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

----- X  
In the Matter of

DANE DeSANTIS BNB

Project No. 24-2014  
224 Highland Avenue, Marlboro  
Section 108.12; Block 1; Lot 48.200

----- X

PUBLIC HEARING - SITE PLAN

Date: July 21, 2025  
Time: 7:00 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
FRED CALLO  
STEVE JENNISON  
JOHN LaMELA  
CINDY LANZETTA  
JOSEPH LOFARO  
BOB TRONCILLITO

ALSO PRESENT: HANNAH ATKINSON, ESQ.  
JEN FLYNN

APPLICANT'S REPRESENTATIVE: DANE DeSANTIS

----- X

MICHELLE L. CONERO  
Stenographer  
michelleconero@hotmail.com  
(845) 541-4163



1       D a n e   D e S a n t i s

2               The next scheduled meeting will be  
3               Monday, August 4, 2025.

4               First up we have Dane DeSantis  
5               BnB. "Legal notice, minor site plan  
6               and special use permit application.  
7               Please take notice that a public  
8               hearing will be held by the Marlborough  
9               Planning Board pursuant to the Town of  
10              Marlborough Town Code Section 155-31  
11              and Section 155-32 on Monday, July 21,  
12              2025 for the following application of  
13              Cecilia Colangelo Bed & Breakfast at  
14              the Town Hall, 21 Milton Turnpike,  
15              Milton, New York at 7 p.m. or as soon  
16              thereafter as may be heard. The  
17              applicant is asking for a minor site  
18              plan approval and special use permit  
19              for a bed and breakfast on lands  
20              located at 224 Highland Avenue in  
21              Marlboro, New York, Section 108.12;  
22              Block 1; Lot 48.200. Any interested  
23              parties either for or against this  
24              proposal will have an opportunity to be  
25              heard at this time.

1       Dane DeSantis

2                   Do you have the mailings?

3                   MR. DeSANTIS: I do.

4                   CHAIRMAN BRAND: Can you please  
5 give them to the secretary for me.

6                   Could you just please provide the  
7 audience with a brief overview of what it  
8 is that you are proposing.

9                   MR. DeSANTIS: We have a three-  
10 bedroom house and we have an extra  
11 bedroom. It's just the two of us. We're  
12 just looking to rent out one of the  
13 bedrooms in our house on the Airbnb  
14 platform. That's it.

15                   CHAIRMAN BRAND: Thank you.

16                   Is there anyone here that would  
17 like to speak for or against this  
18 proposal?

19                   (No response.)

20                   MS. FLYNN: Fifty-three went out.

21                   MR. JENNISON: I move to close the  
22 public hearing.

23                   CHAIRMAN BRAND: I have a motion to  
24 close the public hearing. Is there a  
25 second?

1       Dane DeSantis

2                   MR. CALLO: I'll second it.

3                   CHAIRMAN BRAND: Any discussion?

4                   (No response.)

5                   CHAIRMAN BRAND: Any objection?

6                   (No response.)

7                   CHAIRMAN BRAND: Our engineer could  
8 not be here this evening. Essentially  
9 his comments amount to he has no  
10 outstanding comments on the use for the  
11 special permit.

12                   We have had prepared for us a  
13 resolution for the application of Cecelia  
14 Colangelo for a minor site plan approval  
15 and special use permit for a bed and  
16 breakfast.

17                   Jen, would you please poll the  
18 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.

1           Dane DeSantis

2                   MR. CALLO:  Yes.

3                   MS. FLYNN:  Member Jennison.

4                   MR. JENNISON:  Yes.

5                   MS. FLYNN:  Member LaMela.

6                   MR. LaMELA:  Yes.

7                   MS. FLYNN:  Member Troncillito.

8                   MR. TRONCILLITO:  Yes.

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

11                   MR. DeSANTIS:  Thank you.

12

13                   (Time noted:  7:05 p.m.)

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1       D a n e   D e S a n t i s

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

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

9               That hereinbefore set forth is a true  
10 record of the proceedings.

11              I further certify that I am not related  
12 to any of the parties to this proceeding by  
13 blood or by marriage and that I am in no way  
14 interested in the outcome of this matter.

15              IN WITNESS WHEREOF, I have hereunto set  
16 my hand this 5th day of August 2025.

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*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

NICHOLAS ATKINS

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

----- X

PUBLIC HEARING - SUBDIVISION

Date: July 21, 2025  
Time: 7:05 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
FRED CALLO  
STEVE JENNISON  
JOHN LaMELA  
CINDY LANZETTA  
JOSEPH LOFARO  
BOB TRONCILLITO

ALSO PRESENT: HANNAH ATKINSON, ESQ.  
JEN FLYNN

APPLICANT'S REPRESENTATIVE: KARIN REYNOLDS

----- X

MICHELLE L. CONERO  
Stenographer  
michelleconero@hotmail.com  
(845) 541-4163

1        N i c h o l a s   A t k i n s

2                    CHAIRMAN BRAND: Next on the  
3 agenda we have the public hearing for  
4 Nicholas Atkins.

5                    "Legal notice, subdivision  
6 application. Please take notice that a  
7 public hearing will be held by the  
8 Marlborough Planning Board pursuant to  
9 the State Environmental Quality Review  
10 Act (SEQRA) and the Town of Marlborough  
11 Town Code Section 134-09(C) on Monday,  
12 July 21, 2025 for the following  
13 application of Atkins Minor Subdivision  
14 at the Town Hall, 21 Milton Turnpike,  
15 Milton, New York at 7 p.m. or as soon  
16 thereafter as may be heard. The  
17 applicant is seeking approval of a two-  
18 lot subdivision application for lands  
19 located at 6 Cubbard Drive and 33-35  
20 Old Indian Road, Marlboro, New York,  
21 Section 103.3; Block 1; Lot 14. Any  
22 interested parties either for or  
23 against this proposal will have an  
24 opportunity to be heard at this time."

25                    Do you have the mailings? If you

1       N i c h o l a s   A t k i n s

2               could give those to Jen, that would be  
3               great.

4               MS. FLYNN:   How many went out?

5               MS. REYNOLDS:   Nineteen.

6               MS. FLYNN:   Thank you.

7               CHAIRMAN BRAND:  I'll just review  
8               the technical review comments.

9               Health Department plans have been  
10              submitted for the Town's use.

11              Waterlines have been depicted from  
12              the municipal system serving each of the  
13              proposed residential structures.

14              The project is before the Board for  
15              a public hearing.  Any substantive  
16              comments received should be addressed by  
17              the applicant's representative.

18              The project received a zoning  
19              variance on April 10, 2025.

20              An access and maintenance agreement  
21              for the common driveway must be approved  
22              by the Planning Board Attorney.

23              Would you please just provide the  
24              people here with a brief overview of what  
25              it is you're doing.

1       N i c h o l a s   A t k i n s

2                   MS. REYNOLDS: Well, we're here for  
3                   a subdivision of a property. It's on 6  
4                   Cubbard Drive.

5                   Two friends bought the property.  
6                   There's an existing residence and a  
7                   couple of barns. One of the owners would  
8                   like to renovate the barn into a  
9                   residence. The only way to do that in  
10                  the Town of Milton is by subdividing.  
11                  That's why we're here.

12                  CHAIRMAN BRAND: Excellent.

13                  Is there anyone here who would like  
14                  to speak on behalf of this project?

15                  (No response.)

16                  MR. JENNISON: I'll move to close  
17                  the public hearing.

18                  CHAIRMAN BRAND: We have a motion  
19                  to close the public hearing.

20                  MR. LOFARO: I'll second it.

21                  CHAIRMAN BRAND: Any discussion?

22                  (No response.)

23                  CHAIRMAN BRAND: Any objection?

24                  (No response.)

25                  CHAIRMAN BRAND: Any comments from

1       N i c h o l a s   A t k i n s

2               the Board at this point?

3                       (No response.)

4               CHAIRMAN BRAND:  No.  Before you we  
5       have the application of Nicholas Atkins  
6       for a minor subdivision.  We have the  
7       resolution of approval by the Town of  
8       Marlborough Planning Board.

9               Jen, would you poll the Board.

10              MS. FLYNN:  Chairman Brand.

11              CHAIRMAN BRAND:  Yes.

12              MS. FLYNN:  Member Lanzetta.

13              MS. LANZETTA:  Yes.

14              MS. FLYNN:  Member Lofaro.

15              MR. LOFARO:  Yes.

16              MS. FLYNN:  Member Callo.

17              MR. CALLO:  Yes.

18              MS. FLYNN:  Member Jennison.

19              MR. JENNISON:  Yes.

20              MS. FLYNN:  Member LaMela.

21              MR. LaMELA:  Yes.

22              MS. FLYNN:  Member Troncillito.

23              MR. TRONCILLITO:  Yes.

24              CHAIRMAN BRAND:  We also have the  
25       subdivision recreation fee findings from

1        N i c h o l a s   A t k i n s

2            the Town of Marlborough Planning Board.  
3            Whereas the Planning Board has reviewed a  
4            subdivision application known as Nicholas  
5            Atkins with respect to real property  
6            located at 6 Cubbard Drive in the Town of  
7            Marlborough, Member Lanzetta offered the  
8            following resolution which was seconded  
9            by Member Callo. It is hereby resolved  
10           that the Planning Board makes the  
11           following findings pursuant to Section  
12           277-4 of the Town Law. Based on the  
13           present and anticipated future need for  
14           park and recreational opportunities in  
15           the Town of Marlborough and to which the  
16           future population of the subdivision will  
17           contribute, parkland should be created as  
18           a condition of approval of the subdivision.  
19           However, a suitable park of adequate size  
20           to meet the above requirement cannot be  
21           properly located within the proposed  
22           project site. Accordingly, it is  
23           appropriate that in lieu of providing  
24           parkland, the project sponsors render the  
25           Town payment of a recreation fee to be

1       N i c h o l a s   A t k i n s

2               determined in accordance with the  
3               prevailing schedule established by the  
4               Town of Marlborough. This approved  
5               subdivision known as Nicholas Atkins  
6               resulted in one lot for a total of \$2,000  
7               in recreation fees.

8               Whereupon the following vote was  
9               taken.

10              Chairman Brand, yes.

11              Callo.

12              MR. CALLO: Yes.

13              CHAIRMAN BRAND: LaMela.

14              MR. LaMELA: Yes.

15              CHAIRMAN BRAND: Jennison.

16              MR. JENNISON: Yes.

17              CHAIRMAN BRAND: Lanzetta.

18              MS. LANZETTA: Yes.

19              CHAIRMAN BRAND: Lofaro.

20              MR. LOFARO: Yes.

21              CHAIRMAN BRAND: Troncillito.

22              MR. TRONCILLITO: Yes.

23              MS. FLYNN: You forgot SEQRA.

24              MS. ATKINSON: The negative  
25              declaration.

1       N i c h o l a s   A t k i n s

2                   CHAIRMAN BRAND: We also have the  
3                   application for the SEQRA negative  
4                   declaration and notice of determination  
5                   of nonsignificance for this project as  
6                   well.

7                   Jen, would you poll the Board.

8                   MS. FLYNN: Chairman Brand.

9                   CHAIRMAN BRAND: Yes.

10                  MS. FLYNN: Member Lanzetta.

11                  MS. LANZETTA: Yes.

12                  MS. FLYNN: Member Lofaro.

13                  MR. LOFARO: Yes.

14                  MS. FLYNN: Member Callo.

15                  MR. CALLO: Yes.

16                  MS. FLYNN: Member Jennison.

17                  MR. JENNISON: Yes.

18                  MS. FLYNN: Member LaMela.

19                  MR. LaMELA: Yes.

20                  MS. FLYNN: Member Troncillito.

21                  MR. TRONCILLITO: Yes.

22                  CHAIRMAN BRAND: Thank you.

23                  MS. LANZETTA: I just want to  
24                  reinforce the fact that as a matter of a  
25                  condition for the approval, that both

1       N i c h o l a s   A t k i n s

2               properties will have to be hooked up to  
3       Town water.

4               MS. REYNOLDS:   What did you say?

5               MS. LANZETTA:   Both properties will  
6       have to have Town water as a condition of  
7       approval.   I just want to reinforce that.

8               MS. REYNOLDS:   Okay.   I have a  
9       couple of questions.   I'm really sorry, I  
10      did not understand.   Can we just -- can  
11      you just give me a summary?   So you've  
12      closed the public hearing.   Correct?

13              CHAIRMAN BRAND:   Yes.   You have all  
14      the approvals that were required.   You're  
15      good to go.

16              MS. REYNOLDS:   You approved the  
17      subdivision?

18              CHAIRMAN BRAND:   Correct.

19              MS. FLYNN:   With conditions.

20              MS. REYNOLDS:   With the condition  
21      that both properties connect to Town  
22      water.   Yes?

23              CHAIRMAN BRAND:   Yes.

24              MS. REYNOLDS:   May I ask why?   I  
25      understand that the property is in the



1       N i c h o l a s   A t k i n s

2                citizen to share this with you. I just  
3                wanted to understand what the reason is.  
4                You're basically saying the reason is  
5                that it is in the water district. Okay.  
6                We will comply.

7                        CHAIRMAN BRAND: Thank you.

8                        MS. REYNOLDS: That's it?

9                        CHAIRMAN BRAND: That's it.

10

11                                (Time noted: 7:10 p.m.)

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1        N i c h o l a s   A t k i n s

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

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

9            That hereinbefore set forth is a true  
10 record of the proceedings.

11           I further certify that I am not related  
12 to any of the parties to this proceeding by  
13 blood or by marriage and that I am in no way  
14 interested in the outcome of this matter.

