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

----- X

In the Matter of

RESERVOIR ROAD

Project No. 17-1011
Section 108.2; Block 9; Lots 43.131,132,133,134 & 135

----- X

PUBLIC HEARING - FINAL

Date: August 7, 2017
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: CONNOR McCORMACK

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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RESERVOIR ROAD

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MR. TRUNCALI: I'd like to call the meeting to order. Please rise for the Pledge to the flag.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of Marlborough Planning Board, August 7, 2017. Regular meeting 7:30 p.m. Reservoir Road, public hearing; Vincent and Moran, public hearing; Grand Slam Auto, site plan; Hudson Valley Tree House, site plan; Cipriano and Conifer, lot line; Marlboro District Route 9 LLC, site plan; Peter McAuliffe, commercial solar; Herald Decara, logging. Next deadline: Friday, August 11th. Next scheduled meeting: Monday, August 21st.

I'm a part owner in one of the lots on the Reservoir Road application so I'll be recusing myself from this first application. Cindy will take over.

MS. LANZETTA: We're going to start with the lot line revision application. "Please take notice a public hearing will be held by the Marlborough Planning Board pursuant to the State Environmental Quality Review Act and Town of

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RESERVOIR ROAD

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Marlborough Town Code 134-33 on Monday, August 7, 2017 for the following application: Reservoir Road, Lucky 7 lot line consolidation, at the Town Hall, 21 Milton Turnpike, Milton, New York at 7:30 p.m. or as soon thereafter as may be heard. The applicant is seeking approval of a lot line revision for lands located on Reservoir Road in Marlboro, New York, Section 108.2, Block 9, Lots 43.132/133/134/135. Any interested parties either for or against this proposal will have an opportunity to be heard at this time."

MR. McCORMACK: My name is Connor McCormack, I'm with Maser Consulting. Just for your benefit, would you rather me face you or the public?

MS. LANZETTA: First of all, did you have to send out any public notices?

MR. McCORMACK: We did. We sent out a total of twenty-seven and we received back twenty-three.

MS. LANZETTA: Could you provide those to the secretary?

MS. FLYNN: Thank you.

MS. LANZETTA: We'd like for the public

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to be able to see this. We've had an opportunity to see it. If you could hold it up and explain to the public what the general lot line revision is for.

MR. McCORMACK: So our plan is five existing lots that will be reduced to four. Lot 1, owned by Mr. Truncali, is going to stay the same. It's going to be the same area. The only proposed change is we are proposing a driveway directly onto Reservoir Road.

This is the existing lots 2, 3 and 4. This lot line is going to dissolve and then it's getting larger. Lot 3 is also getting larger. It's getting lands from lot 4. Lot 4 will be reduced and it's access to Reservoir Road will change from the private road that currently exists to a driveway off Reservoir Road here.

The existing private road will be dissolved and that area divided up between lots 2 and 3.

MS. LANZETTA: This is a public hearing. Would anybody like to comment either for or against this lot line revision?

MR. SHABALA: That's how it's --

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RESERVOIR ROAD

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MS. LANZETTA: I'm sorry. Could you please state your name for the stenographer?

MR. SHABALA: Frank Shabala. That revision -- I mean it's already approved to build houses; correct?

MR. HINES: Yes.

MR. SHABALA: You know where my house is up on the top of the hill there? It's in bluestone. That whole ridge is bluestone. I don't want to see any blasting. They can do whatever they want down there building houses. Blasting is going to damage my well and my foundation. That's what I have a problem with.

MS. LANZETTA: I do remember the last time that this was before us that there was a provision put in that on the fourth lot if they were going to access Reservoir Road, that they would have to do it manually, that there would not be any blasting. That was a concern in the past as well.

MR. SHABALA: Okay. That's the only problem I have is because my foundation, I've had to go down eight feet into the bluestone and the well goes down 385 feet. Blasting will destroy

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RESERVOIR ROAD

that. Not going to happen.

MS. LANZETTA: Anybody else?

(No response.)

MS. LANZETTA: Pat, would you like to go over your comments?

MR. HINES: We received a letter from the highway superintendent just regarding the illumination of the private roads and the installation of the three driveways. There are two trees which he identifies must be removed prior to him issuing any permits for the driveways. I'm suggesting those trees be removed at this time prior to filing of the map. That's the only mechanism we have of accomplishing that and making sure that happens. So if the trees are eliminated now, prior to the maps being signed, that issue is completed.

Our second comment has to do with the easement. At the last meeting the applicant's representative stated they couldn't find any information on that easement. It's now been clarified. They just couldn't find the bulb of the cul-de-sac having never been filed. The fifty-foot dedication strip on the way in

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apparently exists. As a condition of approval that will also have to be eliminated, otherwise the previous lots will have certain rights over that private roadway.

With that, we would recommend a negative declaration for the lot consolidation and lot line change.

MS. LANZETTA: Can I have a motion to close the public hearing?

MR. TRAPANI: I'll make that motion.

MR. CAUCHI: Second.

MS. LANZETTA: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MS. LANZETTA: Aye.

We closed the public hearing. Let's take a look at the environmental assessment form. We do have the preparation of an negative dec.

Do I read this entire thing?

MR. BLASS: I don't think that's necessary.

MS. LANZETTA: So if you look at the

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short environmental assessment form that we looked at together, you'll see that there really has been minimal to no impact with this subdivision change.

I would entertain a -- can we just do it by --

MR. HINES: A negative dec.

MS. LANZETTA: Do I have a motion for a negative declaration?

MR. CLARKE: I'll move for a negative declaration.

MR. TRAPANI: I'll second it.

MS. LANZETTA: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MS. LANZETTA: Aye.

And we can do the resolution of approval if those conditions have been met that Pat had mentioned.

MR. BLASS: There's the condition about removal of the two trees, there is the condition of submitting a legal instrument to abandon or

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RESERVOIR ROAD

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dissolve the private road.

Any others, Pat?

MR. HINES: That's it.

