MR. COMATOS: No. In addition to the
5 Resolution of Approval, can you also accept the short
6 EAF?

7 CHAIRMAN BRAND: I'd like to have a motion to
8 approve the short Environmental Assessment Form.

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

10 CHAIRMAN BRAND: Is there a second?

11 MR. CALLO: Yes, second.

12 CHAIRMAN BRAND: Any discussion?

13 (No response.)

14 CHAIRMAN BRAND: Any objection?

15 (No response.)

16 CHAIRMAN BRAND: That being said, we have the
17 Resolution of Approval prepared for the application.
18 Jen, would you poll the Board?

19 MS. FLYNN: Chairman Brand.

20 CHAIRMAN BRAND: Yes.

21 MS. FLYNN: Member Lanzetta.

22 MS. LANZETTA: Yes.

23 MS. FLYNN: Member Lofaro.

24 MR. LOFARO: Yes.

25 MS. FLYNN: Member Callo.

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 MR. CALLO: Yes.

2 MS. FLYNN: Member Jennison.

3 MR. JENNISON: Yes.

4 MS. FLYNN: Member LaMela.

5 MR. LaMELA: Yes.

6 MS. FLYNN: Member Troncillito.

7 MR. TRONCILLITO: Yes.

8 CHAIRMAN BRAND: Subdivision Recreation Fee
9 Findings, Town of Marlborough Planning Board. Whereas
10 the Planning Board has received a subdivision
11 application known as Marlboro Property Management with
12 respect to real property located at Burma Road in the
13 Town of Marlborough. Member Lanzetta offered the
14 following resolution, which was seconded by Member
15 Callo.

16 It is hereby resolved that the Planning Board
17 make the following finds pursuant to Section 277(4) of
18 the Town Law. Based on the present and anticipated
19 future need for park and recreational opportunities in
20 the Town of Marlborough and to which the future
21 population of this subdivision will contribute,
22 parklands should be created as a condition of approval
23 of this subdivision. However, a suitable park of
24 adequate size to meet the above requirement cannot be
25 properly located within the proposed project site.

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 Accordingly, it is appropriate that, in lieu of
2 providing parkland, the project sponsors render to the
3 Town payment of a recreation fee to be determined in
4 accordance with the prevailing schedule established for
5 that proposed by the Town of Marlborough. This
6 approved subdivision known as Marlboro Property
7 Management resulted in two lots for a total of \$4,000
8 in recreation fees. Whereupon the following vote was
9 taken: Chairman Brand, yes. Callo.

10 MR. CALLO: Yes.

11 MR. HINES: Chairman.

12 CHAIRMAN BRAND: Yes.

13 MR. HINES: The duplex increases that. I
14 believe it's going to be -- there's four total units
15 there, one of which they get credit for. So I believe
16 there's three rec fees due.

17 CHAIRMAN BRAND: So I'll amend that to say
18 three -- it goes by the units. You're correct. So
19 three lots for \$6,000?

20 MR. HINES: Yes. Three units.

21 CHAIRMAN BRAND: With that amendment, the
22 following vote was taken: Brand, yes. Callo.

23 MR. CALLO: Yes.

24 CHAIRMAN BRAND: LaMela.

25 MR. LaMELA: Yes.

MARLBORO PROPERTY MANAGEMENT - FINAL SUBDIVISION

1 CHAIRMAN BRAND: Jennison.

2 MR. JENNISON: Yes.

3 CHAIRMAN BRAND: Lanzetta.

4 MS. LANZETTA: Yes.

5 CHAIRMAN BRAND: Lofaro.

6 MR. LOFARO: Yes.

7 CHAIRMAN BRAND: Troncillito.

8 MR. TRONCILLITO: Yes.

9 CHAIRMAN BRAND: All right. I believe you're
10 all set.

11 MR. DONG: Thank you. I appreciate it.

12 Time noted: 7:24 p.m.

13

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

15

16 Certified to be a true and accurate transcript.

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Stacie Sullivan

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Stacie Sullivan, CSR

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

3 In the Matter of
4

5 HIGHLAND SOLAR
6

7 Project No. 24-2010
8 206 Milton Turnpike, Milton
9 Section 95.4; Block 3; Lots 7.21, 7.11, 7.22
6 -----X

7 FINAL - SITE PLAN
8

9 Date: January 6, 2025
10 Time: 7:24 p.m.
11 Place: Town of Marlborough
12 Town Hall
13 21 Milton Turnpike
14 Milton, New York 12547
15

