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

----- X

In the Matter of

JAMES MARQUIS

Project No. 15-8002
26 Evy Lane
Section 103.3; Block 4; Lot 65.600

----- X

SKETCH - SITE PLAN

Date: April 6, 2015
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: MICHAEL LOGUE, Chairman
BEN TRAPANI
JOEL TRUNCALI
CINDY LANZETTA

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
KATHI NATLAND

APPLICANT'S REPRESENTATIVE: DARREN SCALZO

----- X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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JAMES MARQUIS

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CHAIRMAN LOGUE: Please rise for the
Pledge.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of
Marlborough Planning Board, April 6, 2015.
Regular meeting 7:30 p.m. Approval of
stenographic minutes for 12/1/14. James
Marquis, sketch, two-lot subdivision; N.
Galella, discussion only. Next deadline:
Friday, April 10th. Next scheduled meeting:
Monday, April 20th.

CHAIRMAN LOGUE: Thank you, Joel.

We've had time to look at the
December 1st minutes. Any problems or questions
with that?

(No response.)

CHAIRMAN LOGUE: Then a motion to
approve them.

MR. TRAPANI: I'll make that motion.

CHAIRMAN LOGUE: Ben.

MR. TRUNCALI: I'll second.

CHAIRMAN LOGUE: Joel. All in favor?

MR. TRAPANI: Aye.

MR. TRUNCALI: Aye.

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JAMES MARQUIS

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MS. LANZETTA: Aye.

CHAIRMAN LOGUE: Aye.

First up, James Marquis.

MR. SCALZO: Good evening.

CHAIRMAN LOGUE: How are you?

MR. SCALZO: Not too bad. My name is Darren Scalzo. This is my first time appearing in the new facility. The Board is much smaller than the last time I appeared in front of Board, which was probably close to a year ago.

I'm going to just give you a brief overview of what it is we're looking to do, and I'll give you a little history on the property itself.

My client, Jim Marquis, who happens to be here this evening in case he has to answer any questions, owns a 6.2 acre parcel on Evy Lane which is off Paula Drive, a little bit from Route 9W.

We're looking to do a two-lot subdivision. One lot would be 1.96 acres and the remaining lot would be 4.24 acres.

We are constrained with the wetlands in there. Currently there is a two-story multi-

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JAMES MARQUIS

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family framed building and a one-story metal garage which Mr. Marquis -- everybody wants a garage that size.

But we are in the RAG-1, rural agricultural one acre, zone. All of the lot criteria is met. I'll go back to again we are confined by some Federal wetlands.

Let me back you up now to 2003, 2004. I am the third engineer that's been part of this project.

MR. HINES: We can go back even further and add a few.

MR. SCALZO: That's good to know.

Mr. Marquis had done some land manipulation there under the direction of one of his previous engineers. He wasn't malicious in his intent with the manipulation of the land, he was following the direction of the professional. He got himself into a little bit of a jam and eventually had Mike Nowicki and Brian Horzel, Brian works out of -- is actually an Army Corp of Engineer employee, come out and did wetlands delineations in the area. I actually have a map at the time Mr. Marquis was working with Barger,

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JAMES MARQUIS

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which was a surveyor, an engineer. I did not submit this as part of the plans. I suppose if you want I can --

CHAIRMAN LOGUE: Sure.

MR. SCALZO: -- bring this up in front of you.

The wetlands -- if you'd pass it and take a look. If you were to compare the wetlands on the map that I supplied to the wetlands delineation that's on the Barger map, I did a plot. Is it exact? No, it's not. I didn't have the benefit of wetlands flags that were hung six, eight years previously. So they may not be exactly as they appear on that map but they're pretty close.

Moving forward into the comments that I had received from Pat Hines. What I just explained with the wetlands, it's not a defense to what Pat is saying with the approximate wetlands limits. That's how I arrived at where the wetlands limits are on my map.

Again, the approximate limits -- Pat's comment number two, the approximate limits of the drainage easement is depicted. I can tighten

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JAMES MARQUIS

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that up. It was scaled off of one of the previous filed maps.

The proposed sanitary sewer disposal system, we haven't -- we've applied to the Ulster County Health Department. We haven't done any deep soils testing. We haven't done any percolation tests. So this is -- if I could just back you up also. We're here for sketch plan, and according to Town Code sketch plan -- it's not a lot of information really that we need to provide to you for sketch plan approval. Once you move into the preliminary and then, you know, the areas for public hearings and finals, of course all of the comments that Pat has provided to me will be addressed as we move forward. We're just -- again, we're here for sketch plan.