MR. BLASS: Then you might want to add a condition that construction of the driveway to lot 4 shall be done by ripping as opposed to blasting.

MS. LANZETTA: Even though that was a condition of the previous subdivision?

MR. HINES: You still should include it. It will be mechanically removed rather than blasting.

MS. LANZETTA: We'll add that. Should I read this entire --

MR. BLASS: I don't think that's necessary.

MS. LANZETTA: Can I have a motion to approve the resolution of approval with the discussed amendments?

MR. CLARKE: Conditions.

MS. LANZETTA: Conditions.

MR. CLARKE: I'll so move.

MR. TRAPANI: I'll second it.

MS. LANZETTA: All in favor?

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RESERVOIR ROAD

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MS. LANZETTA: Aye.

Okay.

MR. McCORMACK: Thank you.

(Time noted: 7:38 p.m.)

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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 22nd day of August 2017.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

VINCENT & MORAN

Project No. 17-1016
Milton Turnpike, Milton
Section 102.2; Block 6; Lots 2, 3 & 4

----- X

PUBLIC HEARING - FINAL

Date: August 7, 2017
Time: 7:38 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: CARMEN MESSINA

----- X

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Newburgh, New York 12550
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MR. TRUNCALI: Next up is Vincent and Moran, a public hearing.

"Legal notice, lot line revision application. Please take notice a public hearing will be held by the Town of Marlborough Planning Board pursuant to the State Environmental Quality Review act and the Town of Marlborough Town Code 134-33 on Monday, August 7, 2017 for the following application: Vincent and Moran, lot line revision, at the Town Hall, 21 Milton Turnpike, Milton, New York at 7:30 p.m. or as soon thereafter as may be heard. The applicant is seeking approval of a lot line revision for lands located at 565 and 561 Milton Turnpike, Milton, New York, Section 102.2, Block 6, Lots 2, 3 and 4. Any interested parties either for or against this proposal will have an opportunity to be heard at this time. Chris Brand, Chairman, Town of Marlborough Planning Board."

MR. MESSINA: Eight were sent out and six were returned.

MS. FLYNN: Thank you.

MR. TRUNCALI: Mr. Messina, would you like to give us an overview?

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MR. MESSINA: Carmen Messina, surveyor
for the project.

This is a lot line revision between
three lots located on Milton Turnpike. Lot 3 is
going to be giving to lots 1 and 2 approximately
1.3 acres. The original lot 1 was 1.04 acres and
now it will be 2.38. Lot 2 was 1 acre, now it's
going to be 2.34. Lot number 3 was 24.3 acres
and it will now be 21.6.

MR. TRUNCALI: This is a public
hearing. If anyone would like to comment either
for or against this application, now would be the
time.

(No response.)

MR. TRUNCALI: If there's nothing, I'll
make a motion to close the public hearing.

MS. LANZETTA: I'll make that motion.

MR. LOFARO: I'll second.

MR. TRUNCALI: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

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MR. TRUNCALI: Aye.

Any opposed?

(No response.)

MR. TRUNCALI: So carried.

Ron, Pat?

MR. HINES: Our previous comments were addressed. There were clean-up items on the map.

The only outstanding issue is with the extension of the easement further back onto lot 3. I think that's a condition of the resolution.

We would recommend the adoption of a negative declaration and an approval conditioned on those items identified in the resolution.

MR. BLASS: The Board has before it a part 2 environmental assessment form, just like the prior item, and a proposed written negative declaration ,and also a resolution of conditional approval, the only condition being the submission of a modified access and maintenance right-of-way instrument to extend the private road, as Pat just indicated.

MR. TRUNCALI: Are there any questions from the Board Members?

(No response.)

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MR. TRUNCALI: So the environmental assessment form seems to not have any impacts. Do I hear a motion for a negative declaration?

MR. CLARKE: I'll make a motion for a negative declaration on this.

MR. TRUNCALI: A second?

MR. CAUCHI: I'll second.

MR. TRUNCALI: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MR. TRUNCALI: Aye.

All opposed?

(No response.)

MR. TRUNCALI: So carried.

Also moving forward for approval with the conditions that were mentioned by the Town Planning Board Lawyer, do I have a motion for that?

MS. LANZETTA: I'll make a motion to approve this resolution.

MR. TRUNCALI: And a second?

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MR. LOFARO: I'll second.
MR. TRUNCALI: All in favor?
MR. CLARKE: Aye.
MR. TRAPANI: Aye.
MS. LANZETTA: Aye.
MR. CAUCHI: Aye.
MR. LOFARO: Aye.
MR. TRUNCALI: Aye.
All opposed?
(No response.)
MR. TRUNCALI: So carried.
MR. MESSINA: Thank you.

(Time noted: 7:43 p.m.)

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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 22nd day of August 2017.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

GRAND SLAM AUTO

Project No. 17-1018
1924 Route 9W
Section 103.1; Block 2; Lot 61

----- X

SKETCH - SITE PLAN

Date: August 7, 2017
Time: 7:43 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: THOMAS CORCORAN

----- X

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Newburgh, New York 12550
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MR. TRUNCALI: Next up is Grand Slam Auto, site plan.

Tom, would you like to explain what you're looking for here?

MR. CORCORAN: It's a commercial property in the HD district. It's just under one acre on the north side of Kirky's Deli. It's a proposed used car sales which is a special use in the district.

MR. TRUNCALI: It's a vacant lot right now?

MR. CORCORAN: Correct.

MR. TRUNCALI: Is this in the business overlay district?

MR. CORCORAN: It is but it's not required to be because it's already an HD piece. Since it's an HD piece already, it's already zoned HD, it just comes under the Zoning Law 155 under special use.

MR. TRUNCALI: Pat, do you have any comments?

