

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 Dane DeSantis

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 D a n e D e S a n t i s

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

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

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

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

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

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

Michelle Conero

MICHELLE CONERO

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 Nicholas Atkins

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 water district --

3 CHAIRMAN BRAND: That's why.

4 MS. REYNOLDS: Let me just finish,
5 please. The existing residence is
6 connected to the existing well. They
7 just have installed a new water
8 treatment. I understand if a property is
9 in the water district, if it's a new
10 project, a new construction or a
11 renovation, you know, then that makes
12 sense to connect to Town water. This is
13 an existing residence. We're not
14 touching the existing residence. It
15 doesn't make any sense to disconnect an
16 existing water provision for a property
17 -- for a house that's working. I mean --

18 CHAIRMAN BRAND: Unfortunately we
19 just have to follow the code as it's
20 written. If you'd like to reach out to
21 the Water Department and/or the Town
22 Board and seek some type of relief, you
23 can do so.

24 MS. REYNOLDS: I just thought it's
25 my responsibility as an architect, as a

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.

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

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

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

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

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

MICHELLE CONERO

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
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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

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

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 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

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 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

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 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

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 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

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 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

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 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

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 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

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 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

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 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

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 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

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 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

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 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

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 traffic and adjacent street traffic and
3 reveals that the site's operation will
4 not have any significant impacts on
5 traffic conditions in the area. The
6 southbound left-turn lane that's
7 proposed is important because it takes
8 folks that are waiting to make a left
9 turn into the site out of the
10 southbound through traffic stream.
11 The through traffic stream southbound
12 on 9W will not stop. Likewise, any
13 delays to traffic exiting the site
14 onto 9W, which we know can get busy at
15 times, is contained within the site
16 itself and does not impede flow on 9W.

17 In closing, based on our detailed
18 study, it is my professional opinion
19 that the approval and operation of the
20 site as proposed will not result in any
21 significant negative impacts on traffic
22 conditions.

23 I thank you for your time.

24 CHAIRMAN BRAND: Thank you.

25 This is a public hearing. Any

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 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

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 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

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 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

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 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

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 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 Milton.

3 To just echo what was said and no
4 doubt what some people will say
5 following me, we moved to this Town --
6 my wife and I moved to this Town
7 nineteen years ago probably for most
8 of the same reasons as most of us did,
9 and that's because it's beautiful. We
10 moved here for the bucolic setting.

11 However, the infrastructure in
12 Marlborough has not kept pace with the
13 population explosion, and that's a
14 significant issue as we continue to
15 develop residential housing. That's
16 just something that I feel we need to
17 consider of its impact on the economics
18 on the Town business and also on the
19 environment, as well as traffic and
20 the education of our children.

21 Thank you.

22 CHAIRMAN BRAND: Thank you.

23 MS. DONOVAN: Good evening,
24 everyone. Laura Donovan from Milton.
25 Thank you to the Board for your ongoing

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. SIMONOFISKY: 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

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 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

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 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

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 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

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 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

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 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.

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 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

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 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

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 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

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 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

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 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

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 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.

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'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

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

17 CHAIRMAN BRAND: Sure.

18 MS. SIMONOFISKY: 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. SIMONOFISKY: 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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C E R T I F I C A T I O N

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

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

Michelle Conero

MICHELLE CONERO

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 accidentally 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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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 N J N L P r o p e r t i e s

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

24

25

Michelle Conero

MICHELLE CONERO

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

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7

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9 and within the State of New York, do hereby
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Michelle Conero

MICHELLE CONERO