I can continue to address the comments that are on Pat's comment sheet, which I'm sure you folks all have. Actually, at this point I'd like to open it up to questions from the Board.

CHAIRMAN LOGUE: At this point we'll let Pat go over --

MR. HINES: Again, I'm pretty familiar with the history of this. It does have a long

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history.

These lots actually were balanced lots. This lot and the lot in the circle of Evy Lane, there's a larger lot in the circle there, those were lots at one point not for subdivision. This was all declared wetlands way back in the `80s. The applicants were before you several years ago to do a house on the balance parcel. So there is a significant wetlands history here.

The drainage easement now has a pipe in it. That pipe was added. It used to be a pretty steep valley through both lots. It's been piped through there now, which may address some of the wetlands issues.

As the applicant's representative said, we're going to need a definitive wetlands. I think we're going to have to have a wetlands boundary determined. The lines we see there are very geometric, they're not typical wetlands boundaries. They don't have the straight lines in between. Specifically on the lot to be developed, lot 2, we're going to request a wetlands delineation be performed. It's kind of an ideal time of year to do that right now.

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The drainage easement should be off the filed map. The metes and bounds of that should be shown. The reason I say that even more is because the house location by the wetlands and septic, kind of pushes it out toward that easement. We need a definitive easement area depicted there to make sure the house is located outside the easement.

The septic system again is located in close proximity to the wetlands. Even if they are Federal jurisdictional wetlands, they're not State wetlands. By definition that means they have groundwater within eighteen inches of the surface at least two weeks out of the growing season. That indicates soils that aren't very good for septic systems, although Ulster County will allow fill systems in the footprint of that fill be expanded outside those reserve areas into the wetlands. So there's some work that needs to be done there.

We're suggesting a finished floor elevation for the house be provided for the site based on the location of the wetlands and any potential surface water there.

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Again, the source of topography. The surveyor should indicate the source of topography. There has been filling on the site. I don't know if it was before the Barger map or after the Barger map. I'm not sure. I'm more specifically concerned about the area for proposed lot 2, not the existing. I know there were other issues there that were resolved with the Army Corp in the past.

The rest are kind of boilerplate.

Obviously the comments on the driveway.

The bulk table does need to be updated for the two-family house. There is a requirement for additional lot sizes. You show the one acre required for two-family in this zone. I believe it requires two acres. Update the bulk table.

Then we're looking for the details on the septic system, which the County will also be looking for.

CHAIRMAN LOGUE: Thanks, Pat.

Does the Board have any comments or questions?

MS. LANZETTA: I took a drive up there today and looked at it. It looks like there had

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JAMES MARQUIS

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been some work done there to mow down the --

MR. SCALZO: Brush hogged. Yes, it has. That is correct.

MS. LANZETTA: It's pretty clear that there's a lot of phragmites up in there, which is an indicator --

MR. SCALZO: It's an indicator. Absolutely.

MS. LANZETTA: -- of wetlands. From what I could observe looking at the property, it is extremely wet all the time. So my concern for the applicant is that you might want to really look into getting those sanitary permits as soon as possible because it would save you guys a lot of time and money to know that you can -- you know, what's going to be involved in putting a sanitary system in there, because I see that as the biggest problem on that piece of property right now. That's what I would suggest, that you move forward, you know, with the Department of Health and take a look at that.

MR. SCALZO: We actually applied at the same time we had submitted our application. I haven't heard back from -- typically the

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JAMES MARQUIS

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representative for this area would be Chris Kresser. I haven't heard from Chris Kresser yet. I'll reach out to him this coming week. Your septic needs to work fifty-two weeks a year, so we could actually go out there and dig some deep tests now and evaluate the soils.

CHAIRMAN LOGUE: Anybody else?

(No response.)

CHAIRMAN LOGUE: Okay. At this point --

MR. HINES: I would like to see some of these challenges addressed. The sketch plan really doesn't give you anything. Moving forward, I think the wetlands, and the easement, and the septic systems are going to be the hurdles here. The rest are kind of housekeeping and things.

I don't see the Board taking any action until we get that information.

CHAIRMAN LOGUE: It looks like the issues aren't addressed here yet.

MR. SCALZO: I understand that. I don't know if it's semantics or not; but Pat, as you're saying, sketch plan there's really not a

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JAMES MARQUIS

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lot required.

MR. HINES: I don't see anything earth shattering.

