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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, Marlboro
Section 108.3; Block 2; Lot 64

----- X

CONTINUED PUBLIC HEARING
SITE PLAN

Date: November 20, 2017
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairperson
BEN TRAPANI
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: LAUREN BAGLIO

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
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CHAIRPERSON LANZETTA: I'd like to call the meeting to order with the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON LANZETTA: This is a meeting of the Town of Marlborough Planning Board. The agenda is such that we're going to have the Hudson Valley Tree House, which is a public hearing on the site plan located on 80 Gobblers Knob in Marlboro; we have Trapani Farms which is a public hearing on a subdivision at 818 Lattintown Road in Milton; Grand Slam Auto which is a sketch, site plan, 1924 Route 9W in Milton; Bayside Mixed Use which is a sketch, it's a subdivision, site plan at 18 Birdsall Avenue in Marlboro. The next deadline will be Monday, November 27, 2017. The next scheduled meeting of the Planning Board will be Monday, December 4, 2017.

I hope everybody had an opportunity to read the minutes October 16, 2017. Can I have a motion to accept those minutes?

MR. CAUCHI: I'll make a motion to accept the minutes for October 2, 2016.

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CHAIRPERSON LANZETTA: Can I have a second?

MR. TRAPANI: I'll second.

CHAIRPERSON LANZETTA: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRPERSON LANZETTA: Aye.

Opposed?

(No response.)

CHAIRPERSON LANZETTA: The motion carries.

First up on our agenda is the public hearing for the Hudson Valley Tree House. The applicant will come forward, please.

We've sent out the mailings. There are no additional mailings. Would you like to address the Board?

MS. BAGLIO: I wanted to see if we could move the meeting to maybe -- I don't know how far we can move it, but to the second meeting in March if that's possible.

CHAIRPERSON LANZETTA: So you'd like to

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adjourn the public hearing --

MS. BAGLIO: Yes.

CHAIRPERSON LANZETTA: -- until March?

MS. BAGLIO: Yes.

CHAIRPERSON LANZETTA: And the reason
for that is what?

MS. BAGLIO: I'm still trying to figure
out the turn for the road and the expense of it
and making that happen. It's not necessarily an
easy thing to do. It's very expensive from the
information that I've collected. I also wanted
to take the time to get to know my neighbors and
reach out to them and talk with them one on one
and connect with them and see if there's anything
that we can come to as far as an agreement goes
for the road and any other thing that they had
concerns about. That's what I plan on doing over
the next few months, talking to my neighbors
about it and hopefully -- I know it's like we're
going to be living there for a very, very long
time and I don't like this feeling that I have.
You know, I come in here and I think I'm doing
something good and it feels good and then it
comes around and I get this knot in my stomach

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although I'm doing everything that I can do to appease -- you know, the paperwork and the things that are required of me. I do want to make sure that, you know, all aspects are being, you know, taken into consideration, not just the legalities.

CHAIRPERSON LANZETTA: Ron, is there some kind of a timeframe that the Planning Board is bound by for site plan review and --

MR. BLASS: Not as long as the public hearing is still open.

CHAIRPERSON LANZETTA: Is there any limitation on allowing the public hearing to remain open?

MR. BLASS: No. No. It's up to the Board. So I think we're talking about March 5th or the 19th.

MR. CAUCHI: I believe she said the third week.

MS. BAGLIO: The later the better. It's not going to happen overnight.

MR. BLASS: The second meeting in March will be March 19, 2018.

CHAIRPERSON LANZETTA: Does the Board

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have any questions regarding that?

MR. LOFARO: Usually you do public hearings at the first meeting. Does it matter to schedule for the second?

MR. CAUCHI: She's trying to ascertain some information as far as what her exposure will be, insurance and all the other stuff.

MR. LOFARO: The second meeting, it doesn't matter.

MS. BAGLIO: If it has to be the first, then April, you know, if that's how the rules work.

MR. BLASS: April 2nd?

CHAIRPERSON LANZETTA: April 2nd?

MR. CAUCHI: I'm going to make a motion to keep the public hearing open until April 7th.

CHAIRPERSON LANZETTA: April 2nd.

MR. CAUCHI: April 2nd.

MR. CLARKE: I'll second that.

CHAIRPERSON LANZETTA: Any more discussion on it?

(No response.)