16 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON
17 FRED CALLO
18 STEVE JENNISON
19 CINDY LANZETTA
20 JOE LOFARO
21 BOB TRONCILLITO
22 JOHN LaMELA
23

24 ALSO PRESENT: PAT HINES
25 GERARD COMATOS, ESQ.
26 JEN FLYNN
27

28 APPLICANT'S REPRESENTATIVE: VARDAAN GURUNG
29
30

31 -----X
32 Stacie Sullivan, CSR
33 staciesullivan@rocketmail.com
34

HIGHLAND SOLAR - FINAL SITE PLAN

1 CHAIRMAN BRAND: Next on the agenda we have
2 Highland Solar for a final of their site plan at 206
3 Milton Turnpike in Milton.

4 Pat, would you like to go through your
5 comments and the draft EAF for the Board?

6 MR. HINES: So I prepared -- the applicant
7 prepared a draft part 2. I reviewed it. I made
8 changes to it and additional suggestions. This is a
9 Type I action. I'm suggesting the Board walk through
10 this. I'll walk the Board through that and make sure
11 that you concur with our suggested answers, and I know
12 that additional documents were prepared by Gerry's
13 office for this. Based on the information submitted in
14 the long form EAF, the site plan, the visual
15 assessments, stormwater management plans, et cetera, we
16 have reviewed those items and made the following
17 suggestions.

18 Impact on Land. Proposed action may involve
19 construction on, or physical alteration of, the land
20 surface of the proposed site. That answer is a yes.
21 Item A under that: Proposed action may involve
22 construction on land where depth to water table is less
23 than three feet. We're suggesting that's a small
24 impact. The proposed action may involve construction
25 on slopes greater than 15 percent. We're suggesting

HIGHLAND SOLAR - FINAL SITE PLAN

1 that's a small impact. The Stormwater Pollution
2 Prevention Plan has been incorporated and modified to
3 address slopes greater 15 percent. Proposed action may
4 involve construction on land where bedrock is exposed,
5 or generally within five feet. That's a no. Proposed
6 action may involve excavation of material of more than
7 1,000 tons of natural material. That's a no. Proposed
8 action may involve construction that continues for more
9 than one year or multiple phases. That is a no. Item
10 F, proposed action may result in increased erosion,
11 whether from physical disturbance or vegetation
12 removal, including from treatment by herbicides. We're
13 suggesting that's a small impact based on the
14 Stormwater Pollution Prevention Plan that has been
15 prepared. And the project is not located in a coastal
16 hazard area. That would be a no.

17 Number 2, Impact on Geological Features.

18 Proposed action may result in the modification or
19 destruction of, or inhibit access to, any unique or
20 unusual land forms on the site. That answer is no, so
21 we do not need to address any bulleted items under
22 that.

23 Impacts on Surface Water. And this is one of
24 the changes I made. The proposed action may affect one
25 or more wetlands or other surface water bodies. We

HIGHLAND SOLAR - FINAL SITE PLAN

1 checked that as a yes. And Item A, B, and C under
2 those will be no. Item D, proposed action may involve
3 construction within or adjoining a freshwater or tidal
4 wetland, or in the bed or banks of any water body. We
5 suggest that that be a small impact. They do have
6 wetlands on the site, which they've avoided to the
7 greatest extent they could. Proposed action may create
8 turbidity in a water body, either from upland erosion,
9 runoff or by disturbing bottom sediments. And we
10 suggest that was a small impact based on the
11 information provided in the Stormwater Pollution
12 Prevention Plan. Items F and G, under that, we suggest
13 it would be no. There is no outfalls or intakes for
14 the discharge of surface water or wastewater. Item H,
15 proposed action may cause soil erosion or otherwise
16 create a source of stormwater discharge that may lead
17 to siltation or other degradation of the receiving
18 bodies, and we have that as a small impact. Proposed
19 action may affect water quality of any water bodies
20 within or downstream of the site. That was Item I.
21 We're suggesting that would be a small impact based on
22 the Stormwater Pollution Prevention Plan to be
23 implemented. Proposed action may involve application
24 of pesticides or herbicides around any water body. I
25 believe the applicant stated that they would not be

HIGHLAND SOLAR - FINAL SITE PLAN

1 utilizing herbicides on the site.

