

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

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In the Matter of

NICHOLAS ATKINS - WORKSHOP -
Rear yard Setback Variance and Accessory
Structure Variance Area Variance
6 Cubbard Drive
Milton, New York 12547
SBL #103.3-1-14
RAG-1 23-15

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DATE: February 13, 2025

TIME: 6:00 P.M.

PLACE: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, New York 12547

BOARD MEMBERS:

LENNY CONN, Chairman
JEFF MEKEEL
GEORGE SALINOVICH
ANDREW NIKOLA
LARRY BARTOLOTTI

ALSO PRESENT:

JEN FLYNN, Zoning Board
Secretary

KARIN REYNOLDS, Architect

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LISA MARIE ROSSO
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Milton, New York 12547
(845) 674-3937

LISA MARIE ROSSO - (845) 674-3937

1 NICHOLAS ATKINS - WORKSHOP

2 CHAIRMAN CONN: Please stand for
3 the pledge.

4 (Pledge of Allegiance.)

5 CHAIRMAN CONN: Thank you,
6 everybody. This is the February 13,
7 2025, zoning board meeting. Did we
8 have a chance to read the minutes from
9 the last meeting, everybody?

10 MR. MEKEEL: Yes.

11 MR. BARTOLOTTI: Yes.

12 MR. NIKOLA: Yes.

13 MR. SALINOVICH: Yes.

14 CHAIRMAN CONN: Any questions,
15 changes?

16 MR. MEKEEL: No.

17 MR. SALINOVICH: No.

18 MR. NIKOLA: No.

19 MR. BARTOLOTTI: No.

20 CHAIRMAN CONN: Motion to approve
21 them?

22 MR. SALINOVICH: I'll make a
23 motion to approve them.

24 CHAIRMAN CONN: All in favor?

25 MR. MEKEEL: Aye.

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2 MR. SALINOVICH: Aye.

3 MR. NIKOLA: Aye.

4 MR. BARTOLOTTI: Aye.

5 CHAIRMAN CONN: First up on the
6 agenda is Laurell Diorio. I do not
7 know if a representative is here. So,
8 we will move on to the next one that we
9 have, Nicholas Atkins, 6 Cubbard Drive,
10 rear yard setback variance and
11 accessory structure variance. Our
12 first workshop meeting for that. Yes,
13 ma'am, come right up to the table. You
14 don't have a microphone, so please
15 speak loudly so our stenographer can
16 hear you.

17 MS. REYNOLDS: My name is Karin
18 Reynolds, and I'm an architect, and I
19 am representing the client. And we
20 created this subdivision plan with
21 Medenbach, Eggers & Carr. And we are
22 here for a variance application for the
23 existing rear yard setback and an
24 existing accessory structure variance
25 in the front yard. So, if you look

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2 at -- this is the property, and it will
3 be subdivided like this. This existing
4 residence and this is a barn that will
5 be renovated into an apartment. And
6 this is an existing accessory building
7 and so the front yard setback is from
8 Old Indian, and so this building is in
9 the front yard setback -- in the front
10 yard of this accessory structure --
11 this accessory structure that will
12 become a residence, and this existing
13 building has existing rear yard setback
14 of 48 feet and eight. So, for these
15 two things, as I may have described in
16 our application, we're here to ask for
17 a variance, and as these buildings are
18 existing. It was self-created and
19 cannot be achieved by other means.

20 CHAIRMAN CONN: What are they
21 considering to be; the front Old
22 Indian?

23 MS. REYNOLDS: Yes, Old Indian,
24 because Old Indian is the wider road.

25 CHAIRMAN CONN: Okay.

1 NICHOLAS ATKINS - WORKSHOP

2 MR. SALINOVICH: Do they intend to
3 renovate the house?

4 MS. REYNOLDS: So --

5 MR. SALINOVICH: The Atkins house?

6 MS. REYNOLDS: This is an existing
7 barn structure that basically was used
8 as a storage building, you know, as a
9 farm building. And there is an --
10 attached, an existing apartment that
11 was not conforming so it was probably
12 nonconforming preexisting. And so the
13 owner wants to renovate the existing
14 barn into a conforming apartment,
15 meaning it goes from the planning board
16 and also through the building
17 department.