MR. SCALZO: The sixty-two days is where I'm going with that. You guys are required to act within sixty-two days, I recall, for sketch plan approval. Is this correct?

MR. HINES: No. After a public hearing.

MS. LANZETTA: Yes.

MR. HINES: I don't have any problem with the lot geometry. That meets the bulk requirements. I can give you that indication, but otherwise I think there's a lot of work that needs to be done.

MS. LANZETTA: Like I said, I don't want you guys to waste a lot of time and energy if you can't physically put a building on without a valid septic in there.

MR. SCALZO: We'll get out and dig some holes.

Okay. Thank you very much.

CHAIRMAN LOGUE: Okay.

(Time noted: 7:42 p.m.)

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

DATED: April 23, 2015

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

----- X
In the Matter of

N. GALELLA
Summitt Drive

----- X

DISCUSSION

Date: April 6, 2015
Time: 7:42 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: MICHAEL LOGUE, Chairman
BEN TRAPANI
JOEL TRUNCALI
CINDY LANZETTA

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
KATHI NATLAND

APPLICANT'S REPRESENTATIVE: ROBERT JAMES

----- X

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CHAIRMAN LOGUE: Next up is Nick Galella, discussion.

MR. GALELLA: My name is Nick Galella, I'm the owner. I have a seven-acre parcel in the R Zone in the Hamlet of Marlborough. I'm looking to develop this property.

Before you is a proposal of a townhome style development that consists of twenty-four two-bedroom units. The layout is such that it would front or access off of Summit Drive, a previous eight-lot subdivision I had done in the Town. I still currently own the two cul-de-sac lots. One house is built on lot 6, which would be the -- I guess the lot -- how ever you're looking at it, to your right-hand side. This here. So there is an existing house on that lot but it's not currently sold.

It would utilize -- the access, the curb cuts, everything would remain as is. This would require a fifty-foot strip of property to access Summit Drive off the end of the cul-de-sac. It also fronts, down below, on the east side of the map, Grand Street Extension. That's where the sewer tap would take place .

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The water would come off a hydrant at the end of Summit Drive, which is currently in the water and sewer district.

It meets all the setbacks.

There's some numbers on the map. Again, this is for discussion purposes and just to see what the Town feels of a project of this nature. It does meet all the zoning, I believe, as far as multi-family.

CHAIRMAN LOGUE: Okay.

MR. GALELLA: Just if you guys have any input.

CHAIRMAN LOGUE: Any comments on this?

MR. HINES: I'm seeing this for the first time myself. Some things that come out is emergency access and the one single access point will need to be addressed.

You're showing me an eighteen-foot driveway. The fire code requires twenty foot minimum. It will need to be twenty-six if the buildings are higher than thirty feet for aerial access. So the design of the buildings are going to be an issue. I know you're fitting them into the hill there. That's something that needs to

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be looked at.

The water will need to be looked at. It looks like you're proposing to dead end it there. There may be a need to look for a loop through. We'll look for the water flow and pressure analysis as you develop your plans.

I don't know if there's a way to develop an emergency access. That's probably going to be a concern.

MR. JAMES: We looked at trying to come off of Grand Street and it's very difficult to get -- we were trying to look at that as the primary access, but it's so steep and the grading is such that we couldn't really deal with stormwater.

MR. HINES: It will need two lot line changes with the existing lots on the end of Summit as well.

MR. JAMES: It's all on one lot.

MR. HINES: It's one lot. Okay. It's going to be a lot line change between these two lots.

Summit Drive was developed as a cul-de-sac initially. There may be concern,

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rather than set four houses on a cul-de-sac,
having a multi-family project built at the end of
it. I'm sure you may hear that in the future.
It is zoned to allow multi-family development.

We'll look at parking in the future.
I see there's fourteen spots for eight units. I
don't know how you got that calculation.
Normally a single-family residence would have two
per. It looks like you have the room to do it.

MR. TRUNCALI: What about access to
Orange Street or Orchard Street?

MR. JAMES: It doesn't pour to those
roads.

MR. TRUNCALI: Who owns these other two
lots, lot 1 and lot 2?

MR. GALELLA: Thomas Perretta.
Do we have an issue with length, total
length, dead end, Pat, do you think? From the
end of the cul-de-sac or -- what's that road?

MR. JAMES: Dragatta.

MR. HINES: I don't think so for site
plan. That's for an extension of a road. This
is more of a site plan issue. I think you're
going to have an issue with the neighbors who

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bought houses on the cul-de-sac.

