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

----- X

In the Matter of

PAUL GLADMAN

Project No. 18-2007  
107 South Street, Marlboro  
Section 108.58; Block 10; Lot 1

----- X

PUBLIC HEARING - LOT LINE CHANGE

Date: October 1, 2018  
Time: 7:30 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
BEN TRAPANI  
CINDY LANZETTA  
JOSEPH LOFARO  
MANNY CAUCHI

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

APPLICANT'S REPRESENTATIVE: PAUL GLADMAN

----- X

MICHELLE L. CONERO  
PMB #276  
56 North Plank Road, Suite 1  
Newburgh, New York 12550  
(845)541-4163

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PAUL GLADMAN

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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, October 1, 2018. Regular meeting 7:30 p.m. Approval of stenographic minutes for August 20th. On the agenda, Paul Gladman, public hearing, lot line, 107 South Street, Marlboro; Marlboro on Hudson, open public hearing for site plan at Hudson Circle, Marlboro; a discussion without lawyer, engineer or stenographer, Arapahoe Trail, Marlboro. Next deadline: Friday, October 5th. Next scheduled meeting: Monday, October 15th.

I'd like to have a motion to approve the stenographic minutes for 8/20.

MS. LANZETTA: I'll make that motion to approve the minutes.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: I'll second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All in favor?

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PAUL GLADMAN

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MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So moved.

First up, Paul Gladman, public hearing,  
lot line.

"Legal notice, lot line revision application. Please take notice a public hearing will be held by the Marlborough Planning Board pursuant to Town of Marlborough Town Code 134-33 on Monday, October 1, 2018, for the following application: Paul Gladman, 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 to merge four lots into one for lands located at 107 South Street, Marlboro, New York 12542, Section 108.58, Block 10, Lot 1. Any interested parties either for or against this proposal will have an opportunity to be heard at

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PAUL GLADMAN

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this time. Chris Brand, Chairman, Town of  
Marlborough Planning Board."

Mr. Gladman, did you send out the  
mailings?

MR. GLADMAN: Yes, sir.

CHAIRMAN BRAND: How many were sent out  
and how many were returned, and do you have them  
here?

MR. GLADMAN: I don't have them here  
with me. I sent out I believe twenty-two.

CHAIRMAN BRAND: Do you know how many  
were returned?

MR. GLADMAN: About seven.

CHAIRMAN BRAND: We're going to need  
those. Just give those to the secretary.

MR. GLADMAN: Yes, I will.

CHAIRMAN BRAND: Do you want to just  
give us a brief overview before I open the public  
hearing?

MR. GLADMAN: I don't want to make any  
changes on the plan. I'm not doing anything  
structural. My house sits on four parcels when I  
first bought it. I thought when I bought it they  
changed. I'm paying taxes for four separate

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PAUL GLADMAN

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parcels instead of just one. I want to make my house on one parcel instead of four.

CHAIRMAN BRAND: Okay.

MS. LANZETTA: Do we have a map?

MR. HINES: It's small.

MS. LANZETTA: Can we put it out so if anybody wants to take a look at it?

CHAIRMAN BRAND: This is a public hearing. Any interested parties either for or against, or any questions, have an opportunity to speak at this time.

Please just state your name for the stenographer, sir.

MR. SZADY: I'm Jim Szady. We own the last house on Five Star Drive. There's a -- the driveway going up has got egress and ingress for the five houses that are there. The lot that Paul wants to add to his or combine, the driveway goes through that. The only thing we're interested in is that that egress is not eliminated.

MR. GLADMAN: Are you talking about on the other side?

MR. SZADY: Our driveway going up to the house.

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PAUL GLADMAN

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MR. GLADMAN: Okay.

MR. SZADY: We've got a map of the property if you want to look at it.

CHAIRMAN BRAND: Sure. We have one here as well. Hopefully they match up.

MR. SZADY: Excuse me?

CHAIRMAN BRAND: We have one here as well. Hopefully they match up.

MR. GLADMAN: Show me.

MR. HINES: These are the four we're talking about right here.

MR. SZADY: He wants to -- this is my house. He wants all the way up to number 7?

MR. GLADMAN: No. That's not correct.

MS. SZADY: You don't want to --

MR. HINES: This is lot 4.

MR. GLADMAN: No, I'm not trying to do anything across.