MR. HINES: It's a preexisting nonconforming lot in the HD Zone. It doesn't conform for lot size and lot width but it is --

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this project is not changing any of those conditions. Section 155-14(c), as we learned during the Chestnut Mobil process, under nonconforming lots says the area or dimension of any lot, yard, parking area or other space shall not be reduced to less than the minimum required by this chapter, and, if already less than the minimum required by this chapter, said area or dimension may continue and shall not be further reduced. So there's no change in the non-conformities for this use. It does not look like it needs to go to the ZBA at this time based on the current building size and layout.

This is kind of a sketch plan right now. We don't have a lot of detail.

There are some other involved agencies. The DOT will be involved for access from the State highway. The Health Department will be involved for review of the subsurface sanitary sewer disposal system. It will eventually need to be submitted to County Planning once the plans are in a form acceptable for their review.

We're looking for additional design details for the site development, including the

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grading, erosion and sediment control, parking lots, curbing, septic system design, drainage. Everything that we need.

It's here before you as a concept right now.

I think the Board could declare it's intent for lead agency and could start that process, circulating to those outside agencies for their opinion on whether or not they wish to serve as lead agency. I doubt they will but it will start the process.

MR. TRUNCALI: Do I have a motion from the Board to circulate intent to become lead agency?

MS. LANZETTA: I'll make that motion.

MR. CAUCHI: I'll second it.

MR. TRUNCALI: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MR. TRUNCALI: Aye.

Ron, do you have anything?

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GRAND SLAM AUTO

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MR. BLASS: No, I don't.

MR. TRUNCALI: I guess you've got some
work to do.

MR. CORCORAN: Everything is in motion.
I just wanted to get here.

MR. TRUNCALI: Thank you.

MR. CORCORAN: Thank you.

(Time noted: 7:48 p.m.)

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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
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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 22nd day of August 2017.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

HUDSON VALLEY TREE HOUSE

Project No. 17-1019
80 Gobblers Knob
Section 108.3; Block 2; Lot 66

----- X

SKETCH - SITE PLAN

Date: August 7, 2017
Time: 7:48 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: LAUREN BAGLIO

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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MR. TRUNCALI: Hudson Valley Tree House, sketch, site plan.

Would you like to tell us what you're here looking for?

MS. BAGLIO: I have a home and we've been putting it on Airbnb for income. It's been really wonderful. I've met a lot of people who really appreciate Marlborough, the wineries, the farms, the Falcon, the Perch. They've been really loving it so much that they've been telling their friends and family and we've had a lot of people passing through. I didn't think it would be as wonderful as has been having strangers come in. I feel like I've made a lot of friends. We keep in contact with people that we've hosted. We really have a wonderful experience. I would like to make it official by zoning it and making it a business that we can continue to grow and give back to the community by sending our guests to local businesses. Marlborough is a destination for people that want to get away and relax. I feel I want to provide that for people. Some people say it's the most relaxing experience they've had, just to come to

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unwind and regroup. I would like to continue to do that.

MR. TRUNCALI: When you rent it out are you there or do you rent the whole house out?

MS. BAGLIO: Yes. My home is my home. I don't leave it. I protect it. We have house rules. We have quiet hours at 10, we wake up at 9 sharp and serve breakfast and everybody sits at the table, we do pancakes and eggs, just talk about, you know, what they want to see and do. We kind of send them in the right direction. We're there the whole time. I wouldn't feel comfortable leaving my home to complete strangers.

We do vet the people before they come. They have a profile with all of their reviews, drivers license and photo ID. Airbnb does that all for you to make sure the person is who they say they are. You read their reviews and decide if they are somebody you want to welcome into your home. If not, you cancel the reservation and tell them it's not a good fit for them because it is our home. We do want respectable people coming to our home. We do want to make

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sure we're safe with the people we're inviting into our home. Once they have our address they have it forever.

Everybody has been very lovely. It's been a really good experience. I'd love having it full time. I love entertaining. I love connecting with people. When I first started doing it I wasn't really sure how it was going to unfold but it's been super pleasant.

MR. TRUNCALI: Pat, do you have any comments?

MR. HINES: I do. I have my typical bed and breakfast comments.

MS. BAGLIO: Okay.

MR. HINES: The project is before you as a home occupation as a bed and breakfast. We need to document compliance with the bed and breakfast code for the percentage of the home existing and proposed to be utilized, and we get into this again how the kitchen is being used. I'll defer to the Board on just how much of the home is going to be utilized. I think we need a better square footage of the home, square footage of the area to be used and to document that.

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There needs to be shown an adequate area for the parking at the facility. The information in that home occupation of bed and breakfast in the Zoning Code is what we're looking for.

I did note the application packet contains a piece of a site plan. My office apparently did this map for an attorney that we worked with in the past in 1989 when the house was built. We have no financial interest in this right now. They are no longer the owner. Interestingly, the site plan that was submitted was prepared by my office in 1989. Unfortunately I was at my office in 1989.

The house is on a private roadway, so I think that a copy of the private road access and maintenance agreement should be submitted to see there is typically -- not typically but sometimes those private roadways have caveats that no commercial use for landscaping or for any other commercial uses. So a copy of that private road easement should be submitted for the Board's use as well.

MR. BLASS: That agreement might be a

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part of your title report when you bought the house.

MS. BAGLIO: I'll have to look. What I got was -- we got that packet. There was a long list of things. I wasn't sure which of those checklist things were stuff that I needed to submit. I went through the list and whatever I could find I submitted.

As far as the parking goes, we took a photo of it. We parked cars together to show there's enough parking for guests.

MR. HINES: Typically we get that on a site plan.

MS. BAGLIO: Sure, sure. Like I said, I was trying to provide as much as I could.

MR. HINES: It's a good start. It shows us where you are. There's just some additional information we'll need.

MS. BAGLIO: I'm trying to think of what I could do to make everybody's time, you know, used optimally. If there's anything else, just let me know.

MR. BLASS: It may be easier for you to go to your closing file when you bought the

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house, get the title report if you have it, and if there is a recorded agreement with the county clerk it will be attached to your title report.

MS. BAGLIO: If I can't find that where is the second place I can go?

MR. BLASS: The county clerk's office.