15           IN WITNESS WHEREOF, I have hereunto set  
16 my hand this 5th day of August 2025.

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*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

ORCHARDS ON HUDSON/DOCK ROAD

Project No. 24-2003  
103-137 Dock Road, Marlboro  
Section 109.1; Block 3; Lot 13, 14.2 & 15  
Section 108.4; Block 3; Lot 29.1

----- X

PUBLIC HEARING - SITE PLAN & LOT LINE

Date: July 21, 2025  
Time: 7:10 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
FRED CALLO  
STEVE JENNISON  
JOHN LaMELA  
CINDY LANZETTA  
JOSEPH LOFARO  
BOB TRONCILLITO

ALSO PRESENT: HANNAH ATKINSON, ESQ.  
JEN FLYNN

APPLICANT'S REPRESENTATIVES: SCOTT LEYTON  
MARK BLANCHARD  
ANGELO LAINO  
PATRICK LENIHAN

----- X

MICHELLE L. CONERO  
Stenographer  
michelleconero@hotmail.com  
845-541-4163

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   CHAIRMAN BRAND: Next on the agenda  
3 we have Orchards on Hudson/Dock Road.

4                   "Legal notice, site plan with lot  
5 line application. Please take notice a  
6 public hearing will be held by the Town  
7 of Marlborough Planning Board pursuant to  
8 the Town of Marlborough Town Code Section  
9 155-31 on Monday, July 12, 2025 for the  
10 following application, Orchards on Hudson  
11 Residential Development (Dock Road) at  
12 the Town Hall, 21 Milton Turnpike,  
13 Milton, New York 7 p.m. or as soon  
14 thereafter as may be heard. The  
15 applicant is asking for a site plan  
16 approval and lot consolidation for a  
17 property located at 103-137 Dock Road,  
18 Marlboro, New York, Section 109.1; Block  
19 3; Lots 12, 13, 14, 14.200, 15, 16, 17.2,  
20 18, 19 and 29.100. Any interested  
21 parties either for or against this  
22 proposal will have an opportunity to be  
23 heard at this time."

24                   If you would like to, after you  
25 have your tripod set up, provide an

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               overview for the public.

3               MR. LEYTON: We have six renderings.  
4               Three of them are duplicates. We have  
5               three of the -- doubles of three shots.

6               As the easel is being put up, I'd  
7               like to thank the Planning Board Members,  
8               the Planning Chair, the Town Supervisor,  
9               the Chief Building Inspector, the Town  
10              Board and the Fire Chiefs for helping us  
11              get to where we are tonight.

12             My name is Scott Leyton, the  
13             founder of Leyton Properties. I've been  
14             developing real estate for thirty plus  
15             years.

16             As one of our principle covenants  
17             at Leyton Properties Design, I have  
18             personally spent countless hours on the  
19             site plan and architectural plans for the  
20             homes and the clubhouse. I believe we  
21             will be building something special that  
22             you and I will be proud of.

23             We also believe in collaboration,  
24             and I think we got the best of that on  
25             this project. I've been working with the

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           Town Board, Supervisor, Community and the  
3           Planning Board for three plus years to  
4           get reservation agreements on the sewer  
5           capacity and pay for that way before we  
6           had any approvals. I believe in this  
7           Town and it has worked out. I hope you  
8           feel the same about me.

9           Our firm has built single-family  
10          homes and town home developments, mid-  
11          rise condo projects in New York City and  
12          Brooklyn. We have seven hundred active  
13          adult homes in five distinct communities  
14          developed under the vineyards brand.

15          About four years ago Marlborough  
16          was a dot on the map to me. Subsequently  
17          in my time spent here, I have seen the  
18          true beauty of this community, both from  
19          the sweet rolling hills to the west and  
20          the Hudson to the east, with all the  
21          great history, a warm community of down-  
22          to-earth people in the middle. We are  
23          excited to be a part of the Marlborough  
24          community and hope to be a magnificent  
25          addition.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   The property stands today as an  
3       abandoned sand and gravel mine and pit.

4                   Let me try to share with you our  
5       vision of Orchards on Hudson.   The  
6       property is 27 acres and will consist of  
7       106 town homes in 25 buildings.   The main  
8       feature will be the clubhouse, perched  
9       overlooking the Hudson with an elevator  
10      for two stories, an outdoor pool, an  
11      incredibly warm and well appointed  
12      interior to include the Spoke Gym and  
13      multi-purpose space on the first floor  
14      that opens up to the Hudson.

15                  On the second floor there will be  
16      an outdoor veranda that will also  
17      obviously overlook the pool and the  
18      Hudson.

19                  The indoor space upstairs will have  
20      a bar, a reading area and a large lounge  
21      with the backdrop being the Hudson River.

22                  Just as a big overview, there will  
23      be basically four types of homes to  
24      hopefully meet the different demographics  
25      and needs of home buyers.   One will be

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           our small unit home which will be a  
3           cottage, and that will be closer to 9W.  
4           There will be about 30 of them up in that  
5           area. As you get closer to the Hudson,  
6           the three remaining models, one is the  
7           largest unit which will have a primary  
8           bedroom downstairs, and that will hit as  
9           most -- as we've done in active adult  
10          communities, it will hit the retiree,  
11          empty nester. The remaining units that  
12          also are in that lower area will be of  
13          different sizes with a couple of  
14          different amenities or features that  
15          might attract different people.

16                 We have also worked with the Town  
17                 and the Falcon to donate our land on Dock  
18                 Road to provide additional parking for  
19                 the Town and, as a result, the Falcon.

20                 I think it's now and again -- we  
21                 can talk about if there -- I don't know  
22                 how you want the questions or something.  
23                 We'll continue with my attorney here.  
24                 Any other matters, civil or legal, they  
25                 can handle better than I can.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               Also, my team has been fabulous and  
3       has worked tirelessly for, I can't  
4       believe it's been three and a half years  
5       since we went into contract, and  
6       obviously presented ourselves even before  
7       that with Supervisor Lanzetta at the  
8       time.

9               VHB, Angelo, Julian and Abby have  
10       been incredible. My attorney, Mark  
11       Blanchard, he's also been here through  
12       thick and thin. I'd like to thank him.  
13       My right hand, Ron Sipers, who has been  
14       the engine of this deal.

15              I hope we have a favorable evening.  
16       I'm here at any time to answer any  
17       questions. Thank you.

18              CHAIRMAN BRAND: Thank you.

19              MR. BLANCHARD: Thank you, Mr. Chairman  
20       Just a few brief remarks on my part and then  
21       I'll turn it over to the VHB engineering  
22       team.

23              For the record, my name is Mark  
24       Blanchard. I am land use Counsel,  
25       Planning Board Counsel to the project.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   Just as Scott often does, he stole  
3       my thunder. A lot of what I was going  
4       to say, he said. I can be briefer than  
5       what I was planning on doing.

6                   The view from the space shuttle,  
7       106 units on currently scarred land  
8       that was a former gravel pit. We are  
9       really excited about this environmental  
10      reclamation project as putting a  
11      beautiful residential project into land  
12      that would otherwise be unattractive to  
13      developers.

14                  We had spent a long time prior  
15      to this Board. Scott had mentioned  
16      that we had undertaken a zoning text  
17      amendment and a zoning map amendment.  
18      That led to a reservation agreement  
19      with your sewer authority. Significant  
20      resources have been paid into the sewer  
21      district prior to approvals. I think the  
22      developer has shown his commitment to  
23      doing that. Scott has shown his  
24      commitment to this community by engaging  
25      in those acts prior to approval.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   As we sit here now, the project  
3                   has gone under design changes from this  
4                   Board, from your consultants, from  
5                   comments that we have received.  
6                   Throughout the SEQRA process you'll  
7                   hear some more evidence tonight. Even  
8                   with your consulting -- Creighton  
9                   Consulting, we've seen positive  
10                  information coming back regarding the  
11                  traffic. We've seen very positive  
12                  information coming back regarding our  
13                  physical impact and the benefit to the  
14                  Town. We've seen beneficial impacts  
15                  coming back relating to vegetation and  
16                  plantings, re-plantings and reclamations.

17                  Our evidence shows with the  
18                  school children, we're looking at a  
19                  minimal impact to the school children  
20                  issue.

21                  We believe that we are presenting  
22                  evidence that is showing that we have  
23                  done everything that we could to  
24                  minimize any kind of potential impact.

25                  Two issues remain that I wanted

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2           to bring to the Board's attention that  
3           we're hoping for at the conclusion of  
4           this meeting. The Ulster County  
5           referral has been kind of hanging out  
6           there. The Ulster County Planning  
7           Board gets a referral from this Board,  
8           not the applicant. I talked to Ron  
9           Leibowitz, I believe, over at Ulster  
10          County Planning. Terrific, very  
11          helpful young man. He said the  
12          referral has to come from you, but  
13          after you deem the application complete.  
14          I think with all of the evidence that  
15          we've submitted and gone back and forth  
16          with yourselves and your consultants,  
17          I'd like to request that the Board deem  
18          the application complete tonight and  
19          that we can get that referral out to  
20          Ulster County. We can't ask you to go  
21          to final approval without that. I  
22          think that's a very significant step.  
23          Even if you hold the public hearing  
24          open, you can still deem the application  
25          complete. We're asking that you deem

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2           it complete and undertake -- it's a  
3           two-part ask. You have to undertake  
4           the referral as well.

5           Also we're asking for -- a written  
6           comment period, of course, is completely  
7           justified. We look like we have a lot  
8           of activity tonight. After tonight's  
9           meeting, perhaps we could close this  
10          public hearing, keep it open for public  
11          comment and then present our responses  
12          to the significant questions that are  
13          raised this evening at your next meeting.

14          With that, without anything  
15          further from me, I'll turn it over to  
16          Angelo from the engineering team for  
17          some more technical knowledge before we  
18          get into the public comment.

19          MR. LAINO: Good evening, everybody.  
20          Nice to see everybody again. My name is  
21          Angelo Laino, L-A-I-N-O. I'm the  
22          civil engineer for the project.

23          I apologize if some of this is  
24          reiterated, but I want to go through my  
25          bullet points to get some of this stuff

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2               on the record.

3               The site is located at the  
4               northeast corner of Route 9W and Dock  
5               Road. I think we all know that. It's  
6               approximately 25 acres in area and is  
7               zoned residential. It is bordered to  
8               the north by the elementary school, to  
9               the south by Dock Road and the STP --  
10              the sewer treatment plant, excuse me.  
11              Route 9W borders the site to the west  
12              and the marina and the Hudson River  
13              border the site to the east.

14             Presently the site is home to  
15             three vacant single-family residences  
16             along 9W and Dock Road. The majority  
17             of the site is undeveloped, the eastern  
18             portion of which was formerly excavated,  
19             as Mark said, as part of a mining  
20             operation.

21             The project proposes to construct  
22             106 condominium units and all of the  
23             related site infrastructure improvements.  
24             The units will be comprised of 32  
25             cottage-style units on the western

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2           half, as Scott had eluded to earlier,  
3           and 74 townhouse-style units on the  
4           eastern half. It is noted that the  
5           project is not required to obtain any  
6           variances from the Town.

7                   With respect to the yield for the  
8           project, the Town Code indicates that 6  
9           units per acre is allowable. We are  
10          providing 4.3 units per acre. Where  
11          147 units would technically be permissible,  
12          we are requesting that 106 be approved.

13                   There will also be, as Scott  
14          mentioned, the 3,200 square foot  
15          clubhouse located on the site for  
16          residents to utilize as amenity space.  
17          That would be located to the far east  
18          of the site -- portion of the site.

19                   The site will comply with all  
20          zoning setbacks as shown on the overall  
21          site plan.

22                   With regard to access, the main  
23          access is proposed off of 9W. I think  
24          the Board knows we went back and forth  
25          with both the Town Highway Department

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2           as well as New York State DOT. It was  
3           determined that the location shown on  
4           the plan is the best possible location  
5           due to topography and other issues that  
6           were worked out during those meetings.

7           As you come into the site, there  
8           will be automatic gates for residents  
9           at that main entrance. There will also  
10          be a secondary entrance off of Dock Road  
11          which will be used for emergency access,  
12          and that will be outfitted with manual  
13          gates. All gates will be accessible by  
14          the local emergency services. We did  
15          meet with the local fire department.  
16          They had provided us a list of comments.  
17          The site plan will reflect all of their  
18          comments when finalized.

19          It's noted that the access point  
20          for the project -- sorry. Excuse me.

21          The project is proposing roadway  
22          improvements and approval in accordance  
23          with the DOT. Just one point on this.  
24          We are in the process of coordinating  
25          directly with the DOT. We're getting

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2               ready to submit a fully engineered site  
3               plan set for the off-site improvements  
4               which will consist of a left-turn lane  
5               into the site for traffic coming south  
6               on 9W, as well as crosswalks and ADA  
7               ramps at the entrance of the proposed  
8               development.

9               Sidewalks will be provided  
10              through the development that will lead  
11              to 9W. Internally they have been  
12              strategically placed to allow for as  
13              much interior connectivity as possible.

14             Generally, due to the prior  
15             mentioned mining operation, the  
16             topography on the site is relatively  
17             steep. The site was designed in order  
18             to minimize roadway grades so that the  
19             drive aisle on the road within the  
20             development is less than 10 percent  
21             which is required by Fire Code for  
22             emergency vehicles.