18 MR. SALINOVICH: It's going to be
19 one apartment; that is it?

20 MS. REYNOLDS: Yeah, one
21 apartment. So, this is the big -- the
22 property was bought by two owners, and
23 one owner will take half of the
24 property as an existing residence, and
25 the other property has an existing barn

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2 and an accessory structure.

3 MR. SALINOVICH: Yeah, I was there
4 today. I saw the whole thing.

5 MS. REYNOLDS: Okay. And there is
6 an apartment attached to it that was
7 never --

8 MR. SALINOVICH: Do you know the
9 last time she lived there?

10 MS. REYNOLDS: Not really. But it
11 looks as if it was --

12 MR. SALINOVICH: A long time ago.
13 It doesn't matter.

14 MR. MEKEEL: So, basically, you're
15 looking at multiple variances for lot
16 2?

17 MS. REYNOLDS: Yes.

18 MR. MEKEEL: Lot 2, you have an
19 accessory structure that is going to
20 need a variance for that. And then you
21 have proposed residence, which is
22 48.8 feet. You need a variance because
23 you need 75 feet?

24 MS. REYNOLDS: Yes, we are looking
25 for two variances basically. One for

1 NICHOLAS ATKINS - WORKSHOP
2 the rear yard setback, and one for the
3 accessory building.

4 MR. MEKEEL: The accessory
5 building in the front yard, okay. And
6 you need a variance for the garage
7 accessory building. It's 28 feet off?

8 MR. SALINOVICH: 10 feet.

9 MR. MEKEEL: 10 feet, okay. How
10 high is the garage?

11 MR. SALINOVICH: 20 feet at least.

12 CHAIRMAN CONN: Off the record.

13 (Whereupon, an off-the-record
14 discussion was held.)

15 MR. BARTOLOTTI: Question, were
16 all of the buildings vacant; is anybody
17 occupying or using anything right now?

18 MS. REYNOLDS: What did you say?

19 MR. BARTOLOTTI: Is anything being
20 occupied?

21 MS. REYNOLDS: The existing lot 1,
22 the existing residence occupied by one
23 owner, and the owner would like to use
24 the buildings on lot 2, and we had
25 discussed with the building department

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2 if there could be a second residence,
3 and that is not permitted in the Town
4 of Marlboro, right, so this is why we
5 want to subdivide so that both owners
6 can build their -- have their own
7 residence.

8 MR. BARTOLOTTI: Now, where is the
9 septic and leach field presently for
10 the property?

11 MS. REYNOLDS: Good question. So
12 the existing residence has a leach
13 field here towards Old Indian.

14 MR. BARTOLOTTI: And that covers
15 for the barn?

16 MS. REYNOLDS: No, that is only
17 for the residence. And there is a new
18 septic field indicated here towards Old
19 Indian for the new residence on lot 2.

20 MR. BARTOLOTTI: Okay, but there
21 is an apartment present right now in
22 that barn?

23 MS. REYNOLDS: Yes. And we
24 investigated the septic, and it was
25 blocked. So, it also just goes down in

1 NICHOLAS ATKINS - WORKSHOP

2 the ground, and it doesn't go anywhere.

3 MR. BARTOLOTTI: So there is no
4 septic system?

5 MS. REYNOLDS: Right.

6 MR. BARTOLOTTI: Okay.

7 MR. MEKEEL: Just come up here so
8 we don't have to yell. We found a few
9 discrepancies.

10 CHAIRMAN CONN: You're here for
11 two variances. But yet your minimum
12 lot width on both lots are within
13 150 feet.

14 MS. REYNOLDS: Right.

15 CHAIRMAN CONN: So you need
16 variances for both of those.

17 MS. REYNOLDS: Okay.

18 CHAIRMAN CONN: And the front yard
19 setback accessory structure is a use.
20 You need a variance for the garage
21 being in the front yard.

22 MR. MEKEEL: Right, the 28-foot
23 doesn't matter because you meet --
24 that's fine, because it's accessory
25 structure. Technically, you can't have

1 NICHOLAS ATKINS - WORKSHOP
2 accessory structure in the front yard
3 without a variance. So you need the
4 variance for the accessory structure.