MS. BAGLIO: County clerk. Okay.

MR. BLASS: In Kingston.

Pat's first comment basically calls for a floor plan of the house to be created with square footages.

MS. BAGLIO: I did submit that and I highlighted the rooms that would be used.

MR. HINES: You just showed the rooms. There's probably more of the house, restroom facilities, kitchen. There's a limit of fifty percent of the house can be utilized by your guests.

MS. BAGLIO: Right.

MR. HINES: A layout of how that works can be presented to the Board. I don't know how much square footage your house is now versus what they're going to use.

MS. BAGLIO: It's definitely less than

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fifty percent because I remember reading that was something that needed to be --

MR. HINES: We'll just need that documented. The floor plans are a good start. I think there's more than just the bedrooms that are utilized.

MS. BAGLIO: Just highlight the living room, essentially, and the kitchen and that would square me away?

MR. HINES: As long as --

MS. BAGLIO: We have one floor of the home that is not used at all, and then we have a study and an office that isn't used. It's definitely under fifty percent.

MR. HINES: We need that documentation for the file.

MS. BAGLIO: So I'll go back and highlight that.

MR. HINES: I can give you a copy of my comments.

MS. BAGLIO: Is there anything else I should do?

MS. LANZETTA: I just want to tell you that I like the packet that was put together. I

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think you did a very good and a thorough job. I think it's great you're being so conscientious about being a good homeowner, sharing your home and watching out for the safety and those kinds of issues that perhaps a lot of Airbnb people are not doing. I think you're off to a good start and I really appreciate the work you've already done on this.

MS. BAGLIO: Thank you very much.

MR. TRAPANI: You run this as a bed and breakfast now?

MS. BAGLIO: I sorry?

MR. TRAPANI: Have you been running this as a bed and breakfast now or previously?

MS. BAGLIO: I mean we started off doing it experimentally because we weren't sure if this was the right route. We mainly started it because we needed money and this was the easiest, most accessible thing we could do to get funds to pay our mortgage and to take care of bills that we're in dire need. After we did it -- it was supposed to be a temporary thing, to be honest. We didn't think it would turn out to be as lovely as it has been. When it came to my

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attention it needed to be zoned, I was like well it's going so well and I'm having such a lovely experience, maybe this is something we should take seriously and really like move forward with it. I didn't think it would be as successful as it has been and I didn't think I would enjoy it as much as I have. I feel like I've been closer with the people in the Town because of it. We're sending people to their businesses and supporting local and we're getting a lot of good feedback. So it's just overall been a wonderful experience. I didn't intend for it to be this but it's actually growing into a wonderful thing. I figured just move forward. Yeah.

MR. TRUNCALI: Does anybody else on the Board have any questions or comments?

(No response.)

MR. TRUNCALI: If not, I guess you've got a few things to do and we'll see you back here.

(Time noted: 7:58 a.m.)

(Time resumed: 8:08 p.m.)

MS. BAGLIO: Can I ask a question? I couldn't find any paper on the private road.

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What do I do if I can't find any? What's the next step?

MR. HINES: I'd be surprised you could get a mortgage without --

MS. BAGLIO: This is the first time I've owned a home. The private road thing, I have no idea how that works.

MR. BLASS: You must have an easement.

MR. HINES: On the filed map. There might not be a written one but the final map may show something.

MR. BLASS: Your deed should say --

MS. BAGLIO: Just find the part where it says easement? So I'll go to the clerk first, and if they don't have anything then I look for an easement?

MR. BLASS: They should have the easement.

MR. HINES: If not, in the County Clerk's office there will be a document.

MS. BAGLIO: Okay. And the easement basically says I can --

MR. HINES: Some of them say no commercial use. It may not say that. You're

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going to have to check. You're going to have a public hearing where all the neighbors are going to come out. We want to have that information before we --

MS. BAGLIO: So if it says no commercial use, then it's basically dead in the water?

MR. BLASS: We'll take a look at it.

MR. HINES: Get it to Ron.

MS. BAGLIO: All right.

MR. BLASS: Give me a copy of your deed. I'll give you my card.

MS. BAGLIO: I put it in the packet but --

MR. BLASS: Your deed is in the packet?

MS. BAGLIO: Yeah.

MR. CORCORAN: The road is fifty foot wide, has two owners. They have a right-of-way over their lands to her property to the best of my knowledge.

MR. BLASS: Two separate owners?

MR. CORCORAN: Two separate owners.

MR. BLASS: Does anybody else have rights?

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MR. CORCORAN: Absolutely. Judge Kraiza. There's probably six other houses. They're done through right-of-ways. They were not done through road maintenance agreements. As a private road in the Town but as ownership like two owners on the property, twenty-five foot each, and the rest of the houses have right-of-way over those parcels. Actually, if you look at my comments, the road itself has two separate SBLs. It doesn't even attach to their homes.

MS. BAGLIO: From my house up, that's separate?

MR. CORCORAN: Your house sits there and then you have right-of-way over some of the land. They wouldn't allow it to happen if it didn't.

MS. BAGLIO: Where my driveway is going down --

MR. CORCORAN: You don't own that. You just have a right-of-way over it.

MR. BLASS: There's some chance somebody is going to say the easement is overburdened by this use.

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MS. BAGLIO: I mean it's two bedrooms.
It's two other cars.

MR. BLASS: It's two bedrooms only?

MS. BAGLIO: We put three up and we
close the other one because we have to sleep in
one of the rooms. We've been playing musical
rooms instead of musical chairs. One room makes
more money than the other rooms.

MR. BLASS: There's probably no private
road maintenance agreement. Who maintains the
road?

MS. BAGLIO: I know we have someone who
plows it.

MR. BLASS: Do you all share in the
cost?

MS. BAGLIO: We don't share in the
cost. I know that they came to me and asked for
money to pave the road and I said okay, what
needs to be paved, and they said from your
driveway up. I said the road I don't use is
getting paved.

MR. BLASS: Was it paved?