23             Stormwater will be managed on the  
24             site via a new onsite collection system  
25             which will store sufficient volume of

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2               runoff to be infiltrated into the  
3               ground and provide for controlled  
4               outfalls designed so that post-  
5               development runoff rates do not exceed  
6               pre-development runoff rates. We've  
7               been working with Pat Hines' office to  
8               address his comments on the review of  
9               that system.

10              Water, sewer, power and gas are  
11              all being coordinated with the  
12              respective utility companies. Their  
13              approval will be obtained prior to  
14              filing for a building permit.

15              Landscaping will be provided  
16              throughout the site by way of street  
17              trees, foundation plantings and stream  
18              plantings as shown on the planting  
19              plans that were submitted. All species  
20              proposed are native, noninvasive and  
21              drought tolerant, as typical for this  
22              area.

23              Street lighting for the proposed  
24              development will be provided surrounding  
25              the development. Porch lights will be

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2               provided on each unit. All lighting  
3               will be dark sky compliant and there  
4               will be no spillage onto neighboring  
5               properties.

6               With regard to the SEQRA process,  
7               VHB prepared an environmental --  
8               expanded environmental assessment, or  
9               EEA, for the project dated August 2024.  
10              The EEA provides detailed environmental  
11              analyses on the topics that were shown  
12              to have the potential for environmental  
13              impacts based on the environmental  
14              assessment form. Specifically the EEA  
15              analyzed the potential for impacts to  
16              natural resources, land use and zoning,  
17              community facilities including  
18              emergency services and the Marlborough  
19              School District, utilities and visual  
20              resources including the potential for  
21              visual impacts across the Hudson River  
22              from the Marlborough Nature Trail. The  
23              results of the EEA showed that the  
24              project would have no significant  
25              adverse impacts to environmental

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2           resources, and instead would provide a  
3           fiscal benefit to the Marlborough  
4           School District and would significantly  
5           buffer -- be buffered from its  
6           surroundings by the existing topography  
7           and vegetation to be maintained at the  
8           perimeter of the property by the  
9           applicant.

10                 Thank you. I'm going to turn it  
11                 over to Pat Lenihan. He's our traffic  
12                 engineer.

13                 MR. LENIHAN: Good evening, Chairman  
14                 Brand, Members of the Planning Board,  
15                 Counsel and Staff. My name is Patrick  
16                 Lenihan and I'm the director of  
17                 transportation at VHB Engineering.

18                 VHB has performed a comprehensive  
19                 traffic evaluation of potential impacts  
20                 of the use of the property in question  
21                 as a town home community on U.S. Route  
22                 9W in the Hamlet of Marlboro. The  
23                 study was performed in accordance  
24                 with standard traffic engineering  
25                 practices and procedures as included

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2               with the submitted project documents.  
3               The latest study report is dated  
4               revised August 9, 2024. During this  
5               process we had met with the New York  
6               State DOT, the agency of jurisdiction  
7               for 9W that will approve and permit the  
8               site access. At this point they have  
9               reviewed the application, our traffic  
10              evaluation. We have responded to  
11              comments that they have made. As  
12              Mr. Laino said, we've developed detailed  
13              construction plans incorporating their  
14              input to date which will be submitted  
15              to DOT shortly.

16              Our evaluation included elements  
17              that are typical in a study such as  
18              these, existing conditions, traffic  
19              safety including sight distance, site  
20              access and circulation, future volumes  
21              and capacity where we looked in detail  
22              at the operation of the site driveway  
23              as well as the nearby Dock Road  
24              intersection.

25              With regard to site access, an

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2           important part of any site's operation  
3           is providing appropriate access. The  
4           plan includes, as Mr. Laino noted, a  
5           single point of access on 9W where full  
6           movements in and out of the site would  
7           be provided. A southbound left-turn  
8           lane that New York State DOT requested  
9           has been designed in accordance with  
10          the concept plans that they had  
11          approved previously. The detailed  
12          construction plans will be submitted  
13          shortly.

14                 Regarding the nature of the  
15                 traffic that will be generated by the  
16                 proposal, we have 106 units of attached  
17                 housing. One thing I wanted to note is  
18                 that attached-style housing generates  
19                 less traffic on a per unit basis than a  
20                 single-family home. They tend to be  
21                 smaller, they have fewer large families.  
22                 It's noted that we're anticipating to  
23                 accommodate empty nesters at this  
24                 location. A single-family home  
25                 generates about one trip in a peak

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2           hour. An attached home is just over  
3           a half a trip. When we talk about 106  
4           units, I'd like to keep in mind that  
5           these are not single-family homes. The  
6           study was reviewed by Creighton Manning  
7           Engineering, by their traffic engineer,  
8           and she has concurred that the method  
9           of trip generation is appropriate.

10                 What we're looking at is, even  
11           during the highest peak hour of trip  
12           generation from the proposed development,  
13           just under one trip a minute on average.  
14           That includes entering across existing  
15           traffic that splits northbound and  
16           southbound on 9W. This level of traffic  
17           does not represent a high level of traffic  
18           or one that is likely to result in any  
19           significant impacts. However, regardless  
20           of this, we did perform a detailed  
21           capacity analysis to gauge the operation  
22           of the driveway and any impacts that it  
23           might have.

24                 A capacity analysis was performed  
25           for the peak periods of the site



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2           interested parties either for or against  
3           this proposal will have an opportunity to  
4           be heard.  If you plan on speaking, I'm  
5           going to ask you to come to this podium  
6           and use the microphone that's provided  
7           for you.  I'm also going to ask you,  
8           since we have so many of you, to keep  
9           your comments to three minutes.  If you  
10          need additional time after those three  
11          minutes, there's going to be time enough.  
12          Try to be as succinct as possible.  If  
13          your name is something not easily  
14          spellable, if you could spell it for the  
15          stenographer, that would be great, too.

16                 MS. ATKINSON:  You should make a  
17                 motion to open the public hearing.

18                 CHAIRMAN BRAND:  The public hearing  
19                 was opened when I read the legal notice.

20                 MS. ATKINSON:  Okay.

21                 CHAIRMAN BRAND:  Thank you.

22                 Is there anyone who would like to  
23                 speak?  Please take turns.  Come on up  
24                 and be heard.

25                 MS. THOMPSON:  Good evening.  I

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2           have two letters to read. The first is  
3           from my friend Elsie McKay seated out  
4           there.

5                    Good evening and thank you for the  
6           opportunity to be heard. You at the Town  
7           Board must consider the many hidden costs  
8           of what you are doing and weigh them  
9           against the gains, advantages and the  
10          problems this development may bring to  
11          this small town. You need to consider  
12          the development, environment, businesses  
13          and community with each and every  
14          development. This lies squarely on  
15          your shoulders of the Town Government,  
16          uniquely positioned as the only gatekeeper  
17          for good or poor planning.

18                   As the Board, you must also  
19          consider the obvious impacts of future  
20          developments not yet before the Board  
21          but clearly on the horizon for this  
22          Town and school district, one that  
23          serves as a pattern or a model, a set  
24          of assumptions, concepts, values and  
25          practices that constitute a way of

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2           viewing reality for the community that  
3           shares them.

4                   The Board alone has the  
5           opportunity and duty to protect your  
6           fellow citizens. You were appointed to  
7           protect the Town population with no  
8           regard for the developer or the expense  
9           except to follow the codes that are  
10          currently in place. Don't discredit  
11          the concerns of the citizens. We are  
12          not separate from this development.  
13          Everyone that lives in this Town, does  
14          business in this Town or passes through  
15          this Town will be impacted by this  
16          development. It is up to the Planning  
17          Board to decide whether this development  
18          will positively or negatively impact  
19          this community. This burden lies  
20          squarely on your shoulders and the  
21          decision you make will impact the Town  
22          now and forever in the future. Your  
23          name will be forever linked to your  
24          decision. Whatever your decision, the  
25          ease and economic impact to the

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2            developer should have zero bearing,  
3            only the safety and prosperity of the  
4            community you represent.

5                    Thank you for your consideration.  
6            Elsie Nicklin-McKay.

7                    Here is a copy of Elsie's letter.

8                    I know time is sensitive. I just  
9            read Elsie's letter very quickly. I  
10           hope you give me the courtesy to read  
11           mine also.

12                   My name is Meg Thompson. I am  
13           the principal of the technology  
14           advisory here in Marlborough. I am a  
15           vested member of several economic  
16           development partnerships here in the  
17           Hudson Valley. In short, I am pro-  
18           development. The core of my business  
19           relies on economic land development and  
20           use. I've also spent hours on 9W every  
21           day bringing kids to and from the  
22           middle school, elementary school. It's  
23           hard to find parking at the businesses  
24           on 9W as well.

25                    The parking in the Village and

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2           the congestion so 9W is woefully  
3           insufficient, crowded and unsafe.

4                   I am opposed to the development.  
5           I encourage the Board to consider a  
6           five and ten-year impact study as to  
7           what the impact of a squeezed  
8           development will have on the 9W  
9           corridor.

10                   Attached homes or not, there's no  
11           public transportation in this Town.  
12           The only way to get to these homes is  
13           via car. This isn't an equal  
14           comparison to Westchester County.

15                   Parking safety at the existing  
16           establishments in the Village that will  
17           be impacted need careful consideration  
18           if the Town Board is to consider this  
19           application.

20                   Thank you for your time.

21                   These renderings are beautiful,  
22           but they'll be vacant while people are  
23           (inaudible). Thank you.

24                   CHAIRMAN BRAND: Thank you.

25                   MR. MOORE: Ted Moore, I'm from



1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               work on behalf of our community.

3               While I do support thoughtful  
4               development, especially when it helps  
5               expand our tax base and ease the property  
6               tax burden on our current residents, we  
7               also need to recognize the housing  
8               affordability crisis, not just nationally  
9               but right here in Ulster County, and  
10              Marlborough is not niche. Young families  
11              who grew up here and want to stay here  
12              and become homeowners should be able to  
13              afford to. Our local workforce that  
14              supports our small businesses in Town  
15              should be able to both live and work  
16              here, and our seniors should also be able  
17              to retire here with dignity. Yet for far  
18              too many, home ownership has become  
19              impossible.

20              In November of 2024, the average  
21              age of a first-time home buyer reached an  
22              all time high of thirty-eight years old.  
23              For some perspective, in the 1980s the  
24              typical first-time buyer was in their  
25              late twenties. Other municipalities in

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           Ulster County, like Kingston and New  
3           Paltz, have adopted policies to address  
4           this. In Kingston new developments of  
5           seven units or more are required to set  
6           aside at least ten percent of units as  
7           afford with affordability defined based  
8           on local income data. These requirements  
9           apply to both rentals and for sale  
10          housing developments.

11                 As Marlborough continues to grow, I  
12           urge the Board and the Town Board to  
13           consider implementing policies to address  
14           affordability and ask if these  
15           considerations were given for the Dock  
16           Road development.

17                 I implore the Board and the new  
18           housing development project to include  
19           policies to address affordability for our  
20           local residents and our local workforce.  
21           We don't have to reinvent the wheel.  
22           Other towns have already shown how we can  
23           welcome growth while protecting  
24           affordability. With the rate policies  
25           in place, we can make sure that

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           Marlborough's future includes space for  
3           everyone and not just those who can  
4           afford the highest price tag.

5           Thank you.

6           MS. SCHOONMAKER: Judy Schoonmaker,  
7           Marlborough. I did not come to  
8           Marlborough, I was born here. My  
9           mother was born here. I believe my  
10          grandmother came here. My Schoonmaker  
11          relatives came to Ulster County in the  
12          1600s.

13          I've taken Marlborough's location  
14          for granted for lots of years. We've  
15          had gorgeous views, we've had good  
16          locations. I spoke with a friend who  
17          grew up on Dock Road. She and her  
18          brothers used to play in the quarry.  
19          They remember Jerry Rizzo.

20          The last time -- two times I've  
21          been here and this has been on the  
22          agenda, I have been very concerned by  
23          comments of the developer that they  
24          have not yet done any planning for the  
25          strip along 9W. I do not know whether

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           it's zoned residential or it's zoned  
3           commercial, but right now it is a  
4           blight.

5           Also, whatever it is, unless they  
6           plan to just landscape it into their  
7           development, there's going to be  
8           traffic. To design traffic on 9W  
9           simply for this development concerns me  
10          a whole lot.

11          If you look at the map, you're  
12          right off of Dock Road. There's all  
13          that property north of that, between  
14          there and the elementary school. At  
15          some point, unless it's just plain  
16          landscaped, it's going to need access  
17          and egress.

18          I am not against this development.  
19          I am for town homes rather than single-  
20          family homes as a way of developing and  
21          creating affordable housing. It's a  
22          lot easier.

23          It's gorgeous. I managed co-ops  
24          and condos in New York City for years  
25          while maintaining my home in Marlborough.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           This isn't foreign to me. Not  
3           addressing the strip along 9W, on both  
4           sides of it there's commercial. It may  
5           not be developed yet. I bought feed  
6           with my father in the barns that the  
7           Lyons own. It's commercial. I learned  
8           to drive a stick on Dock Road. My  
9           grandfather took me down and we weren't  
10          getting home until I could get out.  
11          It's not an easy road. It's lovely and  
12          it's why they're doing this.