CHAIRPERSON LANZETTA: All in favor?

MR. CLARKE: Aye.

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MR. TRAPANI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRPERSON LANZETTA: Aye.

Opposed?

(No response.)

CHAIRPERSON LANZETTA: Okay. Motion carries.

I do want to give the public an opportunity. If there's any additional new information that anybody would like to comment on for this particular public hearing for Hudson Valley Tree House, now is the time to speak up.

(No response.)

CHAIRPERSON LANZETTA: Okay. Hearing nothing, then we'll move on.

Thank you very much and good luck.

MS. BAGLIO: Thank you.

(Time noted: 7:36 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 4th day of December 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

TRAPANI FARMS

Project No. 17-1025
818 Lattintown Road, Milton
Section 102.4; Block 1; Lots 28.2 & 27.2

----- X

PUBLIC HEARING
SUBDIVISION

Date: November 20, 2017
Time: 7:36 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairperson
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

----- X

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CHAIRPERSON LANZETTA: Trapani Farms,
public hearing.

Please make a note that Ben Trapani is
recusing himself from the discussion.

MS. BROOKS: Good evening.

CHAIRPERSON LANZETTA: Good evening.
Did you have to send out --

MS. BROOKS: We sent out forty
certified letters, we received thirty-four back
and we have the attempt of registration for the
other six.

CHAIRPERSON LANZETTA: Thank you.

MS. BROOKS: I also had previously
submitted just an e-mail copy of the letter from
Reverend Ballou from the Lattintown Baptist
Church. He was on vacation. I have the original
which I will submit for the record.

MS. FLYNN: Thank you.

CHAIRPERSON LANZETTA: Thank you.

MS. BROOKS: So the application before
the Board is a three-lot subdivision totaling
approximately 89.5 acres of land. We are
creating two new building lots, one is 1.69
acres, the other is 1.61 acres for Scott and Tim

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Trapani to construct their individual residences. The remainder of lot number 3, which is 31.2 acres, will continue to be farmed, as well as the adjacent lands of 49.2 acres which is under the name of the Trapani Living Trust.

CHAIRPERSON LANZETTA: This is a public hearing. If anyone would like to comment on this subdivision proposal, please do so, and I'd ask you to give your name for the Stenographer.

(No response.)

CHAIRPERSON LANZETTA: Let it be known that there's nobody here for or against this subdivision.

Ron, do you have any comments?

We have read Pat Hines' comments which are ostensibly nothing. He doesn't have any outstanding comments. Do you?

MR. BLASS: No. I have a proposed part 2 EAF for the Board to adopt, a proposed negative declaration and a proposed resolution of approval.

CHAIRPERSON LANZETTA: First I will -- well first let me see. Discussion wise does the Board have any questions on this application?

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MR. CAUCHI: No.

CHAIRPERSON LANZETTA: Okay. Then can I have a motion to close the public hearing?

MR. CAUCHI: I'll make a motion to close the public hearing.

CHAIRPERSON LANZETTA: A second?

MR. CLARKE: Second.

CHAIRPERSON LANZETTA: All in favor?

MR. CLARKE: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRPERSON LANZETTA: Aye.

Opposed?

(No response.)

CHAIRPERSON LANZETTA: The motion carries.

Next we have the environmental assessment on this subdivision. We also have a resolution and a negative declaration.

Do we vote on this individually, the negative declaration --

MR. BLASS: I think the first resolution is to approve the EAF Part 2.

CHAIRPERSON LANZETTA: Okay.

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MR. CLARKE: I'll make a motion we approve the negative declaration and the EAF Part 2.

CHAIRPERSON LANZETTA: A second?

MR. LOFARO: Second.

CHAIRPERSON LANZETTA: All in favor?

MR. CLARKE: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRPERSON LANZETTA: Aye.

Opposed?

(No response.)

CHAIRPERSON LANZETTA: So with that we approved the short environmental assessment form part 2.

So now the SEQRA negative declaration. Shall we poll the Board on that?

MR. BLASS: Okay.

CHAIRPERSON LANZETTA: Do we?

MR. BLASS: Yes.

CHAIRPERSON LANZETTA: Okay. So for the foregoing resolution, can you please poll the Board on the negative declaration?

MS. FLYNN: Member Lanzetta?

