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

----- X

In the Matter of

EIGHTY SIX WASHINGTON

Project No. 17-1015
1613 Route 9W, Milton
Section 103.3; Block 4; Lot 19

----- X

PUBLIC HEARING - SITE PLAN

Date: September 18, 2017
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: FRANK BOVA
NICHOLAS BOVA

----- X

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

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CHAIRMAN BRAND: I'd like to call the meeting to order with the Pledge of Allegiance to the flag of our country.

(Pledge of Allegiance.)

CHAIRMAN BRAND: Agenda, Town of Marlborough Planning Board, September 18, 2017. Regular meeting 7:30 p.m. Approval of stenographic minutes for 7/17, 8/7 and 8/21. Eighty Six Washington, 1613 Route 9W, Milton, New York, public hearing, site plan; Miller and Coppola, 111 & 107 Mahoney Road, Marlboro, streamline, lot line; Rod and Jack Gallagher, 98 Peach Lane, Marlboro, sketch, subdivision; Highland Pet Center, 131 Bailey Gap Road, Highland, sketch, amended site plan; Smith Subdivision, First Street, Marlboro, New York, sketch, subdivision; Anthony Bagatta, discussion, lot line revision, without the attorney, engineer or stenographer. Next deadline: Friday, September 22, 2017. Next scheduled meeting: Monday, October 2, 2017.

Do I have a motion to approve the stenographic minutes for 7/17, 8/7 and 8/21?

MR. CAUCHI: I'll make the motion to

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EIGHTY SIX WASHINGTON

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approve the stenographic minutes for 7/17, 8/7,
8/11.

CHAIRMAN BRAND: Do I have a second?

MR. CLARKE: Second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor,
say aye.

MR. CLARKE: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

All those opposed?

(No response.)

CHAIRMAN BRAND: Motion carried.

Before we begin, for the record I'd
like to add in that Members Clarke, Lofaro and
myself attended the Ulster County Land Use
Referral Guide and Community Design Manual
Professional Development. That was a two-hour
credit for each of us.

First up would be Eighty Six
Washington, public hearing.

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"Legal notice, site plan application.
Please take notice a public hearing will be held by the Marlborough Planning Board pursuant to the Town of Marlborough Town Code 155-12(h) and Chapter 155-31 on Monday, September 18, 2017 for the following application: Eighty Six Washington, LLC, 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 asking for a commercial site plan as part of a business corridor overlay on lands located at 1613 Route 9W, Section 103.3, Block 4, Lot 19. Any interested parties either for or against this proposal will have an opportunity to be heard at this time."

Would you like to just give us a brief overview of what the plan is?

MR. FRANK BOVA: Sure. We purchased the property at 1613 Route 9W. It was the former well drilling -- I guess it was a business.

We plan on having our construction company there. It's not open to the public. It's just basically for warehouse space and office space. Six office employees, one

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warehouse guy. Everything else is done in the field.

CHAIRMAN BRAND: This is a public hearing. If you're here for or against -- I'm sorry. The mailings. I told you I'd forget. How many went out and how many were returned?

MR. NICHOLAS BOVA: 33 total went out and 25 were received back.

CHAIRMAN BRAND: If you'd give those to the secretary, that would be great.

Any interested parties either for or against this project, please stand up and state your name for the record and you'll be heard.

MR. POPOLIZIO: Frank Popolizio, I'm at 26 Lyons Lane. We border the proposed site.

I'd just like to know, is the building going to be extended, the existing building?

MR. FRANK BOVA: Nothing is in the plans to do any extension to anything at this time.

CHAIRMAN BRAND: There is a map up on the table. If you'd like to take a look at it, you're more than welcome to come up and take a look.

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MR. HINES: Right now they are not proposing any changes to the site. Initially when they came before they had a concept to put an additional building in the back. That was withdrawn. They're only going to be utilizing the existing site as it looks today.

MS. POPOLIZIO: Also, there's a lot of woods behind our house. That's the only buffer we have. If you're planning to cut all those trees and put a parking lot there or bring machinery and employees and a lot of people, elements in and out.

MR. FRANK BOVA: I understand. Nope.

MS. POPOLIZIO: Not to mention it won't be worth a penny after that.