5 MS. REYNOLDS: That's the first
6 variance we're here for. And the
7 second is the rear yard.

8 MR. MEKEEL: It's not on there.
9 You have to get that cleaned up.

10 MS. REYNOLDS: But we have -- the
11 application was filed. I don't
12 understand why this is not here. We
13 came here for two variances. One is
14 the accessory building in the front
15 yard of the new residence and for the
16 rear side.

17 MS. FLYNN: I gave you the minutes
18 from the planning board why she's here.

19 CHAIRMAN CONN: We're just going
20 by this, and there is only two --

21 MS. FLYNN: On her application.
22 She only put two on her application,
23 right.

24 MR. NIKOLA: The shed needs to be
25 taken care of too.

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2 MR. BARTOLOTTI: Where is the
3 proposed well to be from lot 2?

4 CHAIRMAN CONN: They're not going
5 to have a well. They have to hook up
6 to town water.

7 MR. BARTOLOTTI: Okay. I saw
8 proposed well.

9 MS. REYNOLDS: There is two
10 options -- the existing well --

11 (Whereupon, an off-the-record
12 discussion was held.)

13 CHAIRMAN CONN: After further
14 discussion to clear this up, the
15 applicant for lot 1 needs a 12.5 width
16 variance to meet the 150-feet required.
17 Lot 2 needs an 8.8 width variance to
18 meet 150 feet. Being that Old Indian
19 Road is the front yard -- is the road
20 being named as the front yard. The
21 garage needs a variance as the front
22 yard accessory. Lot 2 also needs a
23 rear yard variance of 26.2 feet, and we
24 also need to remove the shed from lot
25 2. And we're asking the applicant to

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2 redo the application to clear up these
3 discrepancies before the next meeting.
4 We will keep the workshop open.

5 MS. REYNOLDS: When is that?

6 CHAIRMAN CONN: Next meeting.

7 MR. NIKOLA: March 13th.

8 MS. FLYNN: But you can give me
9 the updated information next week.

10 MS. REYNOLDS: We don't need more
11 paperwork?

12 CHAIRMAN CONN: No, I don't
13 believe so unless there is anything
14 that the code enforcement needs,
15 building inspector, I don't think so.
16 But there is just too many things and
17 too many changes. So, let's clean it
18 up before the next meeting to make sure
19 everything is correct.

20 MS. FLYNN: March 13th. You have
21 to send me the application with all of
22 that new information on it and then you
23 come to the March 13th meeting.

24 CHAIRMAN CONN: The applicant
25 isn't here yet, we're going to have to

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2 postpone Laurell Diorio's application
3 until the next meeting.

4 MS. FLYNN: I was going to say, I
5 don't know if she thinks we start at
6 7:00 instead of 6:00. Maybe she got
7 planning and zoning confused.

8 MR. NIKOLA: She was here the last
9 time and sat through.

10 MS. FLYNN: Yeah.

11 CHAIRMAN CONN: So we'll postpone
12 the Laurell Diorio application until
13 next meeting being there is no
14 representatives here to discuss it.
15 And if there is nothing else, motion to
16 adjourn.

17 MR. MEKEEL: Make a motion we
18 adjourn the meeting.

19 CHAIRMAN CONN: Second?

20 MR. NIKOLA: Second.

21 CHAIRMAN CONN: All in favor?

22 MR. MEKEEL: Aye.

23 MR. BARTOLOTTI: Aye.

24 MR. NIKOLA: Aye.

25 MR. SALINOVICH: Aye.

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2 CHAIRMAN CONN: Aye.

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4 (Whereupon, at 6:50 P.M., the
5 Hearing was adjourned.)

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1 NICHOLAS ATKINS - WORKSHOP

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

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

6
7 I, LISA M. ROSSO, a Notary Public for
8 and within the State of New York, do hereby
9 certify:

10 That I was authorized to and did
11 stenographically report the foregoing
12 proceedings, and that the transcript is a
13 true record.

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

18 IN WITNESS WHEREOF, I have hereunto set
19 my hand this 18th day of February 2025.

20
21
22 _____
 LISA M. ROSSO