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CHAIRPERSON LANZETTA: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

CHAIRPERSON LANZETTA: Lastly, the resolution -- not lastly. Next, the resolution of approval by the Town Planning Board. Ron has prepared a resolution. Do we read that or --

MR. BLASS: I don't think there's any need to read it. I'm going to have to slightly tweak it tomorrow morning because there's two lot line adjustments and not just one as I wrote it.

CHAIRPERSON LANZETTA: Okay.

MR. BLASS: But I think in concept you can adopt it tonight subject to my corrections and subject to the payment of all fees. After that resolution is adopted there's a rec fee -- recreation fee set of findings to turn to.

CHAIRPERSON LANZETTA: So can I have a motion to accept the resolution of approval as amended by our conversation with the Town

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Attorney?

MR. LOFARO: I'll make that motion.

MR. CLARKE: I'll second it.

CHAIRPERSON LANZETTA: All in favor?

MR. CLARKE: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRPERSON LANZETTA: Aye.

Opposed?

(No response.)

CHAIRPERSON LANZETTA: And the motion carries.

Lastly is the recreation fee. The recreation fee findings, do I have to read that?

MR. BLASS: We usually do.

CHAIRPERSON LANZETTA: Okay. Whereas the Planning Board has reviewed a subdivision application known as Trapani Farms and Lattintown Baptist Church with respect to real property located at Lattintown Road described as tax map number 102.4-4-28.2, and two lot line adjustments in the Town of Marlborough, Member Lanzetta offered the following resolution which was seconded by Member -- can we have a second? Can

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you second the resolution?

MR. CAUCHI: I'll second it.

CHAIRPERSON LANZETTA: Okay. It's hereby resolved that the Planning Board makes the following findings pursuant to Section 277 Section 4 of the Town Law: Based on the present and anticipated future need for park and recreational opportunities in the Town of Marlborough, and to which the future population of this subdivision will contribute, parkland should be created as a condition of approval of this subdivision. However, a suitable park of adequate size to meet the above requirement can not be properly located within the proposed project site. Accordingly, it is appropriate that in lieu of providing parkland, the project sponsor render to the Town payment of a recreation fee to be determined in accordance with the prevailing schedule established for that purpose by the Town of Marlborough. Whereupon the following vote was taken:

Can you poll us, please?

MS. FLYNN: Member Lanzetta?

CHAIRPERSON LANZETTA: Yes.

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TRAPANI FARMS

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

CHAIRPERSON LANZETTA: That's it?

MS. FLYNN: That's it.

CHAIRPERSON LANZETTA: Okay. And that will be for the two new residential lots that are being proposed.

Is there anything more?

MR. BLASS: No.

CHAIRPERSON LANZETTA: Thank you very much.

MS. BROOKS: Thank you very much.

(Time noted: 7:44 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 4th day of December 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, Milton
Section 103.3; Block 2; Lot 61

----- X

SKETCH
SITE PLAN

Date: November 20, 2017
Time: 7:44 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairperson
BEN TRAPANI
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: THOMAS CORCORAN

----- X

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CHAIRPERSON LANZETTA: Next up is Grand Slam Auto, sketch, site plan.

MR. CORCORAN: I'll give you a couple copies. I answered Pat's comments right away.

CHAIRPERSON LANZETTA: Do you want to just give a brief overview for the people that are not familiar with what you're doing?

MR. CORCORAN: 1924 Route 9W. It's a vacant lot right now north of Kirky's Deli. We did the survey and topography lines required by the Town Planning Board. It's been in front of the Planning Board before to present a used car lot with a garage repair on that site.

We've addressed most of the comments and now received more comments from Pat Hines, the Town Engineer, that we addressed this afternoon.

CHAIRPERSON LANZETTA: The Board has not had a chance to really review the updated information.

MR. CORCORAN: I'm sorry. I just assumed I was going to walk through these with Pat because he usually walks through them and we address them as we go along.

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CHAIRPERSON LANZETTA: We could go through the list and you can give us your verbal responses to these.

I'll start with the first one. Approval from the DOT for the access drive location should be received. No building permit should be issued until receipt of the actual highway work permit.