MS. BAGLIO: My road that I use, no. I
mean in the three years I've been there I've

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never paid.

MR. BLASS: Who is the nice guy that
does it?

MS. BAGLIO: I know there's two people
that do it. I wave to everybody and I smile at
everybody. I know that we're going to get a plow
next year. I had no idea we needed one. We're
trying to figure that one out. It's one of those
things where like we -- basically I say like I
will plow the road and it won't be a thing. So
then we can plow I guess; right?

MR. HINES: Or not. If someone has a
plowing contractor, you may pay them.

MR. TRUNCALI: All right, guys. Are we
ready to continue with the meeting?

(Time noted: 8:18 p.m.)

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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 22nd day of August 2017.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

CIPRIANO & CONIFER
Project No. 17-1020
Wygant Road
Section 108.2; Block 9; Lots 22.310 & 16.118

----- X

SKETCH - LOT LINE CHANGE

Date: August 7, 2017
Time: 7:58 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: CARMEN MESSINA

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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MR. TRUNCALI: Cipriano and Conifer,
sketch, lot line.

MR. MESSINA: Carmen Messina, surveyor
for the project.

This is the lot line revision between
two properties. Lot number 1 is the 20 Wygant
Road and lot number 2 is -- it was created -- is
lot number 4 on filed map 12-162.

On lot number 2 currently there's a
house under construction. It's accessed to a
public road, Reservoir Road, created by that
easement, filed map 10-33.

We propose to give approximately half
an acre to lot number 1 which was 1.5 acres and
now it will be approximately 2.1. Lot number 2
which was 2.6, that becomes 2.0.

We've reduced the area by Wygant Road
-- access to Wygant Road to 25.65 feet. The
basis for this is the property owner at 20 Wygant
Road would like to own the majority of the pond.
That's the reason.

MR. TRUNCALI: Where is lot 1 on here,
Carmen?

MR. MESSINA: Lot number 1 -- do you

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see where it says lot 1? I'll put it inside the lot. It's the one that's located on Larkin Boulevard.

MS. LANZETTA: Larkin. If it doesn't -- as you're depicting the new driveway, does that actually go over the pond?

MR. MESSINA: No. Their access -- lot number 2 -- lot number 2's access is actually towards Reservoir Road.

MS. LANZETTA: If they needed to they could have access to Wygant Road?

MR. MESSINA: No. Their access is stated on that subdivision map which was -- what was the reference again -- filed map 12-162. Their access is to Reservoir Road and not to Wygant Road.

MS. LANZETTA: Why would they need this long --

MR. MESSINA: I believe because there is a rule that you need 25 feet on a public highway.

MR. HINES: There was quite a bit of history here. Ron and I were just talking about when it was before the Board. I was bringing Ron

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up to speed on how this happened.

So lot 2 has access from Reservoir Road --

MR. MESSINA: Yes.

MR. HINES: -- by easement.

MR. MESSINA: Yes.

MR. HINES: I remember the conversation about the pond being in the flag and the fee ownership. I almost think they filled in a portion of the pond while this was before the Board in order to provide lot 2 a usable driveway, although it's not constructed.

MR. MESSINA: Lot number 2 in this plan was lot number 4 on that other subdivision. Their access was always to Reservoir Road.

MR. TRAPANI: That was Hanley's property.

MR. HINES: It was Conifer and Hanley.

MR. MESSINA: I believe that having flag shaped lots is to allow access to a public road only on paper. I assume that. I mean I didn't do that subdivision but that's what I've been reading.

MR. HINES: There was a question

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whether that access was usable because you would have needed a boat to get to Wygant Road through that access.

MR. TRUNCALI: So that dotted line is the actual pond or is that just -- is that wetlands?

MR. HINES: I think that's where the pond is.

MR. MESSINA: That's the actual pond.

MR. TRUNCALI: There's a pond there?

MR. HINES: Right.

MR. MESSINA: Yes.

MR. HINES: I just don't know -- the resulting flag pole for lot 2, I don't know if some of that was filled in to make it usable. I don't remember the history.

MR. MESSINA: I don't think it is. When we just recently surveyed it, the pond covers lots -- well, the property owned by Podhaiski, Romero and Faraone, they have access on paper to Wygant Road but their access is in that fifty-foot access easement.

MR. HINES: They all come off that cul-de-sac, too?

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MR. MESSINA: Yes.

MR. HINES: I think that may have been the resultant. After we struggled with the flag lots for awhile, possibly that easement was the mechanism that allowed them the access. There was the potential that that would be a future road out to Reservoir Road, I believe, so Wygant Road wouldn't be a perpetual dead end where it is now.

MR. MESSINA: Those four lots were created, they have -- three of them have access to Wygant Road, the fifty-foot easement, and lot number -- the last lot, lot number 2, has access to Reservoir.

MS. LANZETTA: So basically the way I'm looking at it is it's a crazy subdivision and you're just making it kind of nicer for the person that wants to enjoy the pond?

MR. MESSINA: Yes. That house that they own sits up on the hill. They overlook that pond. They want to mull around it. It adjoins their existing property.

MR. CLARKE: You're saying these other lots are coming off that -- the entrance to their

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lots is off this fifty-foot access and not off
Wygant Road? They're not using the flag lots?

MR. TRUNCALI: Right.

MR. MESSINA: That's correct.

MR. TRUNCALI: By law they have to have
twenty-five feet out to a Town road.

MR. MESSINA: I think we did, at one
point, show that it was usable.

MR. HINES: It was before you for a
long time I remember.

MR. BLASS: We may have taken an offer
of dedication of the fifty-foot wide easement to
Reservoir Road as a future Town road. That may
have been the solution. I wouldn't be surprised
that that strip was offered in dedication to the
Town for a road in the future.

MR. CLARKE: Was it built to Town
specs?

MR. BLASS: I don't think it's built.

MR. MESSINA: It's just gravel.

MR. HINES: It's not accepted as a Town
road. It's just that there was the potential
that it could become one. I don't know if we
need to take a look at filed map 10-33. That

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might give you the answer to that.