MR. HINES: 1, 2, 3 and 4. 1, 2, 3 and 4 are being combined. The house right now spans lots 3 and 4. Those all become one lot rather than the four bowling alley type lots that are there now. That's the only change.

MR. SZADY: Okay. We were only

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PAUL GLADMAN

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interested that this stay open.

MR. HINES: That's not the subject of  
this.

MR. SZADY: No pros or cons.

MR. GLADMAN: Yes.

MS. SZADY: You didn't put the trees  
in?

MR. GLADMAN: No.

MR. SZADY: I've got no --

MR. HINES: No issues?

MR. SZADY: As long as the driveway --

MR. GLADMAN: No. No changes. No  
changes.

MR. SZADY: Okay. Thank you much.

CHAIRMAN BRAND: Thank you.

Mr. Garofalo.

MR. GAROFALO: James Garofalo. I didn't  
see a copy of the site plan on the website. I  
hope that in the future these will be put up on  
the website prior to the public hearing. I  
looked at it.

Thank you very much.

CHAIRMAN BRAND: Thank you, Mr.  
Garofalo.

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PAUL GLADMAN

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Any other comments, questions?

(No response.)

CHAIRMAN BRAND: Any comments or questions from the Board?

(No response.)

CHAIRMAN BRAND: No. I'd like to have a motion to close the public hearing.

MR. CAUCHI: I'll make that motion.

CHAIRMAN BRAND: Manny makes the motion. Is there a second?

MR. TRAPANI: Second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

The public hearing is closed.

You have before you, as prepared by Ron Blass, a SEQRA negative declaration and notice of determination of non-significance for the application of Paul Gladman and Dawn Gladman.



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PAUL GLADMAN

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Jen, would you poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Truncali?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lanzetta?

MS. LANZETTA: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

MS. FLYNN: Member Clarke?

CHAIRMAN BRAND: Absent.

You also have before you a resolution of conditional approval by the Town of Marlborough Planning Board for lot line consolidation for the application of Paul Gladman and Dawn Gladman.

Jen, would you poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Lanzetta?

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PAUL GLADMAN

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MS. LANZETTA: Yes.

MS. FLYNN: Member Truncali?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

CHAIRMAN BRAND: So moved.

Thank you, Mr. Gladman.

MR. HINES: We need those certified mailings turned in to the Planning Board office.

MR. GLADMAN: I'll bring them in.

CHAIRMAN BRAND: As soon as possible.

(Time noted: 7:35 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 9th day of October 2018.

*Michelle Conero*  
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MICHELLE CONERO

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

----- X

In the Matter of

MARLBORO ON HUDSON

Project No. 18-2008  
Hudson Circle, Marlboro  
Section 108.12; Block 8; Lot 23

----- X

OPEN PUBLIC HEARING - SITE PLAN

Date: October 1, 2018  
Time: 7:35 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
BEN TRAPANI  
CINDY LANZETTA  
JOSEPH LOFARO  
MANNY CAUCHI

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

APPLICANT'S REPRESENTATIVE: ANDREW FETHERSTON

----- X

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CHAIRMAN BRAND: Next up, Marlboro  
on Hudson, open public hearing, site plan,  
Hudson Circle.

I'd like to have a motion to reopen the  
public hearing on this.

MS. LANZETTA: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: I'll second it.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

MR. FETHERSTON: Good evening, Mr.  
Chairman. The drawings that I just put up are  
exactly the same as what I showed you last time.  
We've made no changes to the drawings.

We did respond to the public comment  
that was made at our last attendance at the  
public hearing. We provided all of that to your  
engineer and to your clerk. We can see if there

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are any additional comments or any questions on what we've provided.

CHAIRMAN BRAND: I know one of the big outstanding questions brought up was the matter of drainage. I know you and our engineer were out in the field. Do you have some reporting to do on that?

MR. FETHERSTON: One of my engineers, who actually is here, and one of your town engineer's staff was out there as well during a deluge. It really came down. I went out there the next day when the hurricane/tropical storm supposedly was coming through. It was raining in Orange, it wasn't raining in Ulster. I didn't really get a good look myself. The day that we did have that rainstorm, say about a week ago or so --

MR. HINES: The 25th. September 25th my office and Andrew's office went out. We did find some very concerning issues but they didn't relate to this project. The property north of this project has been filled substantially. The rainfall was impacting that fill. It was draining in an easterly direction and impacting the

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properties that we heard from. There actually was no discharge during that heavy rainfall from this site. The pipes were dry, the detention ponds were functioning as designed even though they're going to be enlarged for this project. There was a significant issue brought up by the residents but not as part of this project.