MR. CORCORAN: Okay. The end of that, there is a letter from the DOT approving the driveway location and the approval for the application for the work permit. I do know a work permit is needed before a building permit, so that's not a problem. You do have a letter in there from the DOT saying that they have received the plans and have approved the working plans. That will address the first sentence, and obviously the second sentence is a given. We won't issue a building permit until the work permit is issued by DOT, but that can't be applied for until the contractor has been contracted and his insurance can be given to the DOT.

CHAIRPERSON LANZETTA: Number two,

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septic system approval from the Ulster County Health Department has been received, and then in the October 25, 2017 submittal --

MR. CORCORAN: That's basically just a statement based on his first comments that he needed that. We had them there and submitted it and it was received by the Planning Board.

CHAIRPERSON LANZETTA: Details for the highway access should be added to the plans.

MR. CORCORAN: Page 6 of the packet I gave you.

CHAIRPERSON LANZETTA: The grading plan identifies a finished floor elevation of 177 while parking lot grading identifies the building frontage as being between 175 and 174. Handicap accessibility should be addressed on the plans for the proposed grade changes. Elevation of the curbs making the transition from 175 to 177 should be depicted on the plans.

MR. CORCORAN: The finished floor elevations will drop to 175, so there is no increase in incline so there won't have to be any addressing of the handicap accessibility. In layman's terms, I believe number 4 is saying if

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the elevation of the finished floor is higher than the grade of the ground, that handicap accessibility would have to be accounted for because of the difference in the elevations of the finished floor. That was actually just wrong on the plans. We'll drop the elevation from 177 as on the plans. It's just a little word that says elevation floor finish 177. We'll drop that to 175 so it will be at the -- the finished floor will be the exact elevation of the property itself.

CHAIRPERSON LANZETTA: That's depicted on the new study?

MR. CORCORAN: Yeah. Again, it was just a number that said finished floor 177. Now it says finished floor 175. It just drops down. There's no grade increase.

CHAIRPERSON LANZETTA: Number five, the paving detail section should be provided on the plans.

MR. CORCORAN: Page 6.

CHAIRPERSON LANZETTA: Six, landscaping is depicted with symbols on the plan. Details of the landscaping should be provided on the plan

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sheets. Species and numbers of each should be identified on the planting list.

MR. CORCORAN: Page 7 is a landscaping detail.

CHAIRPERSON LANZETTA: Seven, it appears that filing the subsurface sanitary sewer disposal service will extend out into -- I think he meant filling. Filling for the subsurface sanitary disposal system will extend out into the proposed paved parking area.

MR. CORCORAN: On page 6 that was corrected to make the correction for that. The aboveground system had a little bit more pitch than needed so it did come into the area that was depicted originally in the shaded area for the paving area. The paving area was just pulled back a little bit to come back into the area of the septic design.

CHAIRPERSON LANZETTA: Number eight, the grading plan identified as sheet 5 of the October submission does not appear to take into account required grading for the subsurface sanitary sewer disposal system.

MR. CORCORAN: There was a note put

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back on page 6 saying that we've addressed that.

CHAIRPERSON LANZETTA: And number nine, light submission has been provided identifying wall mounted lighting on the buildings to provide site lighting. That's just a statement.

MR. CORCORAN: Just a statement.
Correct.

CHAIRPERSON LANZETTA: It looks like you've addressed all of those things. Did you get a copy of the Ulster County response to the submission?

MR. CORCORAN: Yes. It almost mirrors what Pat said almost to a T. I didn't see much difference. If you see a difference in there on what they are asking for -- you know, application to DOT for a work permit, that's their first comment. Require modification paving and drainage which is addressed on page 6 of the new one.

Signage. I don't know if they just missed it because on the original application the signage detail was on there. It's nothing spectacular. It's a 4 by 8 sign and it is depicted on page 4 of the original application

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and the resubmittal along with the lighting detail. Either they just missed that or -- I don't know. Obviously to meet the requirements of the new Town sign code, it's obvious also.

 Their next comment is the landscaping. Require the landscaping detail which we did as addressed on page 7.

 Then they're talking about the lighting, the lighting fixtures. Pat didn't seem to have a problem with the lighting fixtures submitted. I don't know. They're just mentioning lighting. Those were all their comments. I believe I addressed those. Basically, again, they mirrored Pat Hines' comments. If there's something more, we'll address it.

 CHAIRPERSON LANZETTA: I think you've addressed their concerns but it does require resubmittal to the County. You'll have to take the new information that you gave us here and resubmit.

