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

----- X

In the Matter of

BRODY RIDGE

Project No. 8-2015
First Street
Section 103.1; Block 4; Lot 47.130

----- X

EXTENSION
SIX-LOT SUBDIVISION

Date: August 3, 2015
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
STEVEN CLARK

ALSO PRESENT: RONALD BLASS, ESQ.
KATHI NATLAND

APPLICANT'S REPRESENTATIVE: DOUGLAS SMITH

----- X

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

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BRODY RIDGE

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MR. TRUNCALI: I guess we can start the meeting. Please rise for the Pledge.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of Marlborough Planning Board, August 3, 2015. Regular meeting 7:30 p.m. Approval of stenographic minutes for 5/4, 5/18, 6/1, 6/15 and 7/7. Brody Ridge, extension, six-lot subdivision; N&A Development, sketch, lot line revision; James Marquis, sketch, two-lot subdivision. Next deadline: Friday, August 7th. Next scheduled meeting: August 17th.

I guess we should approve the minutes for 5/4, 5/18 and 6/1. The other two we'll hold off on for now.

MS. LANZETTA: Can I ask Michelle a question?

MR. TRUNCALI: Sure.

MS. LANZETTA: Were you able to find that --

MS. CONERO: It was not one of the meetings that I had turned in, it was one I hadn't turned in yet. It's in a separate booklet. You made mention of it at the end of

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BRODY RIDGE

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the New Cingular Wireless application. The meeting was over and it was a separate conversation you had with Pat, so I put it in a separate booklet.

MS. LANZETTA: I'll make a motion to accept the minutes as you read.

MR. CLARK: I will second.

MR. TRUNCALI: All in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CLARK: Aye.

MR. TRUNCALI: Aye.

Opposed?

(No response.)

MR. TRUNCALI: So carried.

First up is Brody Ridge, extension.

MR. BLASS: This was last extended to August 5th of 2015. The request is for another ninety-day extension to November 5, 2015.

MR. TRUNCALI: Okay. And when is the extension over that he has right now?

MR. BLASS: August 5th.

MR. TRUNCALI: August 5th. Did the applicant want to comment on anything?

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MR. SMITH: Everything is status quo with the project. Nothing has been done. We do plan on starting in the near future. I'm happy to report that. I don't think it's going to be until spring when we're ready to, you know, break ground and start selling houses or something like that. I think I'm going to need extensions until spring. At that point I think we'll have our groundwork and stuff done so we'll be ready to file the subdivision. Just to keep you guys aware of what's going on.

MR. TRUNCALI: Okay.

MS. LANZETTA: Was there any bonding involved or any improvements or anything?

MR. SMITH: I think Ron said we can do the improvements on our own and then file.

MR. BLASS: Well, there are numerous conditions attached to the conditional approval of some time ago. Among them, on several of the property instruments, if I recall correctly, there might be some bonding. I can't remember, quite frankly, it's been so long, if we did the bonding or not. I don't remember. If there are no public improvements there wouldn't be bonding.

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BRODY RIDGE

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If there are public improvements there would be bonding.

Is the road going to be dedicated to the Town?

MR. SMITH: It's all Town road. The only thing is like a cul-de-sac, a hammerhead extension. It's basically a turnaround at the end of the road. There is nothing right now. The road dead ends in a bush. That turnaround, that's all been dedicated to the Town, but --

MR. BLASS: So the plan is to build that out?

MR. SMITH: Yes.

MR. BLASS: To build out the cul-de-sac?

MR. SMITH: It would have to be built out as per the conditions of the subdivision.

And Pat said we could opt to do the improvements first and then we wouldn't have to bond them or --

MR. BLASS: I don't know what Pat said.

MR. SMITH: I don't remember either. If something needs to be bonded, of course it will be bonded.

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MS. LANZETTA: So this extension business is because this hasn't been filed?

MR. BLASS: Yeah. Yeah. There's a time limit for filing of the plat after the conditional approval is given. The statute calls for fulfilling the conditions of approval initially within six months from the time of the conditional file with the opportunity for two additional ninety-day extensions. That was always the rule. It used to be if you didn't fulfill the conditions of approval within one year you basically needed a re-approval of the project. However, three or four years ago the legislature changed that statute to allow the Planning Board to give an unlimited number of thirty-day -- I'm sorry, of ninety-day extensions. Typically these ninety-day extensions are requested because of the state of the economy. Among the conditions of approval is probably the payment of recreation fees, bonding in some cases. And also the filing of the plat has it's own affect on real property tax assessments. It will rise up the assessed valuation of the land once you file the

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BRODY RIDGE

7

subdivision plat into lots as opposed to one parcel. So these are typically the monetary reasons you would expect for a request for these ninety-day extensions in a period of real estate recession.