MR. TRUNCALI: I believe what happened was the owner of this former piece here with the four lots wanted access out to Reservoir Road so they could, in the future, build more lots.

MR. HINES: They have a length of cul-de-sac/dead end road issue.

MR. TRUNCALI: Now they have sold that to Lee Davis. He owns -- he does have a right-of-way out to Reservoir Road also.

MR. HINES: He'll have a little more after tomorrow.

MS. LANZETTA: What about access for fire equipment to get into these places?

MR. HINES: I don't think this is changing it, though. This lot line is not changing it.

MS. LANZETTA: I'm not having a problem with the lot line. I'm just curious.

MR. TRUNCALI: This is a good gravel road that they all use.

Does anybody else have any questions?

(No response.)

MR. HINES: With all that being said,

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this appears to qualify for your streamlined approval process.

MR. BLASS: It's just two lots.

MR. HINES: It's just two lots.

MR. TRUNCALI: Can we schedule them for a public hearing?

MR. HINES: You wouldn't need that. I just don't know if everyone is okay with the access issue. I remember the history of it. He certainly resolved it back then. It is the way it is today and they all have access off that easement. They're not changing a lot other than giving the pond.

MR. TRUNCALI: As long as you're not taking away their right to use that road, what's the difference?

MR. HINES: It doesn't affect that.

MR. TRUNCALI: Do we need to have a negative dec or anything?

MR. BLASS: I think we should do a negative dec and a resolution at the next meeting. I didn't realize this was not going to require a public hearing until now so I don't have any paperwork on it yet. We can do it at

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the next meeting.

MR. HINES: In the meantime; Carmen,
can you submit that filed map to us, that
information, --

MR. MESSINA: Yeah.

MR. HINES: -- 10-33, so we can see
what it says on there?

MR. MESSINA: Okay.

MR. TRUNCALI: The laws were recently
changed where you don't need to have a public
hearing to do a simple lot line revision.

MR. MESSINA: Okay. The last one I
just did, that was enacted after.

MR. TRUNCALI: We kind of streamlined
it and made it easier.

MR. MESSINA: So the next meeting is
scheduled for?

MS. FLYNN: 8/21.

MR. HINES: You don't have to do
anything other than get us the filed map in
between now and then.

MR. MESSINA: Okay. Thank you.

(Time noted: 8:08 p.m.)

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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 22nd day of August 2017.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

MARLBORO DISTR ROUTE 9, LLC
Project No. 17-1021
1100 Route 9W
Section 108.4; Block 5; Lot 27

----- X

SKETCH - SITE PLAN

Date: August 7, 2017
Time: 8:08 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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MR. TRUNCALI: Marlboro District Route 9, LLC, sketch, site plan.

If there's no one here for this application, we will move on to the next.

(Time noted: 8:08 p.m.)

(Time resumed: 8:18 p.m.)

MS. BROOKS: I see that you have comments. I usually get an e-mail.

The proposal before the Board is a 40,000 square foot warehouse on approximately 7.6 acres of land to warehouse a pods facility that is currently on Riverview Drive. They're looking to expand the facility and relocate.

This is the Michael DiVest property which previously received approval back in 2006 for outdoor storage of materials, stone, mulch, that type.

Currently existing on the site is the office space, a well and a septic which were improved as part of the original site plan.

Also, they installed a fence along the front of the property, a landscaped berm.

They did receive New York State DOT curb cut approval.

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At this point in time the applicant is interested in purchasing the property and constructing his building for a total storage of 645 pods on the site.

They do have tractor trailers that do the delivery of the pods during the day. They're stored on the site in the nighttime. If you look at drawing SP-1, it shows the location of eight tractors and trailers on the site, that they park there during the evening.

One of the things that -- I don't know if it was addressed because I didn't look at the memo yet -- is with regard to what type of screening is going to be required for the trucks and the units that are going to be proposed for outside. The pod units that are empty they store outside. They do that now at Riverview. I didn't know whether that was considered outside storage or if it was part of the facility and it was not considered storage.

Once the pods are filled, somebody -- they'll bring a pod to a site empty, somebody will fill it, they go back and pick it up and put it inside their facility where it stays anywhere

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from three months to three years. So it's not a storage unit where the people who own the stuff inside the pods go and visit and take stuff out, because they get stacked. It's mean for long-term storage, as the current facility is. So it's a little bit unique.

I haven't worked on a project like this before. I wasn't exactly sure how to gauge what the outdoor pod locations were going to be. I considered them more to be storage. I was trying to figure out how we were going to screen them. I know that the original facility was approved for outdoor storage and that the screening they had already put in was acceptable. That's one of my main questions with regard to the application moving forward.

MR. TRUNCALI: How tall is the building?

MS. BROOKS: Thirty-five feet. I told him he can't go any higher than thirty-five feet. Of course in the Town of Marlborough the height is measured midway between the peak and the eve. So the peak I'm sure is going to be higher than thirty-five feet in order for them to build a

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stack of pods like they need to. Again, it's working right now in the facility on Riverview Drive, which meets code.

MR. TRUNCALI: Thirty-five to the roof or --

MS. BROOKS: My understanding is it's a peaked roof.

MR. TRUNCALI: Pat, you have comments?

MR. HINES: It's sketch here right now. The first comment just states what the site is. It's a 7.6 acre site. They're looking to put a 1 acre warehouse building on there.

This project was before the Board for a contractor yard lay down storage. It was here for putting an accessory site to the aqueduct tunnel. I don't know the status of that. I guess that approval should be withdrawn at this point.

MS. BROOKS: Which one is that?

MR. HINES: They have approval to use it for the New York City aqueduct project and to store large diameter pipes as a temporary use. Any other use of the site and any long-term use would have to come back. I don't know what the

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status of that is. Certainly most of those pipes are now stored in the City of Newburgh. Maybe they're not using this site.

MS. BROOKS: When was that granted?

MR. HINES: A year ago. Maybe less than.