 MR. CORCORAN: It's a required submittal, not a recommendation?

 CHAIRPERSON LANZETTA: It says a

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re-referral on this application once all the materials have been provided is requested.

MR. CORCORAN: Requested, not required.

So I mean --

CHAIRPERSON LANZETTA: It's not a requirement. They're requesting that we send it up.

MR. CORCORAN: That's what I'm asking the Planning Board. Is the Planning Board requiring me to send it since they are the exact comments that Pat Hines addressed and Pat Hines doesn't have a problem? I'm just asking the Planning Board. The Ulster County Planning Board recommendation, they're requesting it, they're not requiring it. If this Planning Board is requiring me to do it, I'll do it. That's my question.

CHAIRPERSON LANZETTA: I think it should be because then they -- if they turn around and say that everything has been -- their concerns have been answered as well, that makes for a better document when we do our approval, and it also doesn't make us as liable to be challenged, because otherwise we would basically

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have to -- we would have to override all of these required modifications because as far as they're concerned we haven't shown them that we have looked at these things.

MR. CAUCHI: But if his requirements have been satisfied with what --

CHAIRPERSON LANZETTA: Pat Hines?

MR. CAUCHI: -- yes -- was requested satisfied all this stuff, do we still need to go to that protocol?

CHAIRPERSON LANZETTA: I think it's just wise to.

MR. CAUCHI: Wise in reference to --

CHAIRPERSON LANZETTA: An Article 78.

MR. BLASS: Well, in the first paragraph of the discussion --

MR. CAUCHI: The applicant?

CHAIRPERSON LANZETTA: If somebody was to file an Article 78, in which case we would be part of that.

MR. BLASS: In the first paragraph under discussion there's a statement that the County Planning Board believes that the submittal did not constitute a complete statement. A

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complete statement is a term of art, it comes from the statute. Any project that has not provided a complete statement to County Planning is susceptible to legal challenge. You're correct that there's a legal issue there. They're basically saying that the submission they received was an incomplete statement. That should be cleaned up for the benefit of the applicant and the Board.

There's also reference to a sidewalk easement in the DOT section.

CHAIRPERSON LANZETTA: That's correct.

MR. CAUCHI: I don't have that letter from the County. Do you have that? Do you have a copy of that? I don't have that copy. I know it was sent but --

CHAIRPERSON LANZETTA: I have it at home, so you can have that.

MR. BLASS: There will be a sidewalk easement on the plan. So there has to be an override.

MR. CORCORAN: That's not a problem. Is that just a statement on the plans or do I need something legally written?

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MR. BLASS: If you'd show an easement area for future sidewalk on the plan.

MR. CORCORAN: That's all it is?

MR. BLASS: Yes.

MR. CORCORAN: Sorry. I missed that. Absolutely. That's not even a question.

CHAIRPERSON LANZETTA: If you were to include that on this and send this up, I'm thinking if you got it in right away it would be reviewed the first week of December, and then we can show that we've done our due diligence and --

MR. CORCORAN: That's fine.

CHAIRPERSON LANZETTA: -- that would be the only outstanding thing right now that I'm seeing.

MR. CORCORAN: The question would be would that preclude us from a public hearing?

CHAIRPERSON LANZETTA: I don't think so.

MR. BLASS: You could schedule a public hearing.

CHAIRPERSON LANZETTA: We can schedule a public hearing.

MR. CORCORAN: Okay.

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MR. CLARKE: It would all be conditional.

CHAIRPERSON LANZETTA: We can schedule it.

MR. CLARKE: We can have the public hearing but it would be conditional. We can move ahead on both fronts.

MR. BLASS: If you scheduled a public hearing you won't be able to take action until the County Planning Board has taken it's -- made it's recommendation or enough time has passed.

CHAIRPERSON LANZETTA: So that would probably be, if everything went --

MR. BLASS: The first week in December.

CHAIRPERSON LANZETTA: If everything went through ideally for the applicant, by the second meeting in December we would take final action. Right?

MR. BLASS: Right. So that would be a good date for a public hearing.

MS. FLYNN: 12/18.

MR. BLASS: You could do the first meeting.

MS. FLYNN: We can't do the first

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meeting for the public hearing.

CHAIRPERSON LANZETTA: Why?