2 MR. GURUN: That's correct.

3 MR. HINES: So we would suggest that would be
4 a no. Proposed action may require the construction of
5 new, or expansion of existing, wastewater facilities,
6 and that is a no.

7 Impacts on Groundwater. Proposed action may
8 result in new or additional use of groundwater, or may
9 have the potential to introduce contaminants to
10 groundwater or an aquifer. We identify that as a no,
11 and Items A through H under there are not exceeded in
12 any way.

13 Impacts on flooding. Proposed action may
14 result in development on lands subject to flooding.
15 That is a no. And those items -- none of the bulleted
16 items are exceeding.

17 Impacts on Air. Proposed action may include
18 a state regulated air emission source. That is a no.
19 No air emission source or permits are required.

20 Impacts on Plants and Animals. Proposed
21 action may result in a loss of flora or fauna. We
22 suggest that that is a yes and went through the items
23 below that and found there to be no impact. Item A,
24 may cause reduction in population or loss of
25 individuals of any threatened or endangered species,

HIGHLAND SOLAR - FINAL SITE PLAN

1 that's going to be a no, as their clearing limits --
2 their clearing time frames are limited and the majority
3 of the site is existing orchard trees, which do not
4 provide suitable habitat for protected bat species.
5 Proposed action may result in degradation of any
6 habitat used by rare, threatened or endangered species.
7 That's the same comment as I had above. It's a no.
8 Proposed action may cause a reduction in population or
9 loss of individuals of any species of special concern.
10 None of those were identified on the site. Proposed
11 action may result in a reduction or degradation of any
12 habitat used by any species of special concern and
13 conservation need as listed by the state or federal
14 government. That is also a no. The items underneath
15 that, E through I, are also all no's. None of those
16 are exceeded.

17 CHAIRMAN BRAND: Pat, can I just ask, if
18 they're all no's, why don't we just check no for 7?

19 MR. HINES: Because there were -- it was
20 identified as a potential bat habitat, I believe, in
21 the clearing greater than ten acres, but it's all
22 orchard. So we checked that. We could put it as a no,
23 but I just thought, you know, there is some land
24 clearing; there is some tree clearing.

25 CHAIRMAN BRAND: Okay.

HIGHLAND SOLAR - FINAL SITE PLAN

1 MR. HINES: Item 8, Impact on Agricultural
2 Resources. Proposed action may impact agricultural
3 resources. We checked that and suggested that as a
4 yes. Proposed action may impact soil classified within
5 group 1 through 4 of the New York State Land
6 Classification System. That is a small impact. We did
7 discuss -- I know Ms. Lanzetta brought it up -- that
8 installation of solar panels on farmland does not
9 necessarily irretrievably impact the farmland on the
10 site. Those solar panels can be decommissioned and
11 that land returned to farming. Item B, Proposed action
12 may sever, cross, or otherwise limit access to
13 agricultural land. We suggest that to be a small
14 impact, as the farmer is obviously aware of the impacts
15 to his parcel based on the installation of the solar
16 system. Proposed action may result in the excavation
17 or compaction of the soil profile of agricultural land.
18 We suggest that's a small impact. The systems are put
19 in place on -- usually on helical piles to reduce the
20 amount of compaction in the soil, and decompaction
21 techniques are included in the Stormwater Pollution
22 Prevention Plan. Proposed action may irreversibly
23 convert agricultural land to a non-agricultural use,
24 either 2.5 acres in an Ag district or ten or more acres
25 not in an Ag district. We suggested that would be a

HIGHLAND SOLAR - FINAL SITE PLAN

1 small impact based on the conversations we had during
2 the review of the project. Item E, F, and G were all
3 determined to be no.