13                 I would like to see a complete  
14          package.

15                         CHAIRMAN BRAND: Thank you.

16                         MS. KING: Good evening. My name  
17          is Maribeth King and I live in Milton.

18                         I speak in support of Cynthia  
19          Lanzetta's motion for a positive  
20          declaration on the environmental  
21          assessment made at the June 2nd Planning  
22          Board meeting which failed to receive a  
23          second and thus the motion did not move  
24          forward. It would behoove the Planning  
25          Board to be proactive and forward

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           thinking in anticipating access issues  
3           with the future development of the Route  
4           9W frontage properties. Understanding  
5           that future development is speculative, a  
6           general consideration as to the traffic  
7           impact, which includes those frontage  
8           properties, can and should be anticipated  
9           in light of the Dock Road development.

10                 In reviewing the posted documents,  
11           my understanding is that a left-turn lane  
12           is nonnegotiable given the constraints of  
13           the roadway, although you've updated it  
14           this evening, nor does the traffic study  
15           support the traffic signal.

16                 Given that the school district does  
17           not allow buses on private roadways, the  
18           school bus stop will also be positioned  
19           on 9W.

20                 What is the impact on the traffic  
21           flow in an area that is already congested  
22           with the middle school, elementary school  
23           and Hudson West/Bayside, because of  
24           course when the school bus stops, traffic  
25           stops both ways?

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   As stated in the June 2nd minutes,  
3       "The safe, efficient and convenient  
4       movement of vehicles, pedestrians and  
5       bicycles is a primary concern of the  
6       Planning Board."

7                   I ask the Planning Board to  
8       reconsider and support a motion for a  
9       positive declaration on the environmental  
10      assessments.

11                  I am providing my comments in  
12      writing for inclusion in the minutes of  
13      this meeting.

14                  Thank you.

15                  CHAIRMAN BRAND: Thank you.

16                  MS. HAIDAOUI: Good evening.

17      Patricia Haidaoui, H-A-I-D-A-O-U-I,  
18      Marlborough.

19                  Good evening. I am not anti-  
20      development. I am here to urge the Town  
21      to ensure that all development provides  
22      for the safety and well-being of our  
23      entire community, including drivers,  
24      pedestrians and our local businesses.

25                  This community will contain 106

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               three-bedroom units bringing in upwards  
3               of approximately 175 vehicles.

4               The developers have also purchased  
5               the adjacent properties in the area north  
6               of the Falcon, including the forty-spot  
7               parking lot currently used as public  
8               parking. While the development includes  
9               parking for its residents, it's unclear  
10              if there's an adequate parking in there  
11              for guests which could lead to overflow  
12              parking in the hamlet.

13              More concerning are questions about  
14              how these additional people, vehicles  
15              mixed with less hamlet parking will  
16              actually impact our community. The lack  
17              of sufficient parking is not a new issue.  
18              In fact, it was discussed in the 2010  
19              hamlet master plan, and our Town has only  
20              grown since then. With the opening of  
21              Hudson West, the advent of this project  
22              and other developments, the need for  
23              parking as well as improvements for  
24              pedestrians must be addressed.

25              The 2010 master plan also mentions

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           a lack of business vitality, which  
3           continues to be a concern even as our  
4           population has grown. Obviously it's  
5           hard to patronize a business if you can't  
6           find parking or safely access it.

7           We have already seen an increase in  
8           both vehicular and pedestrian accidents  
9           along 9W, including pedestrian  
10          fatalities.

11          While some of the Hudson West  
12          residents might walk into the hamlet,  
13          Orchards on Hudson, being built on the  
14          steep bank of the river, will not afford  
15          inhabitants the ability to do so easily  
16          or safely.

17          This increase in the number of  
18          vehicles competing for parking and  
19          pedestrians traversing 9W, especially  
20          within the hamlet, will only exacerbate  
21          the current lack of accessibility and  
22          safety in that area.

23          It is very likely we will see a  
24          number of negative impacts as a result of  
25          this project, especially when it comes to

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           business vitality, traffic in general and  
3           more specifically vehicular and  
4           pedestrian safety.

5           Some of these problems can be  
6           mitigated by the Planning Board requiring  
7           additional review and the Town ensuring  
8           that this development adds parking in the  
9           hamlet and that improvements are made  
10          along the 9W corridor in that area to  
11          ensure that cars, people, even bikes are  
12          safe and our local businesses have ample  
13          parking and easy access, because more  
14          people without more parking and better  
15          road safety is simply bad for Marlborough.

16          Thank you.

17          CHAIRMAN BRAND: Thank you.

18          MS. DELATORRE: Good evening. Joan  
19          Delatorre, Marlborough.

20          The goals of the comprehensive  
21          master plan of 2002 and supported again  
22          in 2017 include the following five  
23          elements.

24          Number one, to absorb future growth  
25          in ways to preserve the Town's rural

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           character. Marlborough has no other  
3           gated community and therefore nothing to  
4           compare this development to. In general,  
5           my experience is that gated communities  
6           have wide entrances and sufficient room  
7           for multiple cars to line up at the gate.  
8           There's usually more than one accessible  
9           gate to serve the residents. A gated  
10          community seems out of character for our  
11          Town, especially along the 9W corridor.  
12          Perhaps being gated is not a necessary  
13          component.

14                 Number two, to support the  
15                 development of the hamlets as attractive,  
16                 efficient centers for future development,  
17                 development of the Dock Road property  
18                 will make the area more attractive, but  
19                 we don't know what the 9W frontage  
20                 properties will look like. This should  
21                 be understood.

22                 Number three, to anticipate and  
23                 mitigate negative environmental impacts  
24                 from future development. This is the job  
25                 of the Planning Board.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   In regards to traffic, the goals  
3                   that stand out, number four, to relate  
4                   development to appropriate transportation  
5                   access.

6                   Number five, to improve the New  
7                   York State Route 9W corridor, collaborate  
8                   New York State DOT to improve the safety  
9                   an aesthetics of the highway corridor,  
10                  calm traffic in the hamlet centers and  
11                  create a system that can better  
12                  accommodate pedestrians and bicyclists  
13                  and address the needs of the mobility  
14                  impaired.

15                  Once again, I trust the Planning  
16                  Board to take all of our comments into  
17                  thoughtful consideration before approval  
18                  of this development. I believe it will  
19                  serve us for generations if done  
20                  according with the goals of the CMP.

21                  Thank you.

22                  CHAIRMAN BRAND: Thank you.

23                  MS. SIMONOFSKY: Good evening.

24                  Thank you for your presentations. My  
25                  name is Mici Simonofsky, Marlborough, New

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               York. I am presenting tonight as the  
3               chair of the Town of Marlborough  
4               Conservation Advisory Committee, the CAC.

5                       The CAC was created by the Town  
6               Board "To inform and advise the Town of  
7               Marlborough regarding matters related to  
8               the protection of natural resources and  
9               the overall quality of the environment in  
10              the Town of Marlborough."

11                     We suggest that a full environmental  
12              impact statement would address the concerns  
13              we list here tonight. To prepare, we  
14              reviewed the environmental assessment  
15              forms and comments of reply from the  
16              developer's engineering representative.  
17              Three minutes may not be enough time to  
18              speak to them all, so full written  
19              comments will be supplied for inclusion  
20              in your minutes.

21                     Have endangered, threatened or  
22              rare species been located on the  
23              property? The question of Bald Eagles  
24              has been raised. The Planning Board  
25              should have confirmation from the DEC,

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               or the Department of the Environment,  
3               as to the presence of Bald Eagles and  
4               other species.

5               Stormwater runoff. When asphalt,  
6               buildings and roofing materials are  
7               introduced, won't the buildings also  
8               create an impervious surface? If so,  
9               that would alter the acreage of  
10              impervious surfaces listed. Is the  
11              calculation accurate? What is the  
12              estimated gallonage of the runoff?

13              Will there be contaminants dumping  
14              into the creek that drains directly  
15              into the Hudson? Is the DEC aware of  
16              these issues and has a written letter  
17              of approval been received?

18              The issue of water pressure.  
19              Will there be a fluctuation in water  
20              pressure for users at higher  
21              elevations? Can other residents be  
22              certain that their access will not be  
23              affected?

24              Open space recreation opportunities.  
25              No green spaces for outdoor community

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           activity are noted, such as barbecue  
3           pits, sitting spaces, community garden  
4           space. Even a space for a basketball  
5           hoop.

6           Wetlands question. A very wet  
7           area is frequently observed from 9W at  
8           the boundary of the school property and  
9           the development at the slope face. A  
10          found map depicts a wetlands area to be  
11          on the parcel. The presence of  
12          wetlands or lack thereof should be  
13          confirmed in writing by the DEC.  
14          Will runoff from the development  
15          affect this area?

16          Wastewater treatment facility.  
17          Will the addition of the 106 units  
18          bring the plant to maximum capacity?  
19          Is there still adequate Town land for  
20          future expansion and/or maintenance of  
21          the plant?

22          Traffic. This is most likely the  
23          most urgent issue to be addressed.  
24          There have been two traffic deaths in  
25          the Dock Road area. The public should

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           be fully informed of the DOT's written  
3           recommendations. Have school  
4           authorities been fully informed and  
5           given the opportunity to supply written  
6           comments?

7           Connectivity issues. Pedestrian  
8           sidewalks and bike paths are not  
9           depicted on the plan.

10          Climate smart communities, which  
11          Marlborough is one, look for ways to  
12          reduce carbon emissions and encourages  
13          walking and bike pathways.

14          EV charging stations. There are  
15          none shown.

16          We close with a request that a  
17          full environmental impact statement be  
18          produced.

19          I thank you very much for your  
20          attention.

21          MR. ELLIS GRAHAM: Good evening,  
22          ladies and gentlemen. My name is Paul  
23          Ellis Graham and I've been in  
24          Marlborough for the last nine years.  
25          I'm a retired teacher. I'm also a

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           San Francisco Giants baseball fan.  
3           When they built Candlestick Park, Horas  
4           Stone was so desperate to move his  
5           baseball team to Candlestick, he only  
6           went there during the day and thought  
7           what a great place for a park. He  
8           never went there at night to see what  
9           would happen when the night and the  
10          fog and the cold and wind came in. The  
11          Giants actually moved to another park,  
12          as you now already know.

13                 My question really, and I think I  
14                 agree with Mici here, it's really about  
15                 -- the most important thing is about  
16                 the traffic issue. I don't know about  
17                 you, but has the study actually been on  
18                 the road on 9W during the rush hour in  
19                 the morning and during people rushing  
20                 home in the afternoon? My guess is I  
21                 doubt it. When I sub at the elementary  
22                 school and I come down from my street  
23                 and go to Birdsall, I have to be very  
24                 careful when I look out to turn left.  
25                 The cars speed up the road. There's a

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2           nice dip right in the road up from  
3           Birdsall by the gas station.  If you go  
4           the other way or if you're coming up 9W  
5           and you want to make a quick left to go  
6           to Frank's Deli, be careful because  
7           traffic comes up that road real quick.

8           Now, if we're talking about  
9           adding 160 cars, 160 cars accessing  
10          that road perhaps at the same time that  
11          everybody else is going nuts, what's  
12          going to happen to the traffic?  Do you  
13          really think turning lanes are going to  
14          be the answer?  Is 9W in that spot a  
15          real good place to have this type of  
16          supposed traffic alleviation?  I don't  
17          think so.  I think you really need to  
18          go back, you know, and look at this.  
19          Was there a consultation with the  
20          school board relative to this plan and  
21          how it would affect their kids?  What  
22          about talking to the local police  
23          department about the number of  
24          accidents and about the traffic on 9W?  
25          I can only tell you from my personal

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2           experience being in this wonderful town  
3           and hamlet that I live in is when I go  
4           to certain areas, down near Western  
5           Avenue and 9W or I go near Dock Road,  
6           in between that and Birdsall, it's a  
7           problem. Watch the parents park in the  
8           morning to bring their kids to school  
9           by the elementary school. You don't  
10          think we've got problems already with  
11          traffic?

12                 No offense. That's a beautiful  
13          piece of property. Looking at the  
14          Hudson, I know why you would want to  
15          put it there. Until you address those  
16          problems, the traffic and 9W, you're  
17          going to have a mess.

18                 Thank you very much.

19                 CHAIRMAN BRAND: Thank you.

20                 MR. MARTUSCELLO: Good evening.

21          Dan Martuscello. I'm actually here on  
22          behalf of Mr. and Mrs. Ortega. They are  
23          directly impacted by this development.

24                 If you see on the plans that are  
25          shown, there is a gate that is going to

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           be put up on this community. The  
3           Ortegas, they own the property that is  
4           just south of all the buildings there.  
5           Ms. Ortega is Mazzella. The Mazellas own  
6           that property. The engineers and  
7           everything referenced their deed at the  
8           liber and page. Within their deed is a  
9           deeded right-of-way. That deed was  
10          executed before the property for which  
11          you now own a portion of. The Board has  
12          that deed. The Board has the map from  
13          Brooks & Brooks. That has not been  
14          addressed.

15                 What in fact is happening is that  
16                 by gating that, you're forcing the  
17                 Ortegas to have to use Dock Road. They  
18                 have used continuously for twenty years  
19                 their driveway -- more than twenty years  
20                 -- directly out onto 9W.

21                 What your gate also does is block  
22                 as far as Central Hudson's access to, I  
23                 believe it's a high pressure underground  
24                 gas line. You may have addressed things  
25                 with Central Hudson, but from your

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2           picture from behind the -- I should say  
3           the commercial strip going from the  
4           elementary school, behind that commercial  
5           area, you have a forty-foot wide Central  
6           Hudson gas line easement, you have a Town  
7           of Marlborough sewer line easement. You  
8           may have addressed these, but it appears  
9           part of your parking lots, part of the  
10          infrastructure is going to be crossing  
11          over those. Your road is going to cross  
12          the forty-foot wide. You're going to  
13          have sidewalks going across, possibly  
14          electrical. Generally Central Hudson  
15          does not allow for structures to be put  
16          on top of their easement. Also, what  
17          you're doing is forcing Central Hudson to  
18          have to access that easement from Dock  
19          Road.