MS. LANZETTA: I didn't bring a code book today. In our code aren't there a few time limitations for some of these subdivisions in regards to -- I remember reading it somewhere. I don't know if it has to do with the building of the roads. Is it like two years? I thought there were certain --

MR. BLASS: I think that's the site plan. There are some limitations like that with respect to site plan approvals.

MS. LANZETTA: But not subdivisions?

MR. BLASS: Not subdivisions, no. The code is silent on these extensions. We're applying the State statute because of that.

MS. LANZETTA: Okay.

MR. BLASS: This is a discretionary act of the Planning Board. You're doing the right thing, you're inquiring, I guess, as to the project's status, the reasons why, and getting

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BRODY RIDGE

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some feel as to how long you're going to be requested to give extensions in the future.

MR. TRUNCALI: Any other comments from the Board?

MR. TRAPANI: No.

MR. TRUNCALI: Do I have a motion for a ninety-day extension for the Brody Ridge subdivision?

MR. CLARK: So moved.

MR. TRAPANI: I'll second.

MR. TRUNCALI: All in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CLARK: Aye.

MR. TRUNCALI: Aye.

All opposed?

(No response.)

MR. TRUNCALI: So carried.

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

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

I, Michelle Conero, a 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: August 26, 2015

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

----- X

In the Matter of

N&A DEVELOPMENT

Project No. 15-8003
Summit Drive
Section 108.4; Block 6; Lot 29.310

----- X

SKETCH
LOT LINE REVISION

Date: August 3, 2015
Time: 7:38 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
STEVEN CLARK

ALSO PRESENT: RONALD BLASS, ESQ.
KATHI NATLAND

APPLICANT'S REPRESENTATIVE: NICHOLAS GALELLA

----- X

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MR. TRUNCALI: Next up is N&A Development.

Nick, do you want to bring us up to speed?

MR. GALELLA: I brought you a couple of variations here. What I'm looking to do is establish that access off of Summit Drive that was previously built by me several years ago.

I still own the two cul-de-sac lots, the end lots. One house is up and it's in contract.

At this point I wanted to establish that entrance or access prior to building on lot 6, the one next to it.

Future plans for the property, it's -- I don't know.

MR. TRUNCALI: Okay.

MR. GALELLA: I guess at that point I would have to obviously come back to the Planning Board with something.

MR. TRUNCALI: All right. Of course Pat is not here tonight, but he did send some comments. His comments were all metes and bounds for existing lot 6 should be depicted on the

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survey map.

The proposed driveway location on lot 6 should be modified as it may conflict with any future development of the 7 plus acre parcel.

Lot 6 appears to be transferring .13 acres of land while the larger lot appears to be receiving 1.4 acres. This should be clarified with the surveyor of record.

The lot line change requires a public hearing.

Ron Blass's comments regarding segmentation of the project should be received. Several project plans had been received in recent months regarding the 7-acre parcel.

A short form environmental assessment form should be filled out utilizing the NYS DEC database which will identify the project location and environmental constraints in the DEC's records.

MR. GALELLA: We can have the map cleaned up I guess prior to the public hearing for the next submission. That wouldn't be a problem as far as the details.

MR. TRUNCALI: Do you have a copy of

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Pat's comments?

MR. GALELLA: I do. I have them right here. Yes.

MR. TRUNCALI: Ron, you had some comments.

MR. BLASS: Is there a current application, Nick, pending in front of the Planning Board for the large parcel? There had been --

MR. GALELLA: No. We changed the -- no, there isn't. We changed it. We resubmitted.

MR. BLASS: It was initially a multi-family --

MR. GALELLA: No. That was a discussion. It wasn't an application.

MR. BLASS: That was a pre-application discussion?

MR. GALELLA: It was a discussion that day.

MR. BLASS: That was changed to a single-family development?

MR. GALELLA: Right.

MR. BLASS: You never got around to making the application on either of those two?

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MR. GALELLA: No.

MR. BLASS: So you have no firm plans for applying for --

MR. GALELLA: I do not. I've been here twice before consolidating lots. The last thing I want to do is subdivide. I want to get these other two lots off the market. At this point to develop it, it's just not something that --

MR. BLASS: The other two layouts were exploratory as opposed to --

MR. GALELLA: Pretty much, yeah. We did percs and tried to put together some type of design.