4 Number 9, Impacts on Aesthetic Resources.

5 The land use of the proposed action is obviously
6 different from, or in sharp contrast to, current land
7 use patterns between the proposed project and a scenic
8 or aesthetic resource. We checked that as a yes. The
9 Board did get visual simulations of the project from
10 publicly accessible areas, and there was discussion
11 during the public hearings with neighboring property
12 owners. Proposed action may be visible from any
13 officially designated federal, state, or local scenic
14 or aesthetic resource. That's a no. Proposed action
15 may result in the obstruction, elimination or
16 significant screening of one or more officially
17 designated scenic views. None of those exist there.
18 That's a no. Proposed action may be visible from
19 publicly accessible vantage points: i, seasonally and
20 ii, year round. And we suggested that both of those
21 are a small impact based on the visual analysis that
22 was provided to the Board and reviewed. D, The
23 situation or activity in which viewers are engaged
24 while viewing the proposed action is: i, Routine
25 travel by residents, including travel to and from work

HIGHLAND SOLAR - FINAL SITE PLAN

1 and ii, Recreational or tourism based activities. We
2 suggest that both of these would be small based on
3 visual simulation and the limited viewshed that the
4 project can be seen from. Items E and F under there
5 were both no.

6 Number 10, Impact on Historic and
7 Archeological Resources. That is a no. And we did
8 receive sign-off from the Office of Parks Recreation
9 and Historic Preservation regarding no impact.

10 Item 11, Impact on Open Space and Recreation.
11 Proposed action may result in a loss of recreational
12 opportunities or a reduction of an open space resource
13 as designated in any adopted municipal open space plan.
14 That would be a no.

15 Number 12, Impact on Critical Environmental
16 Areas. The project is not located in a designated
17 critical environmental area.

18 Number 13, Impact on Transportation.
19 Proposed action may result in a change to existing
20 transportation systems. That is a no, and the project
21 doesn't exceed any bulleted items underneath that. It
22 will be very limited traffic after construction,
23 probably once or twice a month for vegetation
24 maintenance and servicing the equipment.

25 Impacts on Energy. Proposed action may cause

HIGHLAND SOLAR - FINAL SITE PLAN

1 an increase in the use of any form of energy. We
2 suggest that is a no as the bulleted items below that
3 are significant energy users.

4 15, Impact on the Noise, Odor, and Light.

5 Proposed action may result in an increase in noise,
6 odors, or outdoor lighting. We did have a review of
7 the potential noise from the project, and studies were
8 provided to the Board with comments, and revisions
9 made, so we're suggesting that would be a no. There is
10 no site lighting, and the noise impacts have been
11 evaluated by the Board.

12 Impact on Human Health. The proposed action
13 may have an impact on human health from exposure to new
14 or existing sources of contaminants. We suggest that
15 is a no.

16 Consistency with Community Plans. Proposed
17 action is not consistent with adopted municipal land
18 use plans. The project is an allowable use under the
19 Zoning. We suggest that as a no.

20 No. 18, the final one, Consistency with
21 Community Character. The proposed project is
22 inconsistent with the existing community character.
23 And we have that as a no. As you see in Marlboro here,
24 many of the farmers are relying on the installation of
25 solar arrays to provide a source of income so they can

HIGHLAND SOLAR - FINAL SITE PLAN

1 continue farming.

2 So, with that, there was no moderate or large
3 impacts identified, and the Board would be in a
4 position to adopt that part 2 and also address that in
5 a Negative Declaration.

6 CHAIRMAN BRAND: Comments or questions from
7 the Board?

8 (No response.)

9 CHAIRMAN BRAND: I'd like to have a motion,
10 then, to adopt the full EAF as presented by our
11 engineer.

12 MR. LOFARO: I'll make that motion.

13 CHAIRMAN BRAND: Is there a second?

14 MR. TRONCILLITO: I'll second it.

15 CHAIRMAN BRAND: Any discussion?

16 (No response.)

17 CHAIRMAN BRAND: Any objection?

18 (No response.)

19 CHAIRMAN BRAND: We also have prepared for us
20 the SEQR Negative Declaration and Notice of
21 Determination of Non-Significance. Jen, would you poll
22 the Board?