MR. FRANK BOVA: Yes, ma'am. No. We're not planning on doing anything like that. In fact, there's a four-wheeler trail that I believe --

MS. POPOLIZIO: Yes, it is.

MR. FRANK BOVA: -- these families use.

MS. POPOLIZIO: Awful.

MR. FRANK BOVA: It doesn't bother me.

MS. POPOLIZIO: It is on your property.

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I'm listening to it.

MR. FRANK BOVA: I understand.

MS. POPOLIZIO: All right. So you're not going to do anything?

MR. FRANK BOVA: No, ma'am. Not at all.

MS. POPOLIZIO: Okay. I'm going to come and get you if you do. Just saying. Thank you.

CHAIRMAN BRAND: Thank you.

Mr. Garofalo.

MR. GAROFALO: James Garofalo, 3 Young Avenue.

The building that's right by the road is part of the site?

MR. NICHOLAS BOVA: Yes.

MR. GAROFALO: Okay.

MR. HINES: It's the only building that they're proposing to be utilized.

MR. GAROFALO: This is a photograph, an aerial photograph from Google, of the site. What I would recommend is that -- this is a huge curb cut. It's an open curb cut. There are multiple driveways coming off of this curb cut. This is a

1 perfect example of where some access control is
2 needed. I think if they go to DOT and talk to
3 them, they would want access control. I am going
4 to suggest, though, that perhaps the Board can
5 ask the Town Board if this could be referred to
6 the DFJ who is currently doing a study on Route
7 9W and they need a good example of access control
8 that they can work on. Maybe they can give them
9 a concept plan that they can go to DOT with.
10

11 CHAIRMAN BRAND: Just so you know, the
12 project has been referred to State DOT and Ulster
13 County Planning Department. We have not heard
14 back from either of those agencies. It had been
15 referred to both.

16 MR. GAROFALO: Okay. Well I hope you
17 certainly will recommend that some curb cut
18 control be provided on the site. The plan --
19 this is such a small one, but if you look at
20 this, you blow it way up, you'll see where the
21 designated parking is which doesn't seem to agree
22 at all with the striping that's on the site.
23 Perhaps some better striping for the parking
24 would be needed to show exactly where they can
25 and can not park. I think that goes along with

1
2 part of designing the access control, because you
3 have a driveway here, you have -- what is this --
4 three different driveways over here, plus the
5 access to this building. This is basically a
6 perfect example of we need some access control.

7 MR. CLARKE: Of those driveways how
8 many are actually on this property? I mean how
9 many --

10 MR. GAROFALO: I would ask them to --

11 MR. CLARKE: He may not control the
12 other ones.

13 MR. HINES: The Board had before it
14 previously Empire Industries, the adjoining lot,
15 which went to DOT. We had those very same
16 conversations. DOT required minimal improvement
17 to that access at that time. Hopefully they're
18 taking a look at it now. The landscaping
19 business next door was before the Board probably
20 four or five months ago.

21 MR. GAROFALO: Other than that, I'm not
22 against the project, I would just like to see a
23 safer access to Route 9W, particularly since
24 there's going to be more vehicles coming in and
25 going out of here. I think it's important.

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MR. CLARKE: The one difference is DOT has already taken one lane out of that. They shifted everybody over one lane. The access is not as much as it used to be. It's going to be referred to DOT.

MR. GAROFALO: Basically you have an open curb cut from here to here between all these accesses, and defining whose driveway is where, I think it simplifies matters. I'm not saying you should necessarily cut off access between the sites, because again that's under the Planning Board's preview -- purview to retain access between parcels. Thank you.

CHAIRMAN BRAND: Thank you.

Anyone else for Eighty Six Washington, either for or against?

(No response.)

CHAIRMAN BRAND: No. I'd like to have a motion to adjourn the public hearing until the next meeting. Is there a motion to close the public hearing?

MS. LANZETTA: I'll make a motion to close the public hearing.

MR. LOFARO: Do we want to close it?

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MS. LANZETTA: Adjourn it. I'll make a motion to adjourn the public hearing.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: I'll second it.

CHAIRMAN BRAND: All in favor, say aye.

MR. CLARKE: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

MR. HINES: You're adjourning it until the next meeting?