MS. LANZETTA: Was that easement originally on the --

MR. HINES: No. The lot -- that dead ended. That was never proposed. Mr. Galella apparently owns the one lot, lot 5 I think.

MR. JAMES: I own both of the lots.

MR. HINES: They're both labeled lot 5.

MR. TRUNCALI: Lot 5 doesn't have access to Orange Street?

MR. JAMES: No.

MR. HINES: No. The Perretta -- Olsen/ Perretta subdivision. I don't know if you remember that, Joel. There's some history there with dedication.

MS. LANZETTA: When they did the subdivision how did they -- how did they split off lot 3 without any access?

MR. HINES: It has access to Grand Street down below. It's challenging.

MS. LANZETTA: Okay.

MR. TRUNCALI: Originally it was a separate parcel.

MR. HINES: Yes. This was not part of

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the Perretta parcel. It wasn't part of that subdivision. It was Summit Ridge or something?

MR. JAMES: Summit stayed fifty-eight lots and it was a ten-acre parcel.

CHAIRMAN LOGUE: Lots 1 and 2, that's accessed off what? Hudson Terrace or --

MR. JAMES: He's talking about here.

CHAIRMAN LOGUE: -- Orange Street?

MR. HINES: One off Orange Street, one off Grand Street I believe. Lot 2 has access to Grand Street and lot 1 has access out to Orange Street at the dead end.

CHAIRMAN LOGUE: So that lot is further down than I envisioned.

MR. JAMES: Pat, is there an issue with sewage flow? We're looking at maybe 6,000 gallons a day.

MR. HINES: You have an agreement, I believe, with the Town.

MR. GALELLA: It seems to be adequate. They didn't have a problem.

MR. HINES: There's a fee to be paid. This is not in the sewer district. Last time this was here you were negotiating the capacity.

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N. GALELLA

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MR. GALELLA: The Town gave me approval for access.

MR. HINES: That's probably seven years ago.

MR. GALELLA: No. It was just recently.

MR. HINES: Recently again you did it. Okay.

MS. LANZETTA: Have you done any research on the housing market for Marlborough?

First of all, are these going to be townhouses, condos or rentals?

MR. GALELLA: Rentals. Townhome style rental units.

MS. LANZETTA: Have you done any research on what the housing stock is in Marlborough as far as the need for rental units?

MR. GALELLA: I know -- well, I build homes in the Town, so I'm quite familiar with what the market is. I currently have this house finished, and it's challenging. I mean the prices have come down dramatically, which all favors rentals. Home sales have took a beating.

MS. LANZETTA: Do you know how the

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N. GALELLA

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rental units down across from -- what is it?

MR. HINES: Orchard Hills there?

MS. LANZETTA: No. Just before --
across from Parr, the new ones that they built.

MR. GALELLA: Am I familiar with them?

MS. LANZETTA: Do you know how full
they are?

MR. HINES: That's senior housing.

MS. LANZETTA: That's senior?

MR. HINES: Joel is saying no.

CHAIRMAN LOGUE: Or subsidized.

MS. LANZETTA: It wasn't senior.

MR. JAMES: You're talking about the
new section across from Parr? That's in
Newburgh.

CHAIRMAN LOGUE: I can speak from
experience with rentals, they go quick.

MR. HINES: Orchard Hills was not.
Those were market rate. Actually in the Town of
Newburgh the rental market is huge. We're seeing
hundreds of units being constructed every year
there. They're pre-sold. They have three active
projects in the town right now for rentals.

MR. GALELLA: New Windsor is going.

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There's a lot of condos in New Windsor.

MR. HINES: Those are more townhomes. There seems to be a need for rentals. That's more of a market analysis. That Orchard Hills project next to Parr Valley, they were rented before they finished each unit. There's a project called Golden Vista right now that did a market analysis and there's a need for those. They're going to be renting for about \$1,500 a month, and that's a project by Stewart. Stewart Terrace off of Stewart Lane behind the Target store has a project -- they have approval right now for twelve units and they are adding more. I don't know about this far but down in the Newburgh area the rentals -- We're not seeing the townhouses that we saw for years.

MS. LANZETTA: It's something that you might want to touch base with Ulster County Planning because they do assessments of the housing needs. They could give you actual facts and figures, because you probably will need those as you move forward.

MR. GALELLA: I'm pretty familiar with the rentals. My demand -- if this was

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completed, it was always my intention to extend Summit Drive and put more homes in there, but I think that today's market is more toward the rental demand.