23 MS. FLYNN: Chairman Brand.

24 CHAIRMAN BRAND: Yes.

25 MS. FLYNN: Member Lanzetta.

HIGHLAND SOLAR - FINAL SITE PLAN

1 MS. LANZETTA: Yes.

2 MS. FLYNN: Member Lofaro.

3 MR. LOFARO: Yes.

4 MS. FLYNN: Member Callo.

5 MR. CALLO: Yes.

6 MS. FLYNN: Member Jennison.

7 MR. JENNISON: Yes.

8 MS. FLYNN: Member LaMela.

9 MR. LaMELA: Yes.

10 MS. FLYNN: Member Troncillito.

11 MR. TRONCILLITO: Yes.

12 CHAIRMAN BRAND: We also have a Resolution of
13 Approval. Gerry, is there anything you would like to
14 point out?

15 MR. COMATOS: No. It speaks for itself. I
16 think it's ready for adoption.

17 CHAIRMAN BRAND: All right. Jen, would you
18 poll the Board?

19 MS. FLYNN: Chairman Brand.

20 CHAIRMAN BRAND: Yes.

21 MS. FLYNN: Member Lanzetta.

22 MS. LANZETTA: Yes.

23 MS. FLYNN: Member Lofaro.

24 MR. LOFARO: Yes.

25 MS. FLYNN: Member Callo.

HIGHLAND SOLAR - FINAL SITE PLAN

1 MR. CALLO: Yes.

2 MS. FLYNN: Member Jennison.

3 MR. JENNISON: Yes.

4 MS. FLYNN: Member LaMela.

5 MR. LaMELA: Yes.

6 MS. FLYNN: Member Troncillito.

7 MR. TRONCILLITO: Yes.

8 CHAIRMAN BRAND: All right. I believe you're
9 all set, sir.

10 MR. GURUN: Thank you, sir. I appreciate it.

11 I have two quick questions on the process, if you don't
12 mind. The Town Board approval of the decommissioning
13 plan, would we typically go through Pat and Gerry for
14 that approval before going to the Board? Maybe that's
15 a question for you, Pat.

16 MR. HINES: Yes.

17 MR. GURUN: Perfect. Then, second question,
18 the time frame usually for getting the signed
19 resolutions, is that a couple of days? Couple of
20 weeks?

21 MS. FLYNN: When I have it date stamped,
22 probably by Wednesday. I'll email it to you.

23 MR. GURUN: Perfect. Thank you. Appreciate
24 it.

25 CHAIRMAN BRAND: Thank you.

HIGHLAND SOLAR - FINAL SITE PLAN

1 Time noted: 7:38 p.m.

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

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5 Certified to be a true and accurate transcript.

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Stacis Sullivan

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Stacie Sullivan, CSR

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

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

4 ATKINS NICHOLAS 2 LOT SD

5 Project No. 24-2019
6 Cubbard Drive/33-35 Old Indian Road, Marlboro
7 Section 103.3; Block 1; Lot 14

6 -----X

7 SKETCH - SUBDIVISION

8
9 Date: January 6, 2025
10 Time: 7:39 p.m.
11 Place: Town of Marlborough
12 Town Hall
13 21 Milton Turnpike
14 Milton, New York 12547

15 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON
16 FRED CALLO
17 STEVE JENNISON
18 CINDY LANZETTA
19 JOE LOFARO
20 BOB TRONCILLITO
21 JOHN LaMELA

22 ALSO PRESENT: PAT HINES

23 GERARD COMATOS, ESQ.

24 JEN FLYNN

25 APPLICANT'S REPRESENTATIVES: KARIN REYNOLDS

26

27

28

29

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

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 CHAIRMAN BRAND: Next on the agenda under
2 Ongoing Application Review is Atkins Nicholas for a
3 sketch of a subdivision at 6 Cubbard Drive and 33-35
4 Old Indian Road in Marlboro.

5 MS. REYNOLDS: Good evening. My name is
6 Karin Reynolds. I'm representing the owners of 6
7 Cubbard Drive for the subdivision. So the two owners
8 bought this lot on Cubbard Drive, corner of Old Indian.