MR. TRUNCALI: DuBois did that.

MS. BROOKS: That was this site?

MR. HINES: That was this site.

MS. BROOKS: I didn't realize that.

MR. HINES: We have that out there. I don't know if we can approve the two uses. If Divesti, whatever the name is, aren't going to use that then they should withdraw that.

We're suggesting a long form E.A.F.

DOT is going to be an involved agency.

I'm not sure of the distance to the Gomez Mill House. It's close but not that close I don't think. That will play out there.

The survey sheet identifies ten to twelve 40-foot flatbed trucks to park on the site. We're just looking for you to show where those are going to be, where they're parked. It looks like -- I thought the intent of those

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vehicles was to show truck circulation. Are they intended to be parked?

MS. BROOKS: The location as shown on SP-1, one, two, three, four, five, six, seven -- eight is what they -- this is the site plan that they supplied to me of where they are intending to park them on the site. They left enough width for emergency vehicles to get around them.

MR. HINES: That leads into the building height being greater than thirty feet. All fire access lanes would have to be twenty-six feet wide. I don't know if that's going to be twenty-six feet wide with tractor trailer trucks parked around that loop. Anything higher than thirty feet would require that for aerial access.

I did note that the bulk table on the engineer's plan is incorrect. It stated the maximum height was thirty feet while the building was thirty-five. The building inspector informs me it is thirty-five. That needs to get cleaned up.

I do believe that the storage of the -- the outside storage of those pods -- outside storage needs to be screened per the code. I

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believe it's an eight-foot opaque fence is the requirement, or some version that the Planning Board accepts.

DOT review of the site is required. They did review the site for the pipe storage, however that was of a more temporary nature, temporary being three years or so. This change of use will get submitted to them.

We do need detailed plans, typical that we would require for the development of the site.

Drainage will be an issue on the site. A stormwater management report will be required.

Potable water. A building of this size most likely will need to be sprinklered.

MS. BROOKS: The applicant has already contacted the water department. This is not in the water district. In talking to Charlie, the water goes up from Old Post Road up to 9W but does not head south. I believe the applicant is prepared to extend the water line and apply to the Town Board for an exemption of the water district.

MR. HINES: The Health Department again would be involved in that.

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MS. BROOKS: For the water main extension. Absolutely.

MR. HINES: I think a traffic report should be shown detailing the number of trucks so that the Board can get a handle on the traffic. I think DOT will ask that very same question.

Landscaping and architectural details of the building. Right now all we have is the concept plan before us.

MS. BROOKS: Right. Again, I think this applicant has been before the Board for a couple of different sites. They've been trying to find a place that they can appropriately relocate. This looks like it's going to be the best solution to date. Again, as Pat said, we're pretty much in sketch plan.

MR. HINES: As far as I know this is the first we've seen them.

MS. BROOKS: We discussed with them --

MR. HINES: A secret meeting.

MS. BROOKS: Discussion only on site. Actually on the opposite border of the Town of Marlborough.

MR. HINES: The Woodward site?

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MS. BROOKS: Yeah.

MS. LANZETTA: They don't have a well on this site?

MS. BROOKS: They do. There's not enough water supply for --

MR. HINES: Fire suppression. They would need a large tank. You have to provide two hours of fire flow for a building like that. You would need a large tank. It's a very expensive private fire protection system.

MS. BROOKS: I guess given what the circumstances are, the business model of this particular use, it's worth it for them to make the investment in extending the water. As far as I'm concerned, it just benefits the municipality as a whole. If you're bringing the water main down, other people can potentially tie into it.

MR. HINES: That's a pretty good distance.

MS. BROOKS: Yeah. The applicant is aware.

So my main issues were making sure -- I'm a little bit unclear, again getting back to -- yes, I do have a copy of the rendering. It

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looks like it is in fact a flat roof, to answer your question.

MR. TRUNCALI: Ron, do you have anything?

MR. BLASS: No.

MR. TRUNCALI: Board, anything?

MR. CLARKE: I've got one question. There is an agricultural data sheet that came with this. It says is any portion of the project site currently being farmed. It says no but then it says yes on the acres. You have to clean that up. 7.8 is in there.

MS. BROOKS: That's on the E.A.F.?

MR. HINES: The agricultural data.

MS. BROOKS: We always submit an ag data statement when there's property within 500 feet of it.

MR. CLARKE: They're saying there's no agricultural but then they answered yes, 7.8 acres.

MS. BROOKS: Thank you. I'll check on that. It should have just been the adjoining property.

MR. CLARKE: It should have just said

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no and that's it.

MS. BROOKS: Thank you. The reason that we prepared the ag data statement is because we are aware of the fact there's agricultural land adjoining this. The project statement itself says that we have agricultural on this property, which isn't correct. We'll correct that.

I appreciate it, Steve. We want to be as accurate as possible.

I guess back to the screening issue. The previous site plan had been approved for, again, open storage. I can only make the assumption -- I only have a copy of the site plan, the signed site plan -- that the landscaped berm with the fencing was considered to be the eight-foot screening.

MR. HINES: That was when it was considered a landscape facility, Neko Trucking.

MS. BROOKS: That was the landscape facility, and that one was approved back in 2006.

MR. HINES: I guess the question that will be there is just how high are these pods stacked? If they're thirty-five feet high and the previous things were landscape piles, these

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are different.

MS. BROOKS: Right. The outdoor stockpiles that previously had been approved were for a height of twenty feet. So obviously we're not going to put a thirty-five foot fence. The code talks about eight feet, which is why they put the three-foot berm and the six-foot fence. That made it nine feet, what it is right now.

I need feedback to go back to the applicant to say what the Board is going to be looking for with regard to -- you know, I tried looking for the definition of outdoor storage and there is none.

MR. HINES: The last time it was here it was presented to the Board that there was a wooded treeline. I don't know if you're going to be impacting that with this project.

MS. BROOKS: On the north end? That's still existing. We show that as proposing to remain. I'm talking more about the front yard, whether the --

MR. HINES: I think the front yard has the required eight-foot screening.