The town code enforcement officer has issued stop work orders and I believe violations on that property. Those folks are going to be in to see you for a remediation plan in the near future.

The comments from the public were great but they weren't pertinent to this project, they're on an adjoining property impacting their properties.

CHAIRMAN BRAND: Just to clarify, I know you showed us photos previously, the discharge pipe that's coming from the Hudson Circle property had little to no discharge?

MR. HINES: It had no discharge the day of that rain. I think there was two inches of rain that day.

CHAIRMAN BRAND: All the rest of it was

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coming from --

MR. HINES: It was coming down Anna Place. There was a significant amount of rainfall coming down Anna Place into those parcels as well as coming off the parcels to the north of here. That fill material was being transposed by the runoff water into what used to be a channel through there but is now a quagmire. My guys came back with mud up to their knees trying to take the photos.

CHAIRMAN BRAND: Thank you. Anything else on that?

MR. FETHERSTON: Absolutely not.

CHAIRMAN BRAND: This is a public hearing. All parties interested either for or against will have an opportunity to speak. I would ask that we try and look at new things, not the things that we discussed last time. We did hear your issues last time. If you have additional concerns or new people that are here, please feel free to stand, state your name for the stenographer and you'll be heard.

Mr. Garofalo.

MR. GAROFALO: James Garofalo. I just



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want to bring up one specific item. In the September 27, 2018 letter from Maser, on page 2 of 3 it says, "According to the Institute of Transportation Engineers there is no distinction between trip generation for two-bedroom and three-bedroom units." This in a way defies logic. Also, when you look at the FHWA report which looks at trips versus people and trips versus cars, the more people, the more cars you have, the more trips there are going to be. So this defies a bit of logic.

To understand what ITE does, they take a lot of studies, residential, commercial, et cetera. With the residential they disaggregate it into single family. They separate out multi-family, low, medium and high rise. They do not disaggregate it into the number of bedrooms. Part of that is because when you go out and you want to do one of these studies it's very easy to say oh, all the units in this development are single-family houses, all these units in this development are low-rise houses. This is very obvious. To find out how many bedrooms

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there are and actually report that in the information is generally not done. They have not disaggregated the data for two and three-bedroom units. I just wanted to clarify that this is not what ITE is saying. What they're doing is they're just not disaggregating the data so that you can tell the difference between two and three-bedrooms units.

Now, with this particular project there are so few units here that in terms of traffic capacity, in terms of traffic, this really doesn't make any difference, okay, whether they are two or three bedrooms. It would be a very minor difference. I wanted the Board to be aware because in the future there may be a larger project and I don't want them to think that this statement is true, met very often when you have larger projects it will be a mixture of different types. There again, that causes a problem for people who are doing the surveys because they no longer can disaggregate between two, three, one bedroom, studio apartments,

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et cetera. So even though this statement I don't believe is accurate in terms of what they are trying to say, which is there's no difference in the traffic, essentially that's a reasonable statement to say. Thank you.

CHAIRMAN BRAND: Thank you, Mr. Garofalo.

Mr. Brooks?

MR. BROOKS: Dan Brooks. Did we get the new filings with the State Attorney General in reference to the change of the two to three bedroom that we discussed at the last meeting? I thought there was supposed to be some new filings and new paperwork along with the information for the condo association.

MR. FETHERSTON: I don't have that.

MS. LANZETTA: The offering. When Mr. Moriello was here to talk about the offering and any homeowners association agreements, and we were curious about those legal documents and the status of those. We were under the impression you were going to get some information on that.

MR. FETHERSTON: I don't know anything about any --

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MR. RUSSO: It's in process. That's all, it's just in process. Those changes are being made. It has to be submitted to the Attorney General once all of the new information is submitted and put into the offering plan, and then from there it takes whatever time it takes.

MR. BROOKS: So construction can't begin until that process is completed, or can they continue with construction while it's in the process?