CHAIRMAN LOGUE: Does anybody else have any comments?

MR. TRUNCALI: How many bedrooms?

MR. GALELLA: Two bedroom max. One or two bedroom. Two bedrooms probably.

The architecture will be similar to what's on Summit Drive as far as the elevations. I think it would compliment the homes that are there. It's not going to be totally different. The elevations would be similar to the homes that are on that road.

This is proposed twenty-four units. It's seven acres. We can put more, but, you know, I'm not looking for any more.

CHAIRMAN LOGUE: Okay.

MR. HINES: It's fairly visible, too. There might be a need for a visual assessment as the project moves forward. I think there's some views.

MR. JAMES: They're all oriented where

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N. GALELLA

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it's facing west, the front of the building. So east is the river. The property has a nice river view. You do see the Hudson.

MR. HINES: They're going to be townhomes, upstairs, downstairs?

MR. JAMES: Yes. It wouldn't look like an apartment at all. More a townhome style. Two bedrooms upstairs, living room, kitchen and a full basement.

MR. HINES: A lot of times you see the townhomes because they can put a two-hour fire separation between each of the units and the building code sees them as single-family homes and eliminates the need to sprinkler them. If they don't do the two-hour separation the whole building has to be sprinklered.

CHAIRMAN LOGUE: Anything else?

(No response.)

CHAIRMAN LOGUE: That's all we have for now.

MR. GALELLA: Okay.

MR. JAMES: Pat, one question. I missed on the twenty-six foot wide road, what building height does that conform to?

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N. GALELLA

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MR. HINES: Thirty feet. It's in the fire code.

MR. JAMES: The fire code.

MR. HINES: Fire code appendix D requires for buildings higher than thirty feet, you have to provide twenty-six foot access.

MR. GALELLA: Is that the same as a single-family residence?

MR. HINES: No.

MR. GALELLA: That would be mid height or ridge line.

MR. HINES: It's measured how ever the building code measures. I think it's the average height of the ground. Not Marlborough's code but the New York State Building Code dictates that. I just think the eighteen foot is narrow. Twenty foot is a minimum fire access lane for anything. Eighteen seems a little small.

MR. JAMES: We'd probably make it twenty-four for two-way traffic.

MR. HINES: That sounds like a better idea. It may be twenty-six is what I'm saying, depending on the height.

MR. JAMES: Right.

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N. GALELLA

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MR. HINES: Contact the fire department and the code department early on if they have any concerns.

I can envision looping the water through. There may be a benefit to your project and the Town to follow that routing of the sewer main.

MR. GALELLA: I know the pressure -- the water superintendent said the pressure is adequate and so is the volume. Looping, it would more than triple the length of the line.

MR. HINES: You'll have to do that analysis for the water system.

MR. GALELLA: Would this be considered a private line, the water?

MR. HINES: It's going to be your own line out to the -- as a site plan. They'll have to work out how they want that metered. You'll probably have one water meter.

MR. JAMES: Separate taps.

MR. HINES: If it was a condo unit it would be separate. As an apartment, the Town is not going to go in and bill your individual users. You're going to get one water bill. You

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N. GALELLA

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can sub-meter them.

MR. GALELLA: I can tap them and still have the one meter, if I wanted to tap them.

MR. HINES: You're going to have one meter.

CHAIRMAN LOGUE: You'll have a meter.

MR. HINES: You're going to get one bill from the Town on the 7 acres and you can choose to bill your tenants how ever you choose to bill it. If it was a condominium project, the State law requires individual meters because they're owned by the individuals. The Town is not going to send your tenants water bills.

MR. GALELLA: No, I didn't expect that.

MR. HINES: You usually put smaller meters, they're more accurate than trying to meter the flow.

MR. GALELLA: I know when we did the eight-lot subdivision we put a valve on the end of that eight-inch line to continue at some point. So I wouldn't have to shutdown the whole street. There is a valve on the end of that water main existing.

CHAIRMAN LOGUE: Okay.

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N. GALELLA

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MR. JAMES: Thank you.

CHAIRMAN LOGUE: Good luck.

If there's nothing else, a motion to
close the meeting.

MR. TRUNCALI: I'll make the motion.

MR. TRAPANI: Second.

CHAIRMAN LOGUE: All in favor?

MR. TRAPANI: Aye.

MR. TRUNCALI: Aye.

MS. LANZETTA: Aye.

CHAIRMAN LOGUE: Aye.

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

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

DATED: April 23, 2015