9 MS. FLYNN: Excuse me. Can you talk into the
10 mic, please?

11 MS. REYNOLDS: Sorry. I said good evening.
12 Did you hear that? Okay.

13 So I'm here for the subdivision for the lot
14 at Old Indian and Cubbard Road. And we had the meeting
15 in December, and we updated the plan as per the
16 comments by Pat Hines. And I just wanted to remind
17 that the lot was bought by two owners. The reason for
18 the subdivision is that it's an existing residence and
19 the barn structure was a preexisting nonconforming
20 apartment, and so one owner wants to use the residence
21 and Atkins wants to use the apartment. However, in the
22 Town of Marlborough only one residence is permitted, so
23 this is the reason for the subdivision.

24 And there is two issues. One is -- as per
25 the technical review comments of Pat Hines, one is the

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 setbacks and one is the well. So at the time when this
2 updated plan was submitted, I had spoken with the Water
3 Department in terms of the well. There's an existing
4 well that currently feeds the residence and the barn
5 and the apartment. So the two owners -- they're
6 friends -- they would like to leave it like that.
7 However, the Town -- the Planning Board suggests not to
8 use -- not to do a shared well. So the owners are
9 prepared to install a second well on Lot 1 in order to
10 satisfy the demands of the Planning Board.

11 So when I spoke with the Water Department,
12 the superintendent said -- I raised the question about
13 the property being in the water district, and he said,
14 you know, he's okay with a second well as long as it
15 meets DOH, Department of Health, and nobody can be
16 forced to be -- to tie into the Town water. So -- and
17 this kind of resulted in the current plan that shows a
18 second well.

19 So this plan was submitted before Christmas,
20 and we received the second review comments of Pat Hines
21 just beginning of this year. And the plan, as you see
22 it here, had been already submitted, and Pat Hines
23 informed us that, per the Town Code, if a property is
24 in the water district, you know, it needs to tie into
25 the water district. So just, again, the two owners,

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 they prefer a shared well.

2 And as the access to these two buildings is
3 currently from Cubbard Drive, there will be a
4 right-of-way -- an easement required to access the
5 residence. So currently everything is accessed from
6 Cubbard Drive, and so there's already an easement --
7 you know, agreement required for the access, so why not
8 also have a well agreement? And so that's the question
9 to the Planning Board. If that's not acceptable, then
10 the second well would be preferred.

11 The second issue is with the setbacks. The
12 wider road is Old Indian, so per Town Code, the front
13 yard is to be shown from Old Indian, and that leaves
14 the barn structure with an apartment with a rear
15 backyard that's not conforming with the requirements.
16 However, I want to point out that the existing yard
17 setbacks to the existing property lines are existing,
18 so we're not -- the owners don't want to build anything
19 new. They just want to renovate this one barn with the
20 apartment. So existing yards to existing property
21 lines are what they are. They're nonconforming. The
22 setback from the barn to the house property line is
23 48 feet, and there's an existing garage that has a
24 setback of 28. So that's all existing.

25 So now should there be a variance required to

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 address these existing setbacks that are preexisting,
2 nonconforming? All other setbacks -- new setbacks are
3 in -- conforming with the Town zoning. So do you have
4 any questions or comments?

5 CHAIRMAN BRAND: I'm going to let Pat run
6 through his comments first.

7 MS. REYNOLDS: Okay. Thank you. Sorry.

8 CHAIRMAN BRAND: That's fine.

9 MR. HINES: So the plans have been revised,
10 as was stated, so that the front yard setback from the
11 road by use, 25 foot reserve area from the center line,
12 has been depicted. It is noted that Old Indian Road
13 has a width of 25.5 feet, which is greater than Cubbard
14 Drive, which is 22.2 feet. So the front yard, as was
15 stated, is Old Indian Road.

16 These comments were based on the plan, as was
17 stated, that is proposing an additional well, but I
18 don't believe your Town Code allows that, and I know we
19 received a letter from the water superintendent
20 confirming the need to connect.

21 Health Department approval for the septic
22 system for Lot 2 is going to be required.

23 A variance for the rear yard setback for
24 proposed Lot 2. That existing structure was an
25 accessory structure on the site, and now it's losing

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 that protection because of the subdivision and the
2 conversion of that structure to a residential use. So
3 I believe this Board should refer the project to the
4 Zoning Board of Appeals for a rear yard setback. Where
5 75-foot is required, 48.8 feet is provided. And while
6 they're at the ZBA, they can confirm that the garage
7 located in front of the proposed residence on Lot 2 is
8 permitted at that location. That is an accessory
9 structure now in front of the primary use on that lot,
10 so I would suggest they get an interpretation from the
11 ZBA and/or a variance for that.