MR. RUSSO: My understanding of the process is once it's submitted in completed form, it should take about two to three months to get that because all it is is an update.

CHAIRMAN BRAND: Ron, do you have anything on that?

MR. BLASS: No, I don't.

CHAIRMAN BRAND: Okay.

MR. BROOKS: So we don't have an answer to that? The process is not done; correct?

The other question is more to the Town Board, because the comment was made in all fairness to those who purchased the condo -- the ones that purchased so far, everything else is

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being rented right now, and the neighbors. How does the Town -- in fairness to homeowners paying exorbitant taxes for school and property, how does the Town assess the condos? In other words, will a three-bedroom condo be assessed more than a two-bedroom condo? Obviously it's a higher market value, a three-bedroom condo. If so, has it been reassessed or when will it be reassessed? Anybody on the Town Planning Board, do you know how we tax those condos?

CHAIRMAN BRAND: I don't. I'm sure we can find that information out from the tax assessor.

MR. RUSSO: I can give you an answer that I received, because I was at the assessor's this past week getting the information. As long as the footprint of the building is not changed, the assessment does not change. Bedrooms don't matter.

MR. BROOKS: From my research the assessment is based -- in New York State is based upon the rental value of the unit. If the rental value of a two-bedroom is 1,400 and a three-bedroom is 1,800, therefore the taxes go up

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thirty percent. Can you clarify it? That's how New York State runs it is my understanding.

CHAIRMAN BRAND: I will certainly look into that from the assessor.

MR. BROOKS: One of the neighborhood concerns are obviously there's more kids. I mean I'm spending \$12,000 for school taxes and property taxes. I think most of that is school taxes. Are you, in fairness, charging them for a three-bedroom condo at the same price? In the neighborhood we look down upon that, that there's not fairness in the tax of a condo versus a house. Maybe you don't know that but I'll check with the assessor on that.

CHAIRMAN BRAND: Anything else?

MR. BROOKS: Who is the owner of the property right now?

CHAIRMAN BRAND: What was the question?

MR. BROOKS: Who is the owner of the property right now?

MR. TURTURRO: That would be Highland Avenue of Marlboro, LLC of which I'm a member.

MR. BROOKS: I want to be clear about one more thing. I was told that after X amount

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of years with private land, if they didn't finish the project, when they're going to finish it that the whole process has to start all from scratch like a brand new project. I'll ask the Planning Board, has that been the case?

MR. HINES: Yes.

MR. BROOKS: Has it been started from the beginning?

CHAIRMAN BRAND: That's why they're here now. If the old approval existed they wouldn't have a need to come here today.

MR. BROOKS: Okay. That's it for now.

CHAIRMAN BRAND: Thank you.

Anyone else?

(No response.)

CHAIRMAN BRAND: No? Going once.

MR. BROOKS: If and when this finally comes through, any changes with the Attorney General, would there be a probability that a public hearing will be held again for people to comment if there's any changes? If there's not, I can understand.

CHAIRMAN BRAND: I don't think that it would precipitate a new public hearing unless

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something drastic came through from the Attorney General's office.

Ron?

MR. BLASS: No, it would not generate another public hearing.

CHAIRMAN BRAND: Right. Anything else?

(No response.)

CHAIRMAN BRAND: Questions or comments from the Board?

MS. LANZETTA: I'm just trying to get clarification for my own edification. This is really the first condo project that I've been involved in. I've been trying to do some research on offerings and homeowners agreements and associations and that kind of thing.

I'm wondering how much of that -- for instance with the pool -- let me use the pool and the clubhouse as an example. With some homeowners associations, once all of the units are sold it becomes their responsibility to build the pool and the clubhouse, but then there are other ones where the developer does it, but that gets complicated because it's like who actually owns it and who is going to manage it.



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My question is as a Planning Board Member is my responsibility just to make sure that on the site plan there is a place where it can go and, you know, that it's a part of that possible future development and that's all my responsibility is to this process?

MR. BLASS: I would agree with that.

MS. LANZETTA: Pardon me?

MR. BLASS: I would agree with that.

MS. LANZETTA: You would agree?

MR. BLASS: That's where your responsibility lies.

MS. LANZETTA: I don't have to take into account how it's ever going to come --

MR. BLASS: There will be an offering plan developed by the project sponsor. It will have to go to the Attorney General for approval. It happens all the time. That's where all these issues will be ironed out.