CHAIRMAN BRAND: Until we receive --

MR. HINES: You need to do a date certain, otherwise they have to re-advertise.

MS. FLYNN: That's October 2nd.

CHAIRMAN BRAND: I believe that the original submission was made before -- County should have met on this previously I would think. I was just hoping --

MS. LANZETTA: I missed that meeting. I'm not sure.

CHAIRMAN BRAND: They certainly would have it by the second meeting in October. We

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should hear back from at least County by that date. We can adjourn it until the second meeting in October. Do you want to modify that motion?

MR. HINES: That's October 16th.

CHAIRMAN BRAND: October 16.

MS. LANZETTA: We'll adjourn until October 16th the public hearing.

CHAIRMAN BRAND: Ms. Lanzetta is amending her motion. Do we have a second?

MR. LOFARO: I will second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Do you want to run through your comments, Pat?

MR. HINES: Our comments are basically we haven't heard from the County and the DOT.

CHAIRMAN BRAND: Any comments from the Board?

(No response.)

CHAIRMAN BRAND: No.

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MR. LOFARO: I just have a question.
You asked about the containers.

MR. HINES: They have multiple overseas containers that are on the site. They're not permitted to be utilized on the site. It's a code enforcement issue. They need to address that as well. I think they are aware of it.

MR. FRANK BOVA: I spoke to code enforcement about it. I'm working on it.

MR. HINES: I think they're trying to agree on the timeframe is what I heard.

CHAIRMAN BRAND: Your goal is to have them removed; correct?

MR. FRANK BOVA: Correct.

CHAIRMAN BRAND: Okay. I think that we need to ask you to come back on October 16th and hope that we have the information from the County and the New York State DOT.

MR. FRANK BOVA: I need the SEQRA thing from you guys?

CHAIRMAN BRAND: Yes. That would be also at that meeting. We have to circulate the lead agency, to have ourselves be the lead agency. That would be when we get the County --

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the information back from the County.

MR. FRANK BOVA: That's the only thing holding the DOT permit. That's what he's requesting.

CHAIRMAN BRAND: Okay.

MR. FRANK BOVA: And the approval for the drawings. I'm just waiting for that. The DOT guy told me get that from you guys and then he'd stamp it, and then obviously the building permit before I do anything.

CHAIRMAN BRAND: I believe you have to wait -- Ron, is that correct, we have to wait until after we hear back from County before we do that?

MR. BLASS: Yes. Or thirty days, whichever is -- thirty days or until you hear from County, whichever is shorter.

CHAIRMAN BRAND: Okay.

MR. FRANK BOVA: So you guys will contact me when I'm ready to come get it?

CHAIRMAN BRAND: It will probably be done at that October 16th meeting.

MR. FRANK BOVA: Just come to the meeting and you guys will have that for me? I

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need that before I can get approved from DOT.

MR. HINES: We just need DOT's comments. After that meeting DOT will issue a highway work permit. By then we'll have DOT's -- what they want. After the Board makes it's SEQRA determination, they'll issue you the permits. There needs to be a little coordination between DOT in between now and then.

MS. BROOKS: Did you already make application to DOT?

MR. FRANK BOVA: Yes.

MS. BROOKS: It sounds like he has plans that you haven't seen.

CHAIRMAN BRAND: If you have things from the DOT that you haven't submitted --

MR. FRANK BOVA: It's submitted to them. He told me he would not approve them until he got the SEQRA.

MR. HINES: We'll follow up on that.

MR. NICHOLAS BOVA: Everything is to code. He said everything on this drawing was to code for him. He just needs to confirm it.

MR. FRANK BOVA: He asked the Town to explain the DOT hang up with regard to the SEQRA

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determination. He's just kind of waiting for that, so he says. I don't know. I've never done this before, guys.

MR. BLASS: If you're talking to the DOT, suggest that they send the lead agency consent form back to the Planning Board. They can request the consent that the SEQRA review be done by the Planning Board. I don't think they responded yet.

MR. FRANK BOVA: Okay.

MR. HINES: It's different people at the agency is the issue.

MR. FRANK BOVA: It could be.

MR. HINES: We'll coordinate with them in the meantime to make sure they're all talking to each other.