12 Easements for access across Lot 2 for Lot 1
13 should be reviewed by the Planning Board attorney's
14 office.

15 My Comment 6 has to do with what I just
16 discussed with the garage and the setbacks associated
17 with that garage and being in front of the residence.

18 Comment 7 is the comment -- I identified the
19 Town Code section. Connection to public water system
20 required, and I gave you a verbatim on that. And I
21 believe that the water superintendent concurs with that
22 and has issued a letter stating that the structure
23 should be connected to the water system as they are
24 located within a hundred feet of an available water
25 source at the property lines.

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 A public hearing will be required when the
2 project comes back from the Zoning Board of Appeals.

3 And the County review of the project, as it's
4 located within 500 feet of Route 9W, is also --

5 CHAIRMAN BRAND: Pat, just so that I'm clear,
6 the applicant's representative was mentioning that
7 their Lot 1 -- or I don't remember which one it was --
8 was preexisting, but you lose all that when you're
9 subdividing?

10 MR. HINES: Yes. It's here because it's not
11 a residential structure right now. So they're doing
12 this subdivision to clean up -- I think it may have
13 been at one time an apartment. I don't know it has
14 that protection now. I believe we were shown photos of
15 a building that is down to its studs. So you're
16 creating a new residential lot at this point based on
17 this subdivision, and that lot needs to conform and/or
18 receive variances from the underlying bulk
19 requirements.

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

22 (No response.)

23 CHAIRMAN BRAND: So I would like to have a
24 motion to refer this applicant to the Zoning Board of
25 Appeals.

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

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

2 CHAIRMAN BRAND: Is there a second?

3 MR. CALLO: Second.

4 CHAIRMAN BRAND: Any discussion?

5 (No response.)

6 CHAIRMAN BRAND: Any objection?

7 (No response.)

8 CHAIRMAN BRAND: Pat, we should probably wait
9 until the ZBA has met before we send it to County?

10 MR. HINES: I suggest when it comes back, you
11 would address any public hearing.

12 CHAIRMAN BRAND: Then as far as County
13 Planning?

14 MR. HINES: Also. They should wait.

15 CHAIRMAN BRAND: Jen, when is there -- when
16 is the next meeting of the ZBA?

17 MS. FLYNN: It is --

18 MS. REYNOLDS: February 11.

19 MS. FLYNN: No. The Zoning Board is
20 February 13th.

21 MS. REYNOLDS: Okay.

22 MS. FLYNN: But you have to have it in by
23 January 29th.

24 MS. REYNOLDS: Okay.

25 MS. FLYNN: The application is online.

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 MS. REYNOLDS: Okay.

2 CHAIRMAN BRAND: Just so that we're clear,
3 you'll be going to the ZBA to do your rear yard
4 setbacks and the garage issue as an accessory
5 structure. And you're also clear that the applicant
6 will be required to connect to the water system as
7 opposed to the two wells?

8 MS. REYNOLDS: Okay. So does that apply for
9 both lots?

10 CHAIRMAN BRAND: Pat, I mean, the first one
11 that has the well, they would have to do both or just
12 the new one?

13 MR. HINES: Based on the letter from the
14 water superintendent --

15 CHAIRMAN BRAND: I didn't see the letter.

16 MS. FLYNN: I sent it out this morning to the
17 Board.

18 MR. HINES: I'll read you the Code. It says:
19 Connection to public water system required, and it
20 states: The owner of all houses, buildings, or
21 properties used for human occupation, employment,
22 recreation, or other purposes situated within the
23 district and abutting on any street, alley, or
24 right-of-way in which there is now located or may in
25 the future be located a public water system of the

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

8 CHAIRMAN BRAND: And they're both within
9 100 feet?

10 MR. HINES: Yes.

11 CHAIRMAN BRAND: So they both have to hook up
12 to the water system?

13 MR. HINES: I think that's the gist of the
14 water superintendent's memo as well.

15 MS. REYNOLDS: There's no exemption from that
16 if there is a well?

17 MS. LANZETTA: We can't.

18 CHAIRMAN BRAND: That's not something that
19 this Board can --

20 MR. HINES: You may be able to petition the
21 Town Board for relief. I don't know. It's not in the
22 Zoning section. It's in the Town Code water section.