MS. FLYNN: Because it is too close and I don't know if the -- I think the newspaper already closed it for this week. It wouldn't be in the newspaper for ten days for the first week in December.

CHAIRPERSON LANZETTA: Then we have plenty of time to send it up to County. That's fine.

Is this Board willing to have a public hearing on the second meeting in December?

MR. CAUCHI: I have no problem with that.

MR. CLARKE: That's fine.

CHAIRPERSON LANZETTA: We'll schedule the public hearing for the second Planning Board meeting. That is what date? December what?

MS. FLYNN: December 18th.

CHAIRPERSON LANZETTA: Does the Board have any other questions?

MR. CLARKE: No.

MR. LOFARO: No.

MS. FLYNN: Can I have another copy?

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MR. CORCORAN: I'll get you as many as you want tomorrow. I'm going to include the easement. By tomorrow you'll have the new copy with the easement to be sent to County Planning.

Thanks, Ron, for catching that. We missed that.

MS. FLYNN: Thank you.

CHAIRPERSON LANZETTA: Any other questions?

(No response.)

MR. CORCORAN: Thank you.

(Time noted: 8:00 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 4th day of December 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

BAYSIDE MIXED USE

Project No. 17-1024
18 Birdsall Avenue, Marlboro
Section 109.1; Block 4; Lot 29

----- X

SKETCH
SUBDIVISION & SITE PLAN

Date: November 20, 2017
Time: 8:00 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CINDY LANZETTA, Acting Chairperson
BEN TRAPANI
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
VIRGINIA FLYNN

----- X

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

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CHAIRPERSON LANZETTA: Lastly we have Bayside Mixed Use.

MS. FLYNN: They called me and said they didn't have all of their information back yet so they're postponing until they get their information back.

CHAIRPERSON LANZETTA: I think you all received the resolution that was passed by the Town Board saying that they are fine with this -- with us reviewing this as a combination residential and mixed use because they would entertain the commercial use of that property on 9W under the BC zone designation. So we can move forward as far as the zoning is concerned.

MR. CAUCHI: Can you elaborate on that?

CHAIRPERSON LANZETTA: Technically they came before us and -- the property is residential right now. It's residential 1. They want to take the lower portion and subdivide that out and make that commercial property.

MR. CAUCHI: Meaning storefronts up there?

CHAIRPERSON LANZETTA: Something.

MR. CLARKE: I thought it was mixed. I

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thought it was storefronts on the bottom and
apartments above.

CHAIRPERSON LANZETTA: They're calling
it mixed use right now. It will be commercial
either way. It will be partially commercial. In
order to do that the Town Board has to decide
whether that's in the business corridor zone
area. It does fall under the parameters that are
required for them to look at that, and they've
decided that that could be a good use for that
property.

MR. CAUCHI: Do they go to the Zoning
Board for that?

CHAIRPERSON LANZETTA: They went to the
Town Board for that because that's something the
Town Board is allowed to give them if they feel
that that's a good use for that property.

MR. CAUCHI: They override -- bridged
over the Zoning Board?

CHAIRPERSON LANZETTA: Yeah. They
don't have to go to the Zoning Board.

MR. CAUCHI: Okay.

CHAIRPERSON LANZETTA: We review both
of those applications, and then if we -- after

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we're done doing our due diligence and doing our environmental review, then finally that portion of the subdivision will have to go back to the Town Board and they will have to, in a sense, drop that zone down over that property. They still would have a final say as to whether or not that would become a business corridor property.

MR. CAUCHI: Okay.

CHAIRPERSON LANZETTA: We do pretty much the review of it.

MR. CAUCHI: Thank you.

CHAIRPERSON LANZETTA: Anything else?

(No response.)

CHAIRPERSON LANZETTA: So that's where we stand on that. It will be coming back before us when they have more information that they need for us to finalize the review.

Anything else?

(No response.)

CHAIRPERSON LANZETTA: Okay. Can I have a motion to close the Planning Board meeting?

MR. CAUCHI: I'll make a motion to close the Planning Board meeting.

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BAYSIDE MIXED USE

MR. LOFARO: Second.

CHAIRPERSON LANZETTA: All in
agreement?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRPERSON LANZETTA: Aye.

(Time noted: 8:03 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
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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 4th day of December 2017.

Michelle Conero

MICHELLE CONERO