MR. BLASS: It could just be me but I have to confess I don't understand what we're doing here. Maybe it's because the map is incomplete from Pat's comments, but I don't quite understand it. Lot 6 is giving up land to the large lot behind Maloney on the map?

MR. GALELLA: Correct.

MR. BLASS: So where is the land being given up? Is it shown?

MR. GALELLA: That section right there. This lot is not --

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MR. BLASS: So right now lot 6 owns that road extension area to the south of Summit Drive?

MR. GALELLA: Correct.

MR. BLASS: That's part of lot 6?

MR. GALELLA: Yes.

MR. BLASS: So this is opening up -- the lot line is for the purpose of opening up a corridor for future development with access from Summit Drive?

MR. GALELLA: To the Town. Correct.

MR. BLASS: So the real issue -- I'm not sure whether the issue is segmentation which is breaking up a larger project into smaller pieces for purposes of SEQRA review or whether it's a -- or whether it's the scope of the action for purposes of SEQRA itself. It appears to me to be for SEQRA purposes we're talking about creating a lot line realignment which provides a fifty-foot wide means of access from the large parcel to the cul-de-sac at Summit Drive without any analysis of potential environmental effects that result from creating that means of access for that large parcel which theoretically

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has no means of access today.

MR. GALELLA: It does. Down on the --

MR. TRUNCALI: Grand Street.

MR. GALELLA: -- Grand Street
Extension.

MR. TRUNCALI: Did you buy both of
these parcels at the same time?

MR. GALELLA: No.

MR. TRUNCALI: So that's why they
didn't give you the right-of-way? That's why you
didn't put the fifty feet in in the beginning?

MR. GALELLA: Right.

MR. BLASS: It seems almost
self-evident that the purpose of the lot line
realignment is to create a corridor of access
fifty feet wide to a Town road cul-de-sac. You
know, one might say that it clearly has a growth
inducing impact. The issue is whether or not the
SEQRA review should be taking a look or
analyzing, at least generally if not
specifically, what the growth inducing impacts of
this modification are.

MS. LANZETTA: What the potential
buildout could be?

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MR. BLASS: Potential buildout. It would be the arguable scope of the SEQRA review. So you would basically say okay, this action will open the door for this level of buildout in the future on a worst-case scenario, and the potential effects of those in theory or in concept are A, B, C. The environmental assessment form should identify those, then the Planning Board should take a look at those in rendering it's SEQRA determination. I mean Pat calls it segmentation. It is a variety of segmentation, but I think the scope of the action is more than a lot line realignment in concept, it's one which opens up clearly and visually the development potential of this soon-to-be or hoped-to-be 7.17 acre parcel against the background of exploratory needs to develop --

MR. CLARK: What's the maximum potential development in that area?

MR. BLASS: Yeah.

MR. CLARK: What is the maximum?

MR. BLASS: I don't know. The maximum potential development is something that probably should be the subject of a SEQRA review,

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disclosure to the Board by the applicant,
examination by the Board. If that makes sense.
So you're talking about a conceptual review of a
worst-case development.

MR. GALELLA: Couldn't that be done at
a later point? Even if it was to be developed
into something, then the determination could be
-- or analysis looked at then? Analyzed then?
I'm not creating anything more that's not already
there now.

MR. TRUNCALI: He already has access to
the road.

MR. BLASS: Well it seems to me that
the map paints a picture of opening up a fifty-
foot wide corridor on Summit Drive which
dovetails with the prior exploratory pre-
application discussions for the project. So I
mean it's basically an action which redesigns the
parcel in a way that gives it fifty feet of
access to an existing Town road.

MR. GALELLA: I'm still reshaping the
property. I am in contract to sell lot 5, and in
order for me to build on the other lot I should
feel that this would be done at this point. As

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far as without knowing the setbacks --

MR. BLASS: One of Pat's other comments is the geometry of the proposed driveway for development of lot 6, it looks like it cuts it's way to the east. It curves around to the east to interfere with a straight shot fifty-foot access to Summit Drive.

MR. GALELLA: That's the layout of the house. If I had a garage facing forward it could easily come straight in. To use the plan I already have, that's why it's on the lower side of the left side of the home now. With a forward facing garage you could easily come straight in as far as the driveway.

MR. BLASS: I think it's up to the Board as to how he wants to define the action for purposes of SEQRA, what is the scope and size of the actual undertaking in front of you. One point of view is that it is merely a lot line change of .13 acres or .14 acres with respect to property that already has means of access off of Grand Street Extension. Or alternatively, that it paints a picture of an effort to create a fifty-foot corridor of access for a 7 plus acre

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parcel which would open up it's maximum development potential and you'll have those conceptual impacts.