CHAIRMAN BRAND: We did discuss phasing and the possibility of some type of bonding phase at the last meeting.

MR. BLASS: I think that the units that are there now are getting old and there might be

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an offering plan with two different sets, set A being the existing units built and sold ten years ago and set B being the new units, and different obligations are attached to each set, if that makes sense.

CHAIRMAN BRAND: Mm'hm'.

MS. LANZETTA: But we write that into the conditions?

MR. BLASS: No. That would be offering plan stuff.

MS. LANZETTA: Again, we don't take that into consideration?

MR. BLASS: I would not.

MS. LANZETTA: Okay.

MR. BLASS: I think yours is a nuts and bolts planning exercise and a SEQRA exercise. I see that the applicant is supplementing the SEQRA record on the issues of impact on traffic, impact on sewer, impact on schools and impact on water. It's a public water and public sewer project. I think that most of their reservation of sewer and water capacity has yet to be paid by the developer -- by the initial developer.

CHAIRMAN BRAND: So their initial

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phasing hasn't been paid. Is that what you're saying?

MR. BLASS: That would be more of an exercise for the supervisor to figure out and the Town Board. There are contracts reserving a certain sewer capacity and a certain water capacity. There's reserve capacity fees that attach to those agreements.

CHAIRMAN BRAND: Okay.

MS. LANZETTA: Again, in our regular approval process we do always stipulate that all of the pertinent fees and everything have to be paid before the maps are signed.

MR. BLASS: I agree. I would write in that the contracts need to be by performance of the developer. The developer needs to perform the contracts as well, which includes the reservation of capacity fees, payment thereof. Also I think we're talking about conveyance of a water line through the project --

MR. HINES: Yes.

MR. BLASS: -- which the initial developer did not want to convey and held out -- held back. I think this developer would love to

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convey it, which is good.

CHAIRMAN BRAND: Anything else from the Board? Yes.

MS. BODINE: Suzan Bodine, 10 Anna Place. I have a question. Could you clarify, are those units rented or owned, the ones that are currently there?

MR. TURTURRO: They're owned.

MS. BODINE: They're all individually owned by families, not the people -- not Marlboro of Hudson?

MR. TURTURRO: No. I don't know who they were sold to. Independent people.

MS. BODINE: So they were all sold?

MR. TURTURRO: They were all sold.

MS. BODINE: Because you've had quite a few turnovers, meaning that for sale signs go up. I thought Mr. Brooks said someone rented.

Is that what you said, Mr. Brooks?

MR. BROOKS: That's my understanding.

UNIDENTIFIED SPEAKER: They rent from the owner.

MR. TURTURRO: They're not renting from us.

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UNIDENTIFIED SPEAKER: They're not renting from you, they're renting from the owner.

MR. TURTURRO: After they were sold, I don't know what --

MS. BODINE: So once they're sold the owner can turn around and rent them?

MR. HINES: Yes.

MS. BODINE: Even though all the units were done and all of them sell? What happens if you build them and they don't sell? Are you renting them?

MR. TURTURRO: When we originally went live -- you have to have eight sold to go live. You have to have eight in contract with the Attorney General before you can sell your first one. So eight were sold and we went live and we sold the eight. We put up the first four-unit building first and then the next building came after that. So we had contracts on eight. We sold those eight and later sold the remaining four. What happened after that I couldn't tell you, what the owners did, if they lived there for awhile and rented them. There's one gentleman there, Joe Maloney, who has been there for a long

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time. He was living up here and living in Florida. He just decided to live in Florida full time and I think he sold his unit. I just knew him socially.

MS. BODINE: What I'm asking is so you're going to -- I believe last time you were here you were going to piecemeal the project, just do certain buildings first and then phases -- not piecemeal. So you're saying that -- let's say the first eight, you're hoping those will be sold prior to you building them?

MR. RUSSO: No, no. They're going to go on -- they are going to go up in construction and then they're going to go on the market for sale.

MS. BODINE: What happens if they don't sell? Let's say the eight units, are you going to rent them?

MR. RUSSO: I don't know that we can rent them. Part of the offering plan is that all the units are for sale.