MR. FRANK BOVA: Thank you.

CHAIRMAN BRAND: Thank you.

(Time noted: 7:45 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 1st day of October 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

MILLER & COPPOLA

Project No. 17-1022
107 & 111 Mahoney Road, Marlboro
Section 103.1; Block 1; Lots 39 & 41

----- X

STREAMLINE - LOT LINE

Date: September 18, 2017
Time: 7:45 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
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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CHAIRMAN BRAND: Next up, Miller and
Coppola.

Pat's only comment was that we should
approve a negative declaration and resolution of
approval as prepared by Ron Blass's office. I do
have a SEQRA negative declaration and also a
determination of non-significance prepared by
Ron's office.

You have seen that document?

MS. BROOKS: I have not.

MR. BLASS: You also have a part 2
E.A.F. --

CHAIRMAN BRAND: Correct.

MR. BLASS: -- and resolution of
approval.

CHAIRMAN BRAND: In that order.

MR. BLASS: The batting order is part 2
E.A.F., approve that and authorize the Chairman
to sign it, then the negative declaration, then
the resolution of approval.

CHAIRMAN BRAND: Do I have a motion to
accept the short environmental assessment form,
part 2, impact assessment?

MR. CLARKE: So moved.

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CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: Second.

CHAIRMAN BRAND: All those in favor,
say aye.

MR. CLARKE: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

So carried.

I have a SEQRA negative declaration,
notice of determination of non-significance
prepared by Ron Blass's office.

Jen, would you please poll the Board?

CHAIRMAN BRAND: Chairman Brand? Yes.

Truncali is not here.

Trapani not here.

Member Lanzetta?

MS. LANZETTA: Yes.

CHAIRMAN BRAND: Lofaro?

MR. LOFARO: Yes.

CHAIRMAN BRAND: Cauchi?

MR. CAUCHI: Yes.

CHAIRMAN BRAND: Clarke?

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MR. CLARKE: Yes.

CHAIRMAN BRAND: I also have a resolution of approval by the Town of Marlborough Planning Board. I'll poll the Board.

Chairman Brand? Yes.

Member Lanzetta?

MS. LANZETTA: Yes.

CHAIRMAN BRAND: Truncali is not here.

Trapani is not here.

Lofaro?

MR. LOFARO: Yes.

CHAIRMAN BRAND: Clarke?

MR. CLARKE: Yes.

CHAIRMAN BRAND: Cauchi?

MR. CAUCHI: Yes.

CHAIRMAN BRAND: So moved. I believe you are all set.

(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
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 1st day of October 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

ROD & JACK GALLAGHER

Project No. 17-1023
98 Peach Lane, Marlboro
Section 95.4; Block 3; Lot 13

----- X

SKETCH - SUBDIVISION

Date: September 18, 2017
Time: 7:48 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

----- X

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CHAIRMAN BRAND: Next up, Rod and Jack
Gallagher, sketch, subdivision, 98 Peach Lane,
Marlboro.

Is that you too, Patti?

MS. BROOKS: It is.

CHAIRMAN BRAND: Excellent. Would you
like to give us a brief overview?

MS. BROOKS: Absolutely. I actually
initially submitted the map before the survey was
totally complete, which hence Pat's comments. Hot
off the press today we have a two-lot subdivision
which is going to be split by Peach lane. Lot
number 1 will be 35.65 acres located on the
westerly side of the road. It's currently
improved with a dilapidated residence, a barn
that's in pretty good shape. There's a proposed
purchaser that's going to construct a new home,
or purchase it and then construct a new home.
Lot number 2 will be all the lands on the
easterly side of Peach Lane, which are 50.70
acres. Those are to be retained by the
Gallaghers.

I did notice when we were doing the
survey that there are a couple of subdivisions up

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and down the road that call Peach Lane just a 33 foot wide right-of-way. We're creating a 50-foot wide right-of-way, much like we did on the one that we just did for the Young Estate on Milton Turnpike. We're creating the lot lines 25 feet off the center line of Peach Lane in either direction. I will be able to have the survey plat submitted by the deadline this Friday.

CHAIRMAN BRAND: Pat, did you have anything else?