20                 The other thing that is not taken  
21                 into consideration is that, again just  
22                 going back to the easement, the deed to  
23                 the Ortegas was executed, then the deed  
24                 for the rest of the Mazzella property.  
25                 That is on record in the county clerk's

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2           office. That has not been reflected at  
3           all on any of the plans. You have a lot  
4           line revision that you're doing, and that  
5           is along the right-of-way. That also is  
6           going to impact the Ortegas'  
7           right-of-way.

8                       The request is this submission not  
9           be considered complete in any way and  
10          that a further study is done.

11                      There's the issue of the wetlands  
12          that has been raised by others.

13                      Those of us that live in the Town  
14          know that in front of the elementary  
15          school, that whole area, there was a pond  
16          there. As indicated, it has been wet.  
17          You have drainage coming in from 9W. You  
18          have the development that's up off of  
19          Purdy Avenue with the large commercial  
20          piece that has yet to have been  
21          developed. Since that went in, I can  
22          attest to the fact that you have more  
23          water along 9W, and that flows back  
24          towards this area.

25                      This plan, as far as I can see,

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           does not have any plans for retention  
3           ponds or anything which may not be  
4           practical because of the fact that you  
5           have an underground gas line as well as  
6           an underground sewer line all in that  
7           area. It may force the water to flow  
8           through and then eventually impact the  
9           Ortegas' property directly.

10                 You also --

11                         CHAIRMAN BRAND: If you could  
12           finish up so we can have other people  
13           share their thoughts as well.

14                         MR. MARTUSCELLO: I think you can  
15           see as far as the school, the school has,  
16           at times, not been able to come out.

17                         Along the lines as far as the  
18           commercial area, there should be no  
19           reason why that shouldn't be considered  
20           at this time. This Planning Board did it  
21           with the piece that is by Purdy Avenue.  
22           They did not access 9W.

23                         This proposal, what was indicated  
24           on the responses was -- what they're  
25           going to be doing with that commercial

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           piece so the Town could end up with four  
3           or five entranceways off of 9W. There's  
4           no reason why there can't be one access.  
5           With DOT you have one outlet for all  
6           those commercial pieces for the Ortegas,  
7           for Central Hudson.

8           Also, as far as what's been  
9           indicated, I can attest for having an  
10          office for forty-five years plus on Route  
11          9W. Traffic is not less. There have  
12          been backups as far as going all the way  
13          south beyond St. Mary's and as far north  
14          beyond Herman Drive in the morning. This  
15          will only add to it.

16          CHAIRMAN BRAND: Thank you.

17          Is there anyone else from the  
18          public that would like to speak?  
19          Mr. Gerentine.

20          MR. GERENTINE: Good evening,  
21          everybody. This is a little bit  
22          different. I'm usually here as a  
23          developer. I'm a lifelong resident of  
24          Marlborough.

25          Affordable housing. You don't have

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           to do affordable housing. We already  
3           have it covered in Marlborough and  
4           Milton.

5                    Anyway, my name is Richard  
6           Gerentine, G-E-R-E-N-T-I-N-E.

7                    Listening to everybody here  
8           tonight, I don't know the background of a  
9           lot of the plans that they have here. I  
10          think a word of wisdom for your team is  
11          maybe educate the people a little bit  
12          more on what you're doing and how you're  
13          doing it. I would suggest strongly that  
14          you communicate, I don't know how, either  
15          through the paper, get an interview with  
16          the paper and get your information out to  
17          the paper so people are a little bit more  
18          easy about what's going on. I'm sitting  
19          in the back of the room tonight and  
20          people are mentioning to me, are they  
21          going to be rentals or bought out  
22          properties, what's the prices. There  
23          again, if you have prices that are a  
24          little bit higher than what the people in  
25          Marlborough are going to be able to

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           purchase for, basically you're bringing  
3           in people from the outside coming to  
4           Marlborough, which is not a bad thing.  
5           There again, some of the people might be  
6           looking for themselves for years to come.

7                   My suggestion to you, and I wish  
8           you would take it very seriously, is that  
9           you heard a lot of the concerns here  
10          tonight, if you could address those in a  
11          way that makes them a little more  
12          comfortable, maybe your project will be a  
13          little bit easier to move forward.

14                   Thank you very much and good luck.

15                   MR. DeMARCO: I'm John DeMarco, a  
16          lifelong resident of Marlborough.

17                   Believe it or not, there's a couple  
18          reasons to consider actually doing this  
19          project. I've actually been connected  
20          with Scott and his team for a few years  
21          now. I feel like we're very lucky to  
22          have a serious developer, somebody who is  
23          very professional, somebody who is going  
24          through the process.

25                   A lot of the concerns that were

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2           brought up tonight are captured in a very  
3           rigorous and expensive, time consuming  
4           process that they are following by the  
5           letter of the law.

6                   I have a real estate business in  
7           Town. I have a lot of experience in real  
8           estate in Ulster County and in  
9           Marlborough particularly. There's a  
10          shortage of housing in Marlborough. We  
11          need more housing in Marlborough. It's  
12          not just apartments. Apartments are  
13          popping up everywhere. If you've checked  
14          the rental rates lately, they're not  
15          affordable. They're very high.

16                   This will solve a gap for not only  
17          elderly people but also for younger  
18          people who are looking for a maintenance  
19          free option and an ownership option to  
20          live in the Town of Marlborough.

21                   The other point that was brought  
22          up, other than the shortage of housing,  
23          was financials. I think I agree with  
24          Rich, you should share some more detail  
25          on the model, the condo model, how much

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               -- what is the price point and all that.

3               Listen, we need tax base in this  
4       Town. We need it and we need it badly.  
5       I don't think we want to do that in a  
6       haphazard way. I think we want to do it  
7       in a very controlled way.

8               The Board has been very engaged,  
9       putting them through the hoops to answer  
10      most of these questions. Maybe it's just  
11      not communicated broadly enough at this  
12      point. I think it's fair to raise  
13      concerns. I understand myself.

14              We also have a financial issue in  
15      the Town. When you talk about affordability,  
16      one of the big problems we have is our tax  
17      rates are among the highest in Ulster  
18      County, and they have been for many,  
19      many years. This is what's causing a  
20      big problem for affordability, for not  
21      only older people. If we increase the  
22      tax base, we spread the budgets finer  
23      across the population and the whole  
24      Town becomes more affordable.  
25      Businesses will thrive because more

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           people will move to the Town and  
3           support our businesses.

4           There are a number of reasons why  
5           the project is good. It's not all bad.  
6           All I'm saying is we've got to take a  
7           look at some of your concerns, and  
8           we've also got to take a look at the  
9           good and we have to weigh the two and  
10          decide what to do based on the balance.

11          That's it.

12          CHAIRMAN BRAND: Thank you.

13          MR. BROSUS: Good evening, Members  
14          of the Board. My name is Adam Brosus.  
15          I'm a resident here in Marlborough. I  
16          have a small family that I started here  
17          just a few years ago. I have a farm.

18          I was planning to come with a  
19          bigger group, but as it happens all of us  
20          are young parents with kids around the  
21          same age. It seems that bedtime is  
22          almost always around the time the Town  
23          meetings are, which means it's hard for  
24          us to come out and take part in these.  
25          We do a lot of reading online, on the

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           Town website which keeps updated pretty  
3           well with reports. Of course we have a  
4           chance we meet a lot of people who live  
5           around Town in different areas, whether  
6           it's the parks, the incredible events the  
7           rec does, different businesses that are  
8           here and of course through Facebook.  
9           There's a lot of pros and cons. That's  
10          kind of how we get things through the  
11          grapevine.

12                 I bring this up to say that we're  
13                 not planning to come here -- I am trying  
14                 to share a voice for people who can't  
15                 take it tonight for the same reasons I'm  
16                 here, to necessarily come in opposition  
17                 but definitely with a note of caution.

18                 I understand you've been working  
19                 on this for many years. I have a lot of  
20                 experience with development in my  
21                 background, including a few building  
22                 large projects that I helped with both in  
23                 San Francisco and Miami and here in New  
24                 York City before we moved up here full  
25                 time.

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2                   I bring all this up to make the  
3                   point that I understand how difficult it  
4                   is to pull off a project, just to get to  
5                   the point where you have a vision like  
6                   this, where you have a relationship with  
7                   the Town where you're in this position to  
8                   make such an indelible mark on what you  
9                   yourself were saying, how Marlborough was  
10                  a dot on the map. You have skin.

11                  I say this again for all the  
12                  families we're friends with. I'm trying  
13                  to share a voice of people who have a  
14                  similar feeling of bonding with this  
15                  Town. I think one of the big ongoing  
16                  issues, the things that seem concerning  
17                  is some of the ways some people have  
18                  asked here, not so much opposition just  
19                  more information.

20                  It's clear that this will be a big  
21                  development. 106 properties, a new  
22                  community, gates, a lot of requests for  
23                  infrastructure resources, a lot of  
24                  unpredictable externalities that come  
25                  with any project. That's true for any

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2               progress. That's not something that we  
3               are against.

4                       I think one thing that's not clear,  
5               and I think you can help us perhaps clear  
6               up because you have this information, is  
7               some sort of longer term economic impact  
8               study to show us exactly what, even John  
9               was talking about, which is the benefits  
10              this will bring to the Town. These are  
11              things this can be measured. They  
12              regularly are for larger projects in  
13              cities and different areas. They have  
14              bigger projects that can be measured. It  
15              sounds like a lot of this you already do  
16              know. Some of the information that  
17              people here don't understand is how it's  
18              going to draw new people into the Town.  
19              What did you say, early nesters are --

20                      MR. LEYTON: Empty nesters.

21                      MR. BROSUS: Empty nesters. Thank  
22              you so much. A little bit of my slip.  
23              Just understanding what that does, how  
24              that adds to the character of the Town.

25                      Once these things go into the

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           ground, that property, which is also how  
3           Marlborough is seen from across the  
4           Hudson River itself, is not going to come  
5           back. It's never going to flip back to  
6           what it was. When you drive through,  
7           Marlborough is going to always be what  
8           you, in large part, shape it as.

9           Again, to make the point as I  
10          close, if there's a way for you not only  
11          to add some sort of longer term, not five  
12          years, but ten, fifteen, twenty years.  
13          Help us understand your vision. Help us  
14          understand your bottom line and the  
15          Town's. If you're able to do that along  
16          with the Town, I think we would all feel  
17          a lot better.

18                 Thank you very much.

19                 CHAIRMAN BRAND: Thank you.

20                 MR. CORCORAN: Scott Corcoran,  
21                 Milton. I'm the Town Supervisor.

22                 I wanted to come up and thank  
23                 everybody for coming here today, giving  
24                 your concerns and all your comments,  
25                 because this is what it's about. That's

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2               why we have a public hearing.

3                       I do want to answer some questions  
4               that you may not know. Some people are  
5               here maybe for the first time hearing  
6               some of this information, but this  
7               process has been going on for me three  
8               and a half years, for this Board probably  
9               over a year. A lot of the concerns that  
10              you have asked have been answered on  
11              multiple occasions by the applicant.  
12              There were written comments that were  
13              sent to the Planning Board I believe  
14              multiple times. This team answered every  
15              single question every single time.

16                      I've never worked -- I can tell you  
17              this. I've never worked with a more  
18              professional crew than this developer.  
19              Anything that we as the Town Board and I  
20              believe the Planning Board have asked  
21              them to do, they have done.

22                      They have gone to the New York  
23              State DOT with me personally and the  
24              Highway Superintendent and my Board  
25              Members and the Code Enforcement Officer

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2               four times to go over the road and the  
3               turning lane and 9W and the traffic.  
4               They did their traffic studies. The  
5               Town's traffic study consultant agreed  
6               with their findings. All the things that  
7               you said, they have done. They have done  
8               many of these things.

9               I will tell you they bought into  
10              this Town three and a half years ago in a  
11              big way. When people say they're not  
12              putting into the infrastructure in this  
13              Town, this is the biggest developer that  
14              ever contributed to the Town of  
15              Marlborough with \$609,000 to our sewer  
16              plant. 203,000 of that they gave two and  
17              a half years ago before they even got  
18              approval. That's how committed they are  
19              to this Town. They gave \$609,000.

20              We worked with them to put the  
21              turning lane on 9W, to expand the road as  
22              best we can. Yes, we all know that's a  
23              congested area. I've lived here my whole  
24              life and I get it. When you have  
25              development, you're going to get some

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2               congestion, you're going to get some  
3               traffic.

4                       As John said, we need to build this  
5               Town's tax base. We need to have  
6               rooftops. If you don't have rooftops,  
7               you don't have businesses. If you don't  
8               have businesses, you don't have a Town.

9                       We are an agricultural farming  
10              town. That's what's drawing these  
11              developments to our Town, because they  
12              love the quaint area that we have.

13                      We worked with the developer  
14              directly to make it look like it does  
15              with the trees and the atmosphere, how it  
16              looks to fit the look of Marlborough.  
17              They didn't just come in here and slap in  
18              an ugly looking development. They made  
19              it beautiful. This was a rock quarry.  
20              What you're looking at is the end  
21              product. What it looks like now is a  
22              hole in the ground. It's been there  
23              forty plus years as a hole in the ground  
24              that no one in their right mind would  
25              probably want to develop but this

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2            developer.  It's next to a sewer plant.  
3            You know how hard it is as me as the Town  
4            Supervisor and the Town Board to get a  
5            developer like this to come in here,  
6            build a multi-million dollar project in a  
7            hole next to a sewer plant.  It's really  
8            hard.