MS. BODINE: Okay. Once they're sold --

MR. RUSSO: Once they're sold the

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homeowners can do --

MS. BODINE: Whatever they want. So they can actually become rental properties for the owners that individually own their own condo? Like you just said the gentleman went to Florida and rented his.

MR. RUSSO: There's no reason why somebody can't buy something. You can buy a house and rent it.

MS. BODINE: Certainly you can.

MR. RUSSO: What's the difference?

MS. BODINE: The difference is that when a homeowner owns their home they take care of their home. When they rent it, and I've rented for six years -- I've had my house rented for six years and the renters do not care about the property. What I'm saying is irregardless of you're saying you can't rent them, but if they don't sell they obviously can't go to the next phase, right? Then there's still no homeowners association.

MR. RUSSO: There are certainly a lot of different scenarios. I agree with you but that's not the intent of what we're trying to do.

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MS. BODINE: It's not the intent to build the homes --

MR. RUSSO: Unfortunately I can't give you a fair answer to that.

MS. BODINE: You do have renters there now but you're not aware of it because there's no association to have rules in place. Like more condos now, when the person rents them they have to go before the HOA, the board, and get approved.

MS. McKEEL: That's only in a co-op.

CHAIRMAN BRAND: Could you state your name for the stenographer?

MS. McKEEL: Sorry. Maria McKeel. That's only in a co-op situation, not in a condo situation.

CHAIRMAN BRAND: Ron, to your knowledge do we have anything that would prohibit the condos from being rented out?

MR. BLASS: No. These are not apartments, they're condominiums. Anyone can buy a house and rent it out. Anyone can buy a condominium and rent it out.

CHAIRMAN BRAND: There's nothing



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precluding them from purchasing it and then renting it out?

MR. RUSSO: Additionally, these are condos and there's a condo association, so they're going to maintain the outside of the house through the board and the condominium association. Regardless if they are renting, that's still in effect.

CHAIRMAN BRAND: Is the association's goal to allow rentals of these units?

MR. RUSSO: I'm not saying that's what their goal is. I'm just answering the question saying people may not take care of their places. The condo association is in effect. That would still be in effect regardless of the scenario.

MR. TURTURRO: Currently the developer is taking care of plowing the roads. They're not charging the homeowners for anything, they're just doing it. So the developer is really maintaining the property at this point.

CHAIRMAN BRAND: Mr. Brooks?

MR. BROOKS: In my experience the condo association bylaws will tell you exactly what you can and can't do, rent, lease, or even, you know,

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re-lease. That's what I understand. That goes back to the declaration of the condo association.

The filings with the State Attorney General's office along with the filings is supposed to be an offer, a certain price for the unit. Last time we asked what's the going market price of the units and you guys didn't comment on that. Once again, I guess we'll find out in two or three months after everything is filed and you go through the process with the State Attorney General as far as the certain price. Can you tell us today as a homeowner what is the value, what three bedrooms would go for, so I can see whether it's going to appreciate the value of our properties next to it? Do you have that price yet?

MR. RUSSO: No. It's going to be put into the Attorney General filings.

MR. BROOKS: In two or three months. And you don't have it? As the owner itself, you did research on what other two or three bedrooms are going for. I'm sure that's the reason why you have the three bedroom instead of the two, because it's more marketable. You do not have a

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handle on --

MR. TURTURRO: It would be speculation.  
It would be speculation at this point.

MR. BROOKS: Okay.

CHAIRMAN BRAND: I'd like to have a  
motion to close the public hearing.

MR. LOFARO: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. TRAPANI: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So carried.

Thank you. I think that does it for  
this evening for you. Correct?

MR. FETHERSTON: We completed SEQRA I  
believe. Are we going to go through SEQRA?

MR. BLASS: Does the Board want to have  
this set down for determination under SEQRA and

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under amended site plan for the next meeting?

CHAIRMAN BRAND: Yes.

MR. BLASS: I'll draft something up and  
send it to you.

CHAIRMAN BRAND: Okay. Thank you.

MR. FETHERSTON: Do you want to see me  
back again?

CHAIRMAN BRAND: Yes. At the next  
meeting.

Correct, Ron?

MR. BLASS: Yes. We'll have  
determinations drawn up.

MR. FETHERSTON: Okay.

(Time noted: 8:05 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 9th day of October 2018.

*Michelle Conero*

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MICHELLE CONERO