23 CHAIRMAN BRAND: So you'll go to the ZBA, and
24 then we'll hear back from you.

25 MS. REYNOLDS: Okay. Thank you.

ATKINS NICHOLAS 2 LOT SD - SKETCH SUBDIVISION

1 CHAIRMAN BRAND: Thank you.

2 Time noted: 7:52 p.m.

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

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6 Certified to be a true and accurate transcript.

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8 Stacie Sullivan

9 Stacie Sullivan, CSR

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

4 In the Matter of
5

6 NATHANSON B&B
7

8 Project No. 25-1000
9 69 Bingham Road, Marlboro
10 Section 108.4; Block 8; Lot 36
11 -----X

12 SKETCH - SITE PLAN
13

14 Date: January 6, 2025
15 Time: 7:53 p.m.
16 Place: Town of Marlborough
17 Town Hall
18 21 Milton Turnpike
19 Milton, New York 12547
20

21 BOARD MEMBERS: CHRIS BRAND, CHAIRPERSON
22 FRED CALLO
23 STEVE JENNISON
24 CINDY LANZETTA
25 JOE LOFARO
26 BOB TRONCILLITO
27 JOHN LaMELA
28

29 ALSO PRESENT: PAT HINES
30

31 GERARD COMATOS, ESQ.
32
33 JEN FLYNN
34

35 APPLICANT'S REPRESENTATIVES: SHULAMIT NATHANSON
36 ASA NATHANSON
37

38 -----X
39 Stacie Sullivan, CSR
40 staciesullivan@rocketmail.com
41

NATHANSON B&B - SKETCH SITE PLAN

1 CHAIRMAN BRAND: Finally, for New Application
2 Review, we have Nathanson B&B for a sketch of their
3 site plan at 69 Bingham Road.

4 Would you like to give us a brief overview of
5 what it is that you're proposing this evening?

6 MR. NATHANSON: Short-term rental.

7 CHAIRMAN BRAND: Pat, would you like to go
8 over your comments?

13 MS. NATHANSON: Yes.

14 MR. NATHANSON: Yes.

15 MR. HINES: Okay. That specific section of
16 the Code, you have the short-term rental section and
17 you have the bed and breakfast, so this is here under
18 155-32.4. They're going to propose a single bedroom,
19 which will permit a maximum of two guests. Children
20 under 12 are not considered guests.

21 They haven't depicted a parking area for the
22 use of the site. It's a rather large lot. It looks
23 like there's sufficient parking.

24 And the project is a special use in the
25 zoning and requires a public hearing.

NATHANSON B&B - SKETCH SITE PLAN

1 CHAIRMAN BRAND: Comments or questions from
2 the Board?

3 MS. LANZETTA: I just want to say it's
4 probably the best application we've had for a B&B,
5 short-term rental, and I appreciate that very much.

6 CHAIRMAN BRAND: Jen, when would the next
7 public hearing be?

11 CHAIRMAN BRAND: February 3rd, does that work
12 for you?

13 MS. NATHANSON: Yes. It's good.

14 CHAIRMAN BRAND: Can I have a motion to
15 schedule a public hearing for February 3rd for this?

16 MR. TRONCILLITO: I'll make it.

17 MS. LANZETTA: I'll second it.

18 CHAIRMAN BRAND: Any discussion?

19 (No response.)

20 CHAIRMAN BRAND: Any objection?

21 (No response.)

22 CHAIRMAN BRAND: All right. We will see you
23 on February 3rd. Just speak with the secretary to get
24 the --

25 MS. FLYNN: I'll get the legal notice ready

NATHANSON B&B - SKETCH SITE PLAN

1 for you. Then I'll email it to you. You have to mail
2 it out to all the residents within 500 feet from corner
3 to corner, certified mail.

4 MS. NATHANSON: Yeah. Okay. Very good.

5 Time noted: 7:56 p.m.

6

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

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9 Certified to be a true and accurate transcript.

10

11 Stacie Sullivan

12 Stacie Sullivan, CSR

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