9                    MR. LEYTON:  You're not making me  
10            feel too good.

11                   MR. CORCORAN:  They're doing it.  
12            They're doing it.

13                    I also want to say for the past  
14            year I've worked with them and the Falcon  
15            -- the owners of the Falcon to try to get  
16            the parking situation under hand.  We  
17            were going to have a three-way deal if  
18            Falcon was coming in on it.  I thought  
19            that was too much.  I worked with Lee  
20            extensively on this.  They're going to be  
21            donating property along Dock Road to the  
22            Town.  They don't have to do that.  They  
23            don't have to do any of that.

24                    The property that someone keeps  
25            saying is a public parking lot is not a

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2           public parking lot. It is the  
3           developer's property who allows the  
4           Falcon to use it for a lease fee. They  
5           lease the property for \$500 a month for  
6           their exclusive rights to use it. It's  
7           not a public parking area. What they are  
8           going to do, because it does fit the  
9           master plan that people keep bringing up,  
10          that was a location that was pointed out  
11          for public parking. They are donating  
12          that piece of property to the Town free  
13          and clear. I had the Highway  
14          Superintendent, his deputy there and his  
15          whole crew. We will be putting the  
16          parking there as best we can. It's going  
17          to be about eighteen spots possibly. It's  
18          not forty spots, but it's eighteen spots.  
19          The Falcon themselves are looking to get  
20          more property themselves, which any  
21          business should be doing for themselves.  
22          It is not this developer's responsibility  
23          to give another business parking, but  
24          they are. But they are. That's what I'm  
25          trying to tell you.

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2                   They've done every single thing  
3           that me and my Town Board have asked them  
4           to do. I could not be happier with their  
5           development. It's something that this  
6           Town really needs. I hope that in the  
7           long run you guys will see that we are  
8           trying to build this Town up for our  
9           businesses, for our community and our tax  
10          base.

11                   Thank you very much.

12                   MR. FALCO: Hello. My name is Lee  
13           Falco. My family and I run the Falcon in  
14           Marlborough.

15                   I want to start by thanking the  
16           Planning Board. I appreciate your hard  
17           work, being here every week and what you  
18           do to better this Town. I want to thank  
19           the Supervisor.

20                   I'd like to elaborate a little bit  
21           more about the parking situation, just to  
22           clear -- talk about the facts. We rent a  
23           forty-spot lot on the developer's  
24           property. It's been a long three years  
25           trying to figure out what we're going to

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2           do once this development, if it is put  
3           in. We've been going back and forth. I  
4           appreciate Scott's work, the offer to  
5           build the lot -- for the Town to build  
6           the lot. I appreciate the developers  
7           being willing to make the small  
8           concession. They expect this small lot  
9           to be fifteen spots. It's a small  
10          mitigation measure to a much larger  
11          parking issue that we're going to have.  
12          We're going to lose about thirty spots.  
13          This will be an issue for not only my  
14          business, but all the businesses in the  
15          hamlet. I do appreciate this mitigation  
16          measure. I'd like to ask that it is a  
17          condition of approval from the Planning  
18          Board.

19                 I'm just going to read what I have.  
20           I hope that through the SEQRA and land  
21           use approval process, the Board will  
22           ensure that the promised land transfer  
23           and building of the lot will be completed  
24           as a condition to any approvals and SEQRA  
25           determinations.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   I'd also like to ask that the  
3           amended lot line application be presented  
4           as soon as possible. Basically the  
5           drawing that they have for the fifteen  
6           spots that's to be given to the Town for  
7           the Town to build. I'd like to ask that  
8           that lot line approval is made public as  
9           soon as possible.

10                   Thank you.

11                   CHAIRMAN BRAND: Thank you.

12                   Anyone else? Going once. Twice.

13                   (No response.)

14                   CHAIRMAN BRAND: Nothing.

15                   Questions from the Board. Mr. Callo.

16                   MR. CALLO: A quick question for  
17           you. You're giving a presentation to the  
18           board of education in August. Is that  
19           correct?

20                   MR. LEYTON: We haven't set up a  
21           time yet. Yes, we will make ourselves  
22           available.

23                   MR. CALLO: I was speaking to the  
24           transportation director for the district  
25           today. Can you explain the plan that's

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               going to be in place for the bus to pull  
3               off of 9W as it's going north, this way  
4               it doesn't slow the traffic down on 9W or  
5               stop the traffic to pick up the children?  
6               Could you just elaborate on that?

7               MR. LAINO: We did meet with the  
8               school district. We are complying with  
9               what they said.

10              It was said earlier that the bus  
11              will not turn down a private road. The  
12              intent is to pick up children as they do  
13              all up and down 9W, pull off to the side  
14              of the road as much as possible. There's  
15              a public sidewalk there for children to  
16              stand outside of the right-of-way. The  
17              bus will pick them up and take them to  
18              school. That's consistent with the  
19              direction we received from --

20              MR. CALLO: The spot is going to be  
21              able to allow the traffic to continue  
22              while they're picking up the children.  
23              Is that correct?

24              UNIDENTIFIED SPEAKER: No.

25              MR. LAINO: It's a school bus,

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           they'll have to stop.

3           MR. CALLO: I'm just getting  
4           clarification myself. I'm just asking  
5           questions like everybody else. I live  
6           in the Town. I just want to make sure  
7           that --

8           MR. LAINO: I mean, they did say  
9           that there are stops along 9W as it is  
10          now.

11          MR. CALLO: We all know that.  
12          We've been behind the buses. Thank you.

13          CHAIRMAN BRAND: Additional  
14          questions from the Board?

15          MS. SIMONOFSKY: The hearing hasn't  
16          been closed, can I ask one more question?

17          CHAIRMAN BRAND: Sure.

18          MS. SIMONOFSKY: Will the public  
19          hearing remain open until we get that  
20          information from the school board in case  
21          there are any other comments from the  
22          public?

23          CHAIRMAN BRAND: We haven't made  
24          that determination yet.

25          MS. SIMONOFSKY: Thank you.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   CHAIRMAN BRAND: I would like a  
3       motion -- I'm going to ask for help from  
4       our legal representative -- to adjourn  
5       this public hearing until their next --

6                   MS. ATKINSON: A date and time  
7       certain when you decide.

8                   What's the next date?

9                   MS. FLYNN: August 4th.

10                  MS. ATKINSON: If you want to  
11       continue it to August 4th.

12                  MR. TRONCILLITO: Mr. Chairman, can  
13       you explain to me why we want to extend  
14       the public hearing?

15                  CHAIRMAN BRAND: The rationale  
16       would be so that we can see the completed  
17       plans. Like Mr. Falco brought up the  
18       parking spaces and the parking.

19                  MS. ATKINSON: If we're going to  
20       receive feedback from County. It looks  
21       like it was referred to County. They get  
22       thirty days to respond to us, so it's  
23       appropriate to leave the public hearing  
24       open.

25                  MR. JENNISON: Public hearing open

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   or close the public hearing and accept  
3                   written correspondence?

4                   MS. ATKINSON: I think leave it  
5                   open. Open.

6                   CHAIRMAN BRAND: There's a motion  
7                   to adjourn the public hearing until the  
8                   August 4th meeting.

9                   MS. FLYNN: You won't get County  
10                  back by the 4th. The 18th is the one  
11                  after that.

12                  CHAIRMAN BRAND: August 18th.

13                  MS. LANZETTA: I'll make that  
14                  motion.

15                  MR. BLANCHARD: Excuse me, Mr.  
16                  Chairman. May I comment on this  
17                  discussion prior to your vote?

18                  CHAIRMAN BRAND: Quickly.

19                  MR. BLANCHARD: Thank you. The  
20                  issue with the County -- there are two  
21                  separate issues I think. One, with the  
22                  County, you could make a motion to deem  
23                  it complete to get the application  
24                  referred to the County. You don't need  
25                  to keep the public hearing open for the

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           County. The County's comments are what  
3           they are. They're going to come back to  
4           you regardless.

5           Also, when it comes to the issue  
6           with the Falcon, we have, and I spoke  
7           with your legal counsel's colleague Jerry  
8           Comatos last week, we had sent a proposed  
9           deed from the developer to the Town  
10          memorializing the transfer. We have sent  
11          a proposed plan with the metes and bounds  
12          on the plan showing the full extent of  
13          the deed transfer. We have asked that  
14          that transfer be, as Mr. Falco said, a  
15          condition of approval, but I think it's  
16          inappropriate to have that issue of the  
17          transfer be the impetus for keeping the  
18          public hearing open. It's simply a  
19          condition of approval. It's an  
20          extraordinary gesture on behalf of the  
21          developer to solve a problem of a  
22          neighboring business. I would object to  
23          some of the language that Mr. Falco used  
24          when he stood up and said how he's losing  
25          the number of spaces that he's losing and

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           it's a small mitigation measure. I think  
3           it's an extraordinary gesture on behalf  
4           of the developer. I just don't see that  
5           that's grounds to keep the public hearing  
6           open. Many boards do a written comment  
7           period to continue to receive comment  
8           from the Town. Now we're looking at  
9           instead of coming back on August 4th to  
10          answer some more questions, now we're  
11          coming back on August 4th to have more  
12          comment, and now I'm hearing August 18th  
13          to come back for more comment.

14                   CHAIRMAN BRAND: Correct.

15                   MR. BLANCHARD: I'm asking that the  
16                   Board close the hearing tonight.

17                   Also, secondarily, to deem the  
18                   application complete to send it to the  
19                   County.

20                   CHAIRMAN BRAND: Thank you.

21                   There's a motion on the floor to  
22                   adjourn the public hearing until August  
23                   18th made by Member Lanzetta. Is there a  
24                   second?

25                   I will second that motion.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   All those in favor of adjourning  
3       until August 18th.

4                   MS. LANZETTA:   Aye.

5                   CHAIRMAN BRAND:   All those opposed.

6                   MR. LOFARO:   No.

7                   MR. TRONCILLITO:   No.

8                   MR. JENNISON:   No.

9                   MR. CALLO:   No.

10                  MR. LaMELA:   No.

11                  MR. MARTUSCELLO:   Can I make a  
12       comment?

13                  CHAIRMAN BRAND:   Sure.   Quickly.

14                  MR. MARTUSCELLO:   I think the  
15       public would like to have it open.   You  
16       still have the Department of Transportation  
17       reports to come in.   You still have --  
18       you've limited us to three.

19                  As I've indicated, I have a  
20       property owner who is directly impacted.

21                  You have the issue with the school  
22       buses that are going to be stopping.

23                  You're basically saying to this  
24       public, this is the first public hearing  
25       on it, that no more further questions

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               from the public. They can make comments,  
3               but the public and the community can't  
4               have their say.

5                       CHAIRMAN BRAND: Thank you.

6                       MR. MARTUSCELLO: I think that's  
7               totally wrong.

8                       CHAIRMAN BRAND: Thank you.

9                       MR. BLANCHARD: Mr. Chairman, if I  
10              could just answer. The gentleman -- the  
11              attorney who was just speaking is  
12              recognizing if there's any kind of a  
13              private dispute between two property  
14              owners, it's certainly not within the  
15              jurisdiction of this Board.

16                      CHAIRMAN BRAND: Understood.

17                      MR. BLANCHARD: He's making a  
18              statement about a potential easement  
19              issue that is a complicated legal matter  
20              between two private parties.

21                      CHAIRMAN BRAND: Understood. We're  
22              not going to get into that this evening.  
23              Thank you.

24                      MR. MARTUSCELLO: As far as I can  
25              make public comment on that, which you

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           limited, because this isn't the first  
3           time this Board has dealt with this site.

4           CHAIRMAN BRAND:   Indeed.

5           MR. MARTUSCELLO:   Okay.   These  
6           driveways, this access was before this  
7           Board before.

8           You've limited the amount of time  
9           that we can make comments.   I think it's  
10          appropriate as far as that the public  
11          hearing be adjourned.

12          CHAIRMAN BRAND:   Thank you.

13          MS. ATKINSON:   Just for the record,  
14          the reason that you would be leaving the  
15          hearing open wouldn't be because of these  
16          particular issues about the parking.   It  
17          would be strictly to receive feedback  
18          from County.   They're going to have  
19          particularly comments.   They may even  
20          suggest alterations to the plan, in which  
21          case you cut off the chance for the  
22          public to respond to any of those changes  
23          that County recommends as well.

24          MR. LEYTON:   I couldn't hear that.  
25          I really would rather everybody speak

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               through the microphone if they're going  
3               to talk.

4                       CHAIRMAN BRAND: I don't believe  
5               she has one at that table, sir. Thank  
6               you.

7                       MR. LEYTON: She can stand up  
8               there.

9                       MR. BLANCHARD: Mr. Chairman, the  
10              issue I'm trying to say relating to the  
11              County comments, you're getting the  
12              County referral either way. You're  
13              referring it out to the County. The  
14              County gets its comments back to you. I  
15              say it's highly unusual for the County  
16              Planning Board comments to form the basis  
17              of a subject of a public hearing so that  
18              people can comment on the County  
19              comments. Your Board is going to get  
20              these comments. You can influence the  
21              application with the County comments no  
22              matter what. You're not precluded from  
23              commenting --

24                       CHAIRMAN BRAND: Understood.  
25              Understood. Thank you.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   MR. JENNISON: I'll make a motion  
3                   to close the public hearing.