MS. BROOKS: That's what I'm looking to

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determine.

MR. HINES: I don't know if the Board can ask for more than that. It doesn't just say front yard. Maybe you can send some photos or have the Board take a look at just how dense that vegetation is.

MS. BROOKS: On the north end --

MR. HINES: On the north end. Right.

MS. BROOKS: -- to the other commercial -- to where they have the -- I'm not sure what they're doing there now. It was used car sales and then it was a --

MR. CORCORAN: It still is used car sales.

MR. TRUNCALI: Does the Town require fencing around the whole property?

MS. BROOKS: It doesn't say that in the code. It's very vague in the code. That's why --

MS. LANZETTA: It says it needs to be completely -- it says except -- that open storage is permitted if enclosed by an opaque fence or wall at least eight feet in height.

MS. BROOKS: Right. I'm not sure what

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enclosed means. There's nobody to the east. The property drops off approximately thirty feet in elevation. An eight-foot fence is not going to shield anybody in the back who can't see it anyway. It's shielded on the south side by the building itself. That's why I'm trying to get -- there's no definition in the code about what -- I just think I need clarification on what the -- you know, if I take photographs of the vegetation to the north. Again, when the site plan approval was granted for the used car lot on the north, they were supposed to be putting in an evergreen buffer. That was never put in.

MR. TRUNCALI: I would think enclosed would be around the building at some point. It doesn't have to be down over the embankment or whatever. As long as the building is surrounded by a fence. I would think they would want to fence it in to keep people out of there.

MS. BROOKS: They're definitely planning on fencing the entire front of it. We show where the existing fencing is and where the proposed gate is so that nobody can get in in the evening. Again, I feel comfortable that the

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south is going to be shielded by the existing building. I'm concerned about the east and the north. I guess I can take photographs and come back in and see how the Board feels about it.

MR. TRAPANI: Are there houses on the east, down in back?

MS. BROOKS: No.

MR. TRUNCALI: There was someone who complained about that site.

MR. TRAPANI: They came to the meeting and complained about that from the east side. Somebody was down on the east side.

MS. BROOKS: I'll do a digital so you can see where. Okay.

I have already been in contact with DOT. They originally said we didn't need to apply for another permit because the permit was in place. I sent him another e-mail in advance of this meeting asking if I should make a formal application or if it would just be referred as part of SEQRA. Dave is on vacation right now. I didn't hear back.

The long form E.A.F. is for -- what impacts are you concerned about?

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MR. HINES: The proximity of the Gomez Mill House.

MS. BROOKS: Verify that a long form is not required because of the proximity of --

MR. HINES: It's going to be up to the Board as lead agency. I think that's the only major Type 1 action.

MR. BLASS: It's contiguous.

MR. HINES: That's a farm.

MR. TRUNCALI: What is the required distance from the historic site?

MR. HINES: I'm not sure.

MR. BLASS: Substantially contiguous.

MS. BROOKS: It's not contiguous at all.

MR. TRUNCALI: It's not contiguous.

MS. BROOKS: No.

MR. BLASS: It's probably not a Type 1 action. It's probably an Unlisted action. It's your option as to whether or not there should be a long form or a short form. You're going to wind up being the lead agency in all likelihood.

MS. BROOKS: It's definitely going to require a circulated review. It's going to

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Ulster County Planning Board, it's DOT. It needs to go to DOH just to confirm that the septic system that is on there is adequate for the new use. Whatever the Board decides.

MR. HINES: You're extending the water main as part of this project. It's going to be the Town Board circulation, Health Department.

MS. BROOKS: I just wondered if you wanted a long form E.A.F.

MR. HINES: DOT again for the water main extension.

MS. BROOKS: Certainly we can do a long form E.A.F. I was just asking if there was a particular concern or issue that you wanted me to focus on. I can do a short form E.A.F. with expanded information on the areas of concern that the Board may have. Again, the long form E.A.F. for an application such as this that is a reuse of an existing commercial site, a lot of it is not applicable.

MR. CLARKE: We just reviewed the site. Whatever they did before --

MS. LANZETTA: The stormwater will be different.

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MS. BROOKS: Absolutely.

MR. HINES: That was all pervious surfaces.

MS. BROOKS: It was going to be gravel there.

MR. HINES: Now that I see those trucks aren't there for truck turning, I think you should look towards finding a parking spot for those trucks on the site rather than leaving them around the perimeter of that road. I thought they were just showing the trucks could make the turn.

MS. LANZETTA: You know too, keep in mind that you can always do a -- keep in mind that you can always go to the County and do a gateway meeting in which they pull in the various people. They might have some good suggestions, too. That's another option as well.

MS. BROOKS: They're very helpful. I agree. I don't know that the applicant is at that stage yet. Yeah, I certainly will see if we can go in that direction.

MR. TRUNCALI: What does the Board think about a long form?

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MS. BROOKS: As far as the general overall use of the site and the application, I guess the applicant is looking for initial feedback this evening to see whether there's going to be major concerns. I'm not seeing anything from the consultants at this point in time.

MR. HINES: It's relatively flat and clear already.

MS. BROOKS: It's flat and clear already.

MR. HINES: Your client may want to do some geo-technical work to find out what that stuff they put in there is.

MS. BROOKS: They did test borings over the last couple of weeks. I have not personally gotten the findings yet. That's obviously a concern of the applicant. I think probably the result of those findings will probably dictate whether or not he goes forward.

Anything else?

MR. TRUNCALI: Does the Board -- does anyone see any major problems?

MR. CLARKE: The Board was looking at

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outside storage two times previously.

MR. CAUCHI: It's a good project.

MS. BROOKS: Great. I've got the
comments and hopefully will see you on the next
round.

MR. TRUNCALI: Thank you.

MS. BROOKS: Thank you very much.

(Time noted: 8:38 p.m.)

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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 22nd day of August 2017.

Michelle Conero

MICHELLE CONERO