MR. HINES: No. We're just looking for the survey, the metes and bounds and the roadway dedication strip.

Ron will need some information on the offer of dedication as we move forward.

Once we get that survey I think it will qualify as the streamline lot line change with the dedication parcel.

CHAIRMAN BRAND: Ron, do you have anything else?

MR. BLASS: No.

CHAIRMAN BRAND: Anything from the Board?

MR. CLARKE: This is a parcel that's

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been vacated for fifteen years now.

MS. BROOKS: Almost twenty years.

MR. CLARKE: A beautiful home was there. It's disappointing to watch it go down.

MS. BROOKS: Very.

MR. CLARKE: This is probably the most logical thing to do with it so they can move on to a new life. Maybe they will combine their two farms. It's a very logical thing to do. I'm glad to see it.

MS. BROOKS: Basically you've got Paradise Valley Orchards is the farming property to the south. It would be nice if that 50 acre piece in between was also farmed.

MR. CLARKE: And it would make logical sense for them to do it.

MS. BROOKS: Yes.

CHAIRMAN BRAND: Okay. Anything else?

(No response.)

CHAIRMAN BRAND: I think the next step would be to plan a public hearing for this.

MR. HINES: It doesn't need one. We just need the survey information. It would be a streamlined lot line change once we get the

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information.

CHAIRMAN BRAND: We'll just go ahead and do that for the next --

MR. HINES: I'm sorry. It's a subdivision. Because of the roadway in the center it is two resulting lots. That is true.

CHAIRMAN BRAND: That's considered a subdivision and requires a public hearing.

MS. BROOKS: I thought when you had done the streamline process that you considered also splitting either side of the road as --

MR. LANZETTA: We did not.

CHAIRMAN BRAND: So we can schedule that for October 2nd? Is that the next date?

MR. HINES: You won't make that.

MS. FLYNN: You won't have enough time.

CHAIRMAN BRAND: October 16th.

MS. BROOKS: I'll have the survey in by this Friday, which is --

MR. HINES: That's fine. It's a pretty generic application. The road is already splitting the parcel.

CHAIRMAN BRAND: You have to do the mailings and everything. We'll go to October

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16th.

MS. BROOKS: We don't have enough time
to get it in for October 2nd?

MS. FLYNN: No.

CHAIRMAN BRAND: She's saying no. I
believe her. We'll put you on the agenda for
October 16th. Thank you.

MS. BROOKS: Thank you.

(Time noted: 7:52 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 1st day of October 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

HIGHLAND PET CENTER

Project No. 17-1014
131 Bailey Gap Road, Highland
Section 95.4; Block 1; Lot 18.2

----- X

SKETCH - AMENDED SITE PLAN

Date: September 18, 2017
Time: 7:52 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: CARL DUBOIS

----- X

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

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CHAIRMAN BRAND: Next up, Highland Pet Center.

Do you want to give us a quick overview again? I think we're relatively familiar with the project.

MR. DUBOIS: Basically it's an existing kennel system and they want to add on to the south wing an additional fourteen kennels. It's strictly for dogs. It's a single-floor kennel.

I think we've satisfied all of the concerns that Pat has written me.

We've handed in the ZBA determination. I actually took it right out of the book with the signature and all -- Jack's signature on it.

Other than that, we're basically asking -- I think it's time for a public hearing.

CHAIRMAN BRAND: Okay. Pat, do you have anything?

MR. HINES: The major issue, I don't think we heard back from County Planning yet on this one either. We're awaiting that. The plans do need to go to the County. There was supposed to be additional lighting. The parking calculations and lighting were to be added to the

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plans. It does need a public hearing. It does need to go to County Planning.

CHAIRMAN BRAND: Ron, do you have anything?

MR. BLASS: We have to send the notice of public hearing both to County Planning and to the adjacent town.

MR. HINES: Highland.

MR. BLASS: Town of Lloyd.

MR. HINES: Town of Lloyd, yup.

MR. BLASS: That's special for the location of this project.

CHAIRMAN BRAND: It's right on the town line.

Do we think that the October 16th date would work for all of those items as well?

MR. HINES: I don't have a problem with that. I don't know how long County -- if you send it now, County Planning would have it by the first week in October to look at it. You may have their submission back as well.