4                   CHAIRMAN BRAND: A motion to close  
5                   the public hearing. Is there a second?

6                   UNIDENTIFIED SPEAKER: Excuse me.

7                   CHAIRMAN BRAND: Not now, sir.  
8                   There's a motion on the floor to close  
9                   the public hearing. Is there a second?

10                  MR. TRONCILLITO: I'll second.

11                  CHAIRMAN BRAND: Any discussion?

12                  MS. LANZETTA: I'd like to know,  
13                  once the public hearing is closed and we  
14                  still have to wait an additional month  
15                  for County comments, which, as you said,  
16                  might be significant, might even call for  
17                  significant changes that would require an  
18                  additional public hearing, I just don't  
19                  see what the benefit is in necessarily  
20                  closing the hearing, not knowing what  
21                  we'll receive from County, and also  
22                  whether or not that sets a time clock in  
23                  which we will have to make a  
24                  determination within a time period that  
25                  we're not ready to make that

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2               determination yet.

3               MR. TRONCILLITO:   Cindy, have we  
4               kept the public hearing open before  
5               waiting for County comments to come back?  
6               I don't remember doing that.

7               MS. LANZETTA:   I don't think we've  
8               had a project that's had the possibility  
9               of having some of these significant  
10              impacts.

11              MR. JENNISON:   Yes, we have.

12              MS. LANZETTA:   What was that?

13              MR. JENNISON:   Right by Purdy  
14              Avenue.

15              MS. LANZETTA:   That was done by the  
16              Town.   The Town did the referral of that.  
17              They did have a positive declaration and  
18              they did do a full EIS.

19              CHAIRMAN BRAND:   Any further  
20              discussion on the matter?

21              (No response.)

22              CHAIRMAN BRAND:   All those in favor  
23              to close the public hearing.

24              MR. LOFARO:   Aye.

25              MR. TRONCILLITO:   Aye.

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   MR. JENNISON:   Aye.

3                   MR. CALLO:    Aye.

4                   MR. LaMELA:   Aye.

5                   CHAIRMAN BRAND:  All those against?

6                   MS. LANZETTA:  Aye.

7                   CHAIRMAN BRAND:  Aye.

8                   So that motion passes.  The public  
9                   hearing is closed.

10                   I would also like to have a motion  
11                   to -- we did discuss and it's on the  
12                   engineering comments to review the draft  
13                   part 2, the environmental assessment  
14                   form.  We did receive supplemental  
15                   information.

16                   I would like to make a motion that  
17                   the Board approve the EAF as recommended  
18                   by our engineer.  Is there a second?

19                   MS. LANZETTA:  As a Type 1 action?

20                   CHAIRMAN BRAND:  Correct.

21                   MS. LANZETTA:  We're not making a  
22                   declaration on --

23                   CHAIRMAN BRAND:  No.  Just to  
24                   approve the --

25                   MS. LANZETTA:  So that the record

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2           is complete and -- the application is  
3           complete and can be forwarded to the  
4           Ulster County Planning Board?

5                   CHAIRMAN BRAND:   Correct.

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

8                   CHAIRMAN BRAND:   Is there a second?

9                   MR. LOFARO:   I will second it.

10                   CHAIRMAN BRAND:   Joe seconds it.  
11           Any discussion on that?

12                   (No response.)

13                   CHAIRMAN BRAND:   Any objections to  
14           that?

15                   (No response.)

16                   CHAIRMAN BRAND:   No.   Okay.   That  
17           passes.

18                   I would also like to have a motion  
19           to refer this project to the Ulster  
20           County Planning Department.

21                   MR. JENNISON:   I'll make that  
22           motion.

23                   MR. TRONCILLITO:   I'll second.

24                   CHAIRMAN BRAND:   Any discussion?

25                   (No response.)

1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

2                   CHAIRMAN BRAND:   Any objection?

3                   (No response.)

4                   CHAIRMAN BRAND:   We'll refer that  
5                   to County.

6                   I believe that's all we can do this  
7                   evening for you.

8                   MR. BLANCHARD:   Thank you very  
9                   much.

10

11                   (Time noted:   8:30 p.m.)

12

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1       O r c h a r d s   o n   H u d s o n / D o c k   R o a d

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

4

5

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

9           That hereinbefore set forth is a true  
10 record of the proceedings.

11           I further certify that I am not related  
12 to any of the parties to this proceeding by  
13 blood or by marriage and that I am in no way  
14 interested in the outcome of this matter.

15           IN WITNESS WHEREOF, I have hereunto set  
16 my hand this 5th day of August 2025.

17

18

19

20

*Michelle Conero*

21

\_\_\_\_\_  
MICHELLE CONERO

22

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

----- X  
In the Matter of

NJNL PROPERTIES

Project No. 25-1004  
111-113 Western Avenue, Marlboro  
Section 108.2; Block 7; Lot 32.100

----- X

SKETCH - SITE PLAN

Date: July 21, 2025  
Time: 8:30 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
FRED CALLO  
STEVE JENNISON  
JOHN LaMELA  
CINDY LANZETTA  
JOSEPH LOFARO  
BOB TRONCILLITO

ALSO PRESENT: HANNAH ATKINSON, ESQ.  
JEN FLYNN

APPLICANT'S REPRESENTATIVE: JONATHAN MILLEN  
ELIZABETH CAMPBELL  
NICHOLAS CRACOLICI

----- X

MICHELLE L. CONERO  
Stenographer  
michelleconero@hotmail.com  
845-541-4163

1 NJNL Properties

2 CHAIRMAN BRAND: Next on the  
3 agenda, new application review, NJNL  
4 Properties for a sketch of their site  
5 plan at 111-113 Western Avenue in  
6 Marlboro.

7 MR. MILLEN: Jonathan Millen, land  
8 surveyor.

9 MS. CAMPBELL: Elizabeth Campbell,  
10 CEO.

11 MR. CRACOLICI: Nicholas Cracolici.

12 CHAIRMAN BRAND: Thank you. Could  
13 you give us a brief overview of what it  
14 is you're proposing this evening?

15 MR. MILLEN: Essentially there is  
16 an existing garage that we are proposing  
17 to convert into --

18 MR. JENNISON: Could you talk into  
19 the microphone.

20 MR. MILLEN: There is a small  
21 garage that we're proposing to turn into  
22 a small learning center. That's  
23 essentially the gist of the entire  
24 project.

25 CHAIRMAN BRAND: You received a

1 NJNL Properties

2 copy of the technical review comments  
3 from engineering, --

4 MR. MILLEN: Yes, we have.

5 CHAIRMAN BRAND: -- Pat Hines?

6 In addition to everything else, you  
7 will be required to be referred to the  
8 Zoning Board for the zoning deficiencies  
9 that are on the property currently.

10 MR. MILLEN: We're aware of that.

11 CHAIRMAN BRAND: This is an  
12 educational or instructional piece,  
13 because our definitions in the code are  
14 separate?

15 MR. MILLEN: It's going to be  
16 instructional. Ms. Elizabeth Campbell,  
17 who is the CEO of C&C Services, will  
18 describe more in detail what that  
19 entails.

20 MS. CAMPBELL: Good evening. Thank  
21 you for having us tonight.

22 It's definitely going to be for  
23 instructional use. Our mission is to  
24 create a safe space where residents of  
25 our Town of all ages and professions can

1 NJNL Properties

2 learn, heal and thrive through evidence-  
3 based holistic health education, mental  
4 health literacy and epigenetics.

5 Prior to us coming to Marlborough,  
6 I had a clinic that was in Arlington, New  
7 York. After the COVID pandemic, there  
8 was a rise in self harm in children.  
9 There was a rise in mental health issues  
10 and holistic health education.

11 The purpose of bringing this  
12 information to the Town is to have a  
13 resource for people to come get holistic  
14 health courses, education, help outside  
15 of the doctors' offices that right now  
16 they are at max capacity. There needs to  
17 be another resource for the community.

18 In our community we don't have any  
19 wellness or youth development spaces  
20 where people can come get mental health  
21 services outside of the school. This is  
22 a safe haven, a space for holistic  
23 education, mental health education.

24 We don't have walk-in crisis and  
25 community mental health centers. We don't

1 NJNL Properties

2 have anything within fourteen miles of  
3 Marlborough. The closest will be Ulster  
4 County Center for Wellbeing which is in  
5 Kingston and it's not open yet. So  
6 within fourteen miles of Marlborough  
7 there is no walk-in crisis center,  
8 there's no Planned Parenthood, there's no  
9 space for this education for people to  
10 come.

11 There's also a rise in self harm  
12 and hospitalizations in schools, in  
13 children since COVID that has not been  
14 addressed. It has doubled in the rates  
15 since COVID. Now there's a rise in self  
16 harm 72.9 percent. That's a large  
17 percent of mental health issues. I  
18 understand that in a doctor's office  
19 they're giving medications for these  
20 mental health issues, but outside of the  
21 medication, what resources do we have?  
22 How are we educating the community? How  
23 are we helping with mental health? What  
24 holistic health courses are available to  
25 help with these issues that have arisen

1 NJNL Properties

2 after the pandemic? We don't have  
3 anything in our Town currently.

4 Also, when it comes to professional  
5 development, nurses, doctors, licensed  
6 professionals need something called CEUs,  
7 which is continuing education units. We  
8 don't have a space in Marlborough where  
9 the social workers, nurses and doctors  
10 can get continuing education units. The  
11 closest is HV Professional Development.  
12 We don't have any CEU providers, which  
13 means that when teachers, nurses,  
14 doctors, health professionals in our Town  
15 need to renew their license in order to  
16 provide care for the Town, there's no  
17 continuing education units. That means  
18 they have to either pay out of pocket or  
19 go outside of our Town to maintain that  
20 license. We'd like to bring that option  
21 here as well.

22 Furthermore, Marlborough has  
23 private therapy listings and occasional  
24 corporate workshops, but no dedicated  
25 community space for continuing education

1 NJNL Properties

2 units, mental health options, social work  
3 groups in small, meditative courses to  
4 educate the community.

5 Not only that, but we are a  
6 collaborative project. We partnered with  
7 Dr. Grossman who is a holistic ENT and  
8 acupuncture. He also does education,  
9 educating people on other options outside  
10 of medicinal routes on how to heal the  
11 body. We've partnered with Dr. India who  
12 is a doctor of acupuncture and medicine  
13 as well. We have osteopath doctors on  
14 staff. Also chiropractics. We have  
15 Haven Chiropractic who is already part of  
16 Marlborough. So working in conjunction  
17 with them. School-based social workers.  
18 We have Lisa Cracolici here as well.  
19 She's served for over twenty years in our  
20 Town providing social work to the  
21 children. Not only that, holistic health  
22 in nursing for the Town.

23 What this does is it brings  
24 continuing education for mental health,  
25 nurses, doctors, a safe space, a secure

1 NJNL Properties

2 space that we don't have already. It  
3 addresses a gap in mental health which  
4 there is a rise right now. We have  
5 children who are hurting themselves. We  
6 don't have an option outside of the  
7 schools for that. It's a point of  
8 bringing these classes and courses to  
9 Marlborough, New York.

10 CHAIRMAN BRAND: Thank you.

11 MR. TRONCILLITO: In regards to  
12 your mental health, I have a stepson that  
13 has some serious problems. What age are  
14 you going to -- he's in his thirties.  
15 Would he be able to facilitate your --

16 MS. CAMPBELL: Yes. A hundred  
17 percent. We have many licensed  
18 professionals on staff already. This is  
19 actually already up and running. It's  
20 more so virtual. We're trying to bring  
21 it to the physical now in Marlborough,  
22 but we do have all ages. We have people  
23 who work as doulas, right, nursing doulas  
24 who work with infants, babies, children  
25 of all ages. Even, like you said,

1 NJNL Properties

2 adults. So yeah, there are different  
3 options and different professionals on  
4 staff.

5 MR. TRONCILLITO: What's the  
6 capacity? How many employees would you  
7 have, that type of configuration?

8 MS. CAMPBELL: So what the plan is  
9 as far as to have a collaborative space.  
10 The classes would be very small, very  
11 meditative on a day-to-day basis.

12 As far as staff, our staff would be  
13 per diem as necessary for the courses  
14 that we're serving to make sure it's  
15 quiet, it's meditative and not driving  
16 too much traffic to the Town.

17 MR. TRONCILLITO: Thank you.

18 CHAIRMAN BRAND: Other questions or  
19 comments?

20 MR. JENNISON: Looking at your  
21 application, the ethics statement is not  
22 notarized and it's not dated. We're  
23 missing page 10.

24 MS. FLYNN: Page 10 I believe is  
25 the fee schedule.

1 NJNL Properties

2 MR. JENNISON: Is that the fee  
3 schedule. Okay.

4 MR. JENNISON: If you would take  
5 care of that, that would be great, on the  
6 application.

7 MR. MILLEN: Our application is  
8 missing page 10?

9 MR. JENNISON: Jen just clarified  
10 that that's the fee schedule. Page 9 is  
11 signed by Nick, but it's not dated and  
12 it's not notarized.

13 MS. CAMPBELL: That's not a  
14 problem. We'll get it notarized.

15 MR. JENNISON: Thank you.

16 MR. CALLO: Driving by the  
17 property, the area looks like you have  
18 rehabbed the garage building there for  
19 your needs already. Are you doing that  
20 ahead of time?

21 MR. CRACOLICI: I've been working  
22 on it.

23 MR. CALLO: It looks great from the  
24 outside. I'll give you that comment. I  
25 can really tell the difference. I don't

1 NJNL Properties

2 usually go on that road. I can tell the  
3 difference on the property from behind.  
4 It looks great. You should usually come  
5 before us before doing that.

6 Is it sprinklered inside?

7 MR. CRACOLICI: No.

8 MS. LANZETTA: Who is the  
9 credentialing auspices that your people  
10 work under?

11 MS. CAMPBELL: So for us, for New  
12 York State we partner with multiple  
13 modalities. Is it acupuncture, is it  
14 nurses or licensed social workers. So it  
15 would depend. If you're talking about  
16 nurses, for nurses we work with the  
17 Department of Health in order for us to  
18 provide CEUs, which is continuing  
19 education units, and then we have  
20 different departments. So Dr. India and  
21 Haven, which is a chiropractor and  
22 acupuncture, would be the overseeing  
23 bodies in regards to that.

24 MS. LANZETTA: This would be  
25 strictly for doing the CEUs.

1 NJNL Properties

2 Are there going to be regular  
3 appointments with people in this  
4 facility?

5 MS. CAMPBELL: No. It's not  
6 regular appointments, like day-to-day  
7 appointments. It's courses. It's more  
8 instructional. The instructional courses  
9 for the community.

10 MS. LANZETTA: So there won't be,  
11 like, actual acupuncture going on in the  
12 buildings, those kinds of things?

13 MS. CAMPBELL: That's correct.  
14 When I say instructional, what I mean is  
15 we brought together these different  
16 doctors, acupuncturists, chiropractors to  
17 give education on things that people can  
18 do at home, such as acupressure therapy  
19 on yourself to calm down. It's more  
20 instruction on using these different  
21 modalities taught by nurses, doctors and  
22 social workers as opposed to actually  
23 giving the service.

24 MR. CRACOLICI: I want to say one  
25 thing. Going back to putting the horse in

1 NJNL Properties

2 front of the wagon, I live on the  
3 property. Regardless of this project, I'm  
4 fixing that land because I live there and  
5 I take pride in this property and living  
6 in this Town and building a business in  
7 this Town. I had opened a renovation  
8 permit to do it. I got all my  
9 inspections along the way, having done it  
10 properly.

11 MR. CALLO: Thank you.

12 MS. LANZETTA: There's still a  
13 question as to whether in that zone you  
14 can have a mixed use when you already  
15 have -- you have two residences on that  
16 property?

17 MR. CRACOLICI: Yes.

18 MS. LANZETTA: That's going to be  
19 determined as well.

20 CHAIRMAN BRAND: That's under the  
21 comments as well, to meet with the code  
22 enforcement officer. I think I would try  
23 and schedule some type of discussion with  
24 him just to make sure this is something  
25 that is allowable there under his

1 NJNL Properties

2 jurisdiction.

3 He also recommended that -- I would  
4 definitely speak to Tommy Corcoran before  
5 this gets too much further along.

6 MR. MILLEN: Right. I would like  
7 to state that we're in the process of  
8 submitting an application for a  
9 subdivision on this particular lot which  
10 would eliminate the one residence and put  
11 it on the separate lot. That's something  
12 we expect to submit in August.

13 CHAIRMAN BRAND: You're going to do  
14 that in conjunction with this?

15 MR. MILLEN: No. This is a  
16 separate item that we wanted to take care  
17 of first.

18 MS. FLYNN: They accidently filled  
19 out the subdivision application for the  
20 site plan. They had to redo the  
21 application. I do have the signatures  
22 and everything on the site plan  
23 application which I thought I sent out to  
24 you guys, but I'll do it again tomorrow  
25 morning, send you the site plan

1 NJNL Properties

2 application.

3 CHAIRMAN BRAND: I think it might  
4 behoove you to do both at the same time.  
5 If Tommy says you're unable to do it  
6 because of the residential nature of the  
7 structure there, --

8 MR. MILLEN: I understand.

9 CHAIRMAN BRAND: -- that would  
10 definitely open the gate for you to do  
11 so.

12 MS. LANZETTA: I don't even think  
13 -- I would need legal for this, but I  
14 don't think we should declare ourselves  
15 lead agency because right I don't see how  
16 we can entertain this until we get  
17 clarification as to the legality of it.

18 MS. ATKINSON: I think too, I think  
19 Pat notes that there are a couple  
20 different variances required, not just as  
21 to that use section but also as to the  
22 front yard setback and side yard setback.  
23 Probably a referral to the ZBA. If you  
24 want to move forward without amending for  
25 the subdivision now, then I think a

1 NJNL Properties

2 referral to the ZBA is the appropriate  
3 next step.

4 CHAIRMAN BRAND: I'll take that in  
5 the form of a motion, to refer it to the  
6 ZBA.

7 MR. JENNISON: I'll make that  
8 motion.

9 MR. TRONCILLITO: Second.

10 CHAIRMAN BRAND: Any discussion?

11 (No response.)

12 CHAIRMAN BRAND: Any objection?

13 (No response.)

14 CHAIRMAN BRAND: No.

15 Okay. You'll go and complete the  
16 application for the Zoning Board of  
17 Appeals to get those necessary setbacks  
18 taken care of and also meet with the code  
19 enforcement officer to make sure this is  
20 doable on your end.

21 MR. MILLEN: Understood.

22 CHAIRMAN BRAND: Sound good?

23 MR. MILLEN: Yes.

24 MS. FLYNN: Make sure you get the  
25 new application that's online.

1 NJNL Properties

2 MR. MILLEN: We'll resubmit that.

3 MS. FLYNN: The new one.

4 MR. MILLEN: Yes.

5

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

7

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

9

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

13 That hereinbefore set forth is a true  
14 record of the proceedings.

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

19 IN WITNESS WHEREOF, I have hereunto set  
20 my hand this 5th day of August 2025.

21

22

23

*Michelle Conero*

24

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MICHELLE CONERO

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

----- X  
In the Matter of

JERRICO HOLDINGS

Project No. 25-1005  
32 Western Avenue, Marlboro  
Section 108.12; Block 4; Lot 41

----- X

SKETCH - SITE PLAN

Date: July 21, 2025  
Time: 8:45 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
FRED CALLO  
STEVE JENNISON  
JOHN LaMELA  
CINDY LANZETTA  
JOSEPH LOFARO  
BOB TRONCILLITO

ALSO PRESENT: HANNAH ATKINSON, ESQ.  
JEN FLYNN

APPLICANT'S REPRESENTATIVE: JOSHUA INDORF

----- X

MICHELLE L. CONERO  
Stenographer  
michelleconero@hotmail.com  
845-541-4163

1 J e r r i c o H o l d i n g s

2 CHAIRMAN BRAND: Next up, Jerrico  
3 Holdings for a sketch of a site plan at  
4 32 Western Avenue in Marlborough.

5 Can you give us a brief overview of  
6 what it is you have planned?

7 MR. INDORF: My name is Josh Indorf  
8 and I'm trying to develop 32 Western  
9 Avenue.

10 We need parking. I have parking  
11 spots on the plan. You tell me.

12 CHAIRMAN BRAND: Have you received  
13 the engineer's comments?

14 MR. INDORF: Yes. I got them today.

15 I do have the water and sewer.

16 I don't understand what number 1  
17 means.

18 CHAIRMAN BRAND: Basically that's  
19 on the map, the bulk table that shows the  
20 existing conditions and what you're  
21 proposing.

22 MR. INDORF: We're not expanding  
23 the property. We're not putting not one  
24 square foot of additional space to this  
25 property. It's an existing condition.

1       J e r r i c o   H o l d i n g s

2               It's a very simple -- we're not trying to  
3       reshape the wheel on this property, we're  
4       just using what was previously built.

5               CHAIRMAN BRAND:   You're also going  
6       to require variances from the ZBA for  
7       this project.

8               MR. INDORF:   We got our variance  
9       first.   We got a 5 foot variance up from  
10      the front yard.

11              CHAIRMAN BRAND:   From the ZBA?

12              MR. INDORF:   Yes, sir.

13              MS. FLYNN:   Yes, he did.   He got  
14      approval from the ZBA.   You guys got the  
15      letter.

16              MS. LANZETTA:   I didn't see the  
17      letter.

18              MR. JENNISON:   Jen, when did you  
19      send that letter?

20              MS. FLYNN:   I did.

21              MR. JENNISON:   When?

22              MS. FLYNN:   Do you not read the  
23      e-mails I send you?   I have no idea what  
24      date.

25              MR. JENNISON:   Cindy said she

1       J e r r i c o   H o l d i n g s

2               hasn't seen it and I don't remember  
3               seeing it.

4               MS. FLYNN: I'll double check.

5               CHAIRMAN BRAND: Any other  
6               questions or comments from the Board?

7               MS. LANZETTA: I have a question.  
8               Because this is a mixed use, I'm going to  
9               need a legal opinion. In all of our Town  
10              Code, when we talk about mixed use it's  
11              -- especially in the C-1 District they  
12              talk about mixed uses, retail on the  
13              bottom and residential on the top. Is  
14              this going to -- does that have any  
15              impact on the fact that this is retail on  
16              the top and residential on the bottom?

17              MR. INDORF: Again, we also already  
18              went through and we got the special use  
19              ZBA approval along with the 5-foot  
20              variance six months ago.

21              MS. LANZETTA: This has to do with  
22              -- you got the area variance. You didn't  
23              get a use variance.

24              MS. FLYNN: He got the variance for  
25              the -- they gave him the approval to

1 J e r r i c o H o l d i n g s

2 switch it.

3 MS. ATKINSON: That's what we need  
4 to see ultimately.

5 MR. JENNISON: I'm not seeing it,  
6 Jen.

7 CHAIRMAN BRAND: Any other  
8 questions or comments from the Board  
9 after we see this?

10 MS. FLYNN: It won't let me pull my  
11 stuff up from down here.

12 MR. CALLO: This is the structure  
13 that you took the roof totally off of.  
14 Correct?

15 MR. INDORF: Yes, sir.

16 MR. CALLO: I was slowing down  
17 watching the process. I always like to  
18 say thanks for fixing up something that  
19 wasn't so great before. Anybody that  
20 does that in Town, I always appreciate  
21 people putting money into the property  
22 and making the community look better,  
23 especially on that thoroughfare. So a  
24 compliment to you.

25 MR. INDORF: I appreciate that.

1 J e r r i c o H o l d i n g s

2 CHAIRMAN BRAND: Is this ready to  
3 go to County?

4 MS. ATKINSON: The first thing that  
5 I would say is we can probably type this  
6 for SEQRA purposes. I think we should  
7 probably -- if this is all good to go as  
8 far as the variances --

9 MS. FLYNN: I'm going to look it  
10 up.

11 MS. ATKINSON: I think we could  
12 declare our intent to be lead agency and  
13 circulate that and type it as a Type 2, I  
14 know refurbishment of existing buildings  
15 is a Type 2 action under SEQRA, and then  
16 probably go ahead and, if there's not  
17 anything restricting us on Pat's end --  
18 no. I guess I presume there are other  
19 interested agencies. There usually are  
20 in cases like this.

21 We can at least motion to circulate  
22 and if there aren't, no harm, no foul on  
23 that.

24 CHAIRMAN BRAND: Lead agency?

25 MS. ATKINSON: Lead agency, yes,

1 J e r r i c o H o l d i n g s

2 and type it and then send it to County.  
3 That would be the step.

4 CHAIRMAN BRAND: I'd like to have a  
5 motion to have the Planning Board act as  
6 lead agency.

7 MS. LANZETTA: I'll make that  
8 motion.

9 MR. JENNISON: Second.

10 CHAIRMAN BRAND: Any discussion?

11 (No response.)

12 CHAIRMAN BRAND: Any objection?

13 (No response.)

14 CHAIRMAN BRAND: We're lead agency.  
15 We'll circulate that as well.

16 Do we need a motion to type it?

17 MS. ATKINSON: I do. There's no  
18 harm in doing that.

19 CHAIRMAN BRAND: I'd like to have a  
20 motion to clarify this as a Type 2  
21 action.

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

23 MR. JENNISON: I'll second it.

24 CHAIRMAN BRAND: Any discussion?

25 (No response.)

1       J e r r i c o   H o l d i n g s

2                   CHAIRMAN BRAND: Any objection?

3                   (No response.)

4                   CHAIRMAN BRAND: Okay. And then  
5 I'd like to have a motion to refer this  
6 to the Ulster County Planning Board.

7                   MS. LANZETTA: I'll make that  
8 motion.

9                   MR. CALLO: Second.

10                  CHAIRMAN BRAND: Any discussion?

11                  (No response.)

12                  CHAIRMAN BRAND: Any objection?

13                  (No response.)

14                  MS. LANZETTA: This is, of course,  
15 all dependent on that they got the  
16 approval from the Zoning Board.

17                  CHAIRMAN BRAND: I'm sure Jen will  
18 find it.

19                  I think that's it. That's all we  
20 can do this evening.

21                  MR. INDORF: All set, sir.

22                  CHAIRMAN BRAND: I'd like to have a  
23 motion to adjourn.

24                  MR. JENNISON: I'll make the  
25 motion.

1 J e r r i c o H o l d i n g s

2 MR. CALLO: Second.

3

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

5

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

7

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

11 That hereinbefore set forth is a true  
12 record of the proceedings.

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

17 IN WITNESS WHEREOF, I have hereunto set  
18 my hand this 5th day of August 2025.

19

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21

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23

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*Michelle Conero*

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MICHELLE CONERO