CHAIRMAN BRAND: We'll go ahead and put you on for a public hearing on October 16th. Just get the information from Jen. Hopefully

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we'll be good on that date. Thank you.

MR. DUBOIS: Thank you.

(Time noted: 7:55 p.m.)

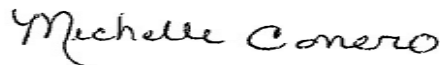
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MICHELLE CONERO

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

----- X
In the Matter of

SMITH SUBDIVISION

Project No. 17-1017
First Street, Marlboro
Section 103.1; Block 4; Lot 47.130

----- X

SKETCH - SUBDIVISION

Date: September 18, 2017
Time: 7:55 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: MICHAEL LYNCH

----- X

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CHAIRMAN BRAND: Next up, Smith
Subdivision, First Street, Marlboro.

MR. LYNCH: My name is Mike Lynch, I'm
representing the applicant, Smith. I'm from
Engineering & Surveying Properties.

What we have here is a five-lot
proposed subdivision. As part of the subdivision
we'll have individual wells and septic on each
lot. I understand that there is a water district
boundary that does cross through the lots. Two
of the proposed lots would fall in that boundary.
We did hear from someone at the water district
that said there's no law requiring that we have
to tie in, so we are going to propose wells at
this time.

CHAIRMAN BRAND: Did you receive a
letter from --

MR. LYNCH: No. If you need something
in writing we can --

MR. HINES: We're going to need that.

MR. LYNCH: We have it verbal. We'll
get something in writing.

Another aspect is we are providing a
right-of-way dedication with a T turnaround here.

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The T turnaround will also provide access to the first three lots in the proposed subdivision.

CHAIRMAN BRAND: Pat, did you want to run through your multiple comments?

MR. HINES: The applicants have apparently met with the highway superintendent regarding the T turnaround. I saw some comments that he has. We'll need the highway superintendent to weigh in on the proposed T turnaround and offer of dedication.

Following that, offers of dedication will need to be submitted to Ron Blass's office for review.

There's a note on the wall. Lot 2 has a retaining wall proposed. That note should be modified to require a building permit for walls over four feet in height.

This project was before Ulster County as I think an eight-lot subdivision at one point. They did review some wells and septic systems but I believe they want to re-review based on the modified lot lines and the change from town water to wells. That needs to go back to Ulster County Health Department to confirm the septic systems

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and wells.

The septic systems on this plan just note previously approved and the County reviewing them. We're suggesting the septic system information be added to the plans. The septic tanks, the fields and septic design, there's no information on these plans. The information is just not there.

Comments from the jurisdictional fire department should be received. That's a repeat comment I believe.

They're requesting a waiver from the Planning Board of the length to width ratio. You have I think two-and-a-half to one length to width ratio in your zoning ordinance to keep lots from being re-subdivided into flag lots. The lot geometry of this parcel isn't real conducive to re-subdivision. We're suggesting the Board consider to add a note stating that no further subdivision of the lots will be allowed to prevent someone from coming back and trying to subdivide off the back of one of these parcels. The lot area and lot geometry aren't conducive for that to happen. That will cover that if the

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Board is willing to waive that.

Details of the septic system need to be added, which I just discussed.

A survey sheet should be provided. There's no metes and bounds.

MR. LYNCH: We'll provide a survey sheet. That will also include the dedications of the roadway.

MR. HINES: We're looking for correspondence from the water department. That was just mentioned. There is a reference to a conversation with the water department and a cover letter but we're going to need documentation.

There's a small what they're calling a turnoff area located at the driveway for lot 4 along First Street. I think there's a little road widening proposed there. We need details for that. Also to have Gail confirm that he's okay with that to be accomplished there. I think it's to allow emergency vehicles to pull off and pass each other should there be an incident on First Street with any of these new houses. The jurisdictional fire department can weigh on that

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as well.

Timing of the construction for the municipal improvements, the T turnaround and the turnoff that I just spoke about should be addressed in any resolution of approval. Those should probably be done or bonded prior to the maps being signed.

Then the amount of disturbance on the grading plan. There's some drainage on the site in a generally northeast direction. Each of the driveways has a series of culverts that are allowing the water to pass through but it does all continue across the site onto the adjoining property it looks like. We're looking for that ultimate discharge.

I do recall being out on the site many years ago. I think there's a ditch or a stream on the adjoining property.

MR. LYNCH: Yes. On the adjoining property there's a pretty large defined swale.

MR. HINES: Just show that.

MR. LYNCH: We can increase the existing topography.

MR. HINES: I think when we walked it

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there's --

MR. SMITH: There's a big swale and it ends up heading to the street eventually.

MR. HINES: Ron handed me a note from Gael dated September 8th. The proposed driveways on First Street have adequate sight distance. As the subdivision moves forward I need to see a drainage proposal, which we were just discussing, as the building sites are elevated off the roadway. Also the applicant's hammerhead turnaround and traffic pull off has to be shown. It looks like Gail is okay with the hammerhead and pull off. He's looking to see the same drainage comments.

The amount of disturbance to make sure you're in compliance with the Town's and DEC's stormwater regs. The Town has a smaller limit of disturbance for implementation of stormwater management. We'll need that addressed as well.

MR. LYNCH: Okay.

CHAIRMAN BRAND: Are you comfortable with the no further subdivision note added to the lot?

MS. SMITH: Yes. There's a 100 foot

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right-of-way through there, Central Hudson power lines on the back side of the property. You couldn't doing anything anyway.

In meeting with Charlie McJay, he called Ross and said there's no law requiring the hook up even if you're in the district. He said he has no problem with those two lots on the bottom side that are close to the hydrant. He has no problem if they hook up or don't hook up.

In meeting Gael on the site, he liked the idea of the pull off. The roads are narrow and it's like predating zoning type subdivision from the '50s. He said anything that widens the street and makes it easier.

Once again, the hammerhead topo -- cul-de-sac was because of topo reasons. First Street does continue on paper back up to Sherman Drive.

MR. HINES: It physically does.

CHAIRMAN BRAND: Ron?

MR. BLASS: You might want to get a start on title work because there's a dedication of public roads. Hopefully there's clear title, no mortgages, et cetera.

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MS. SMITH: No.

MR. BLASS: Even if the two parcels are not hooked up to public water they still have to pay the benefit assessments.

MR. SMITH: The one that's completely in?

MR. BLASS: Yeah. Well the one that's completely in should be paying a benefit assessment. The one that's partially in should be paying a portion. The tax assessments don't go away if you don't connect. That's the point.

MR. SMITH: I guess it would be up to the homeowner.

CHAIRMAN BRAND: Would that also put them in that tax district and they pay for the services?

MR. BLASS: They're in a taxing district now, the water district. There should be a line item on the tax bill now for benefit assessment, water assessment. So that keeps going forever until the debt is paid.

CHAIRMAN BRAND: Regardless of whether they're hooked in or not?

MR. BLASS: Regardless.

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CHAIRMAN BRAND: Just for my own personal inquiry, is there a way if you sign off that you're not going on to that, can they get out of that somehow?

MR. BLASS: No.

CHAIRMAN BRAND: Anything from the Board?

MS. LANZETTA: There is no -- where is the closest hydrant?

MR. SMITH: Directly --

MR. HINES: Right on the corner.

MR. SMITH: -- right across the street. It's very close.

MR. HINES: Across from lot 5's driveway.

MS. LANZETTA: Is there an actual line that runs --

MR. SMITH: The line is on the other side of the street. It runs to that fire hydrant. I'm not sure if it loops back down First Street. I'm not sure where the line goes from the hydrant. It's directly across from the property there.

MS. LANZETTA: Okay.

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MR. HINES: The subdivision over the last decade has been before the Board with Town water.

MR. SMITH: We initially proposed Town water but they wanted it looped through the thing. The cost was astronomical so we went back to wells before our conditional approval but we never filed that.

MR. HINES: They lost three lots in the process.

MR. SMITH: Yeah. This is a much better subdivision anyway.

CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: It sounds as though you have some work to do and you can come back, hopefully for the second meeting.

MR. LYNCH: Okay. We'll respond to the comments and see you at the next meeting.

CHAIRMAN BRAND: Great.

(Time noted: 8:04 p.m.)

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