So it's up to the Board as to whether it wants to narrow it's view of what the action is or whether it wants to take a bigger view of what the action is. That determines the scope of the SEQRA process.

MR. TRUNCALI: I really don't think he should have to do SEQRA until he comes in with the project, whatever project he wants to do, at that point.

MR. BLASS: Okay.

MS. LANZETTA: Well the only thing is that the public -- the public in the -- like the owners of the adjacent houses there, you know, they are not really going to know --

MR. TRUNCALI: You're still going to have a public hearing.

MR. GALELLA: I have no intention of deceiving anybody as far as that neighborhood. I built all those lots there. I built that road. I created that subdivision. So the last thing I want to do is devalue anybody's home. As far as

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devaluing, two of them have been short saled and one is abandoned. I'm trying to hold together the pieces here myself. I'm the biggest landowner there, so I would have the most to lose.

MS. LANZETTA: I have two concerns. One is that this map is -- at least the map I received is not stamped or signed by the surveyor. It's really not an adequate map to show what you're trying to show us. That's my first concern.

And then two, the short environmental assessment form is not correctly filled out. I was hoping as things come to the Planning Board, in our process that these things would be caught before you get to this point --

MR. GALELLA: I understand.

MS. LANZETTA: -- so we're seeing exactly what we're supposed to be seeing according to our checkoff list. So I'm a little disappointed with that. But that's the concerns that I have.

MR. GALELLA: My surveyor is away, actually, on a job. He put this together as quick

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as he could. For the next submission I can easily have a completed map with all the details that Pat was asking for.

MR. CLARK: Cindy, again I'm a newbie here but I think the gentleman came in and asked for a lot line change, and, you know, that's clearly shown here. What he intends to do in the future, I think the Board will have to deal with that in the future. I don't know what's the short form --

MS. LANZETTA: He filled it all out, completing the parts that weren't supposed to be filled out. I'm just saying we have a checklist. Before somebody comes to us everything should be in there --

MR. CLARK: I agree with that.

MS. LANZETTA: -- in the format it should be.

MR. TRUNCALI: Of course it's only sketch. He's going to definitely come back and have to address all the comments that Pat has.

MR. GALELLA: As far as the SEQRA application, is that your question?

MR. TRUNCALI: The environmental

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assessment form.

MR. BLASS: I think Pat is saying there isn't one. One doesn't exist.

MS. LANZETTA: There is one. He filled it out by hand. He also filled the entire thing out, including our lead agency portions.

MR. BLASS: Okay.

MR. GALELLA: If my surveyor had done it I'm sure it would be correct. Again, he was away. If that needs to be corrected, obviously it will be.

MR. TRUNCALI: Ben, do you have anything?

MR. TRAPANI: With that one driveway, would that have to be moved then?, the one driveway that we have on the left side, if they were to develop the back parcel some day? That's my only concern. If they were to develop that back parcel some day, they can not go down through that right-of-way through the middle off of Summit Drive .

MR. GALELLA: For which?

MR. BLASS: He'll extend the driveway -- the road stub line up. He would cut right

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through the driveway.

MR. TRAPANI: That's my concern. If they were going to go through Summit Drive to develop the rest of this property, all right, and that driveway was there, it would not be in a good position. That's the only thing I'm concerned about. We've had other projects where they developed certain parts of it and then they came back years later to develop the rest and we had to work around what was done at that time. Like I said, my concern is that if we approved it and that driveway did stay right there, that may infringe on in and out traffic going to the 7.01 acres, or whatever it is, 7.17 acres.

MR. GALELLA: The curb cut can be shifted over.

MR. TRAPANI: That's what I'm saying. Can that driveway be shifted a little bit? That's my only concern.

MR. GALELLA: Absolutely. Sure. That can be shifted. It's there now because there's Belgium block curbing. That's the reason why you see it in that form. It can be easily shifted at any point. Even if it was --

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MR. TRAPANI: We don't know what's going to be done back there. Who knows what's going to be done back there. You may build your own house back there in the middle and only have one --

MR. GALELLA: It probably wouldn't be an issue the way it is. At any time that curb cut can be shifted over.

MR. TRAPANI: That's my only concern. If we have to come through this back parcel into the rest, it wouldn't infringe on this driveway. That's my only concern.

MR. GALELLA: That's the right-of-way which is fifty feet. The actual road would be a lot --

MR. TRAPANI: Right.

MR. GALELLA: It wouldn't actually be on top of that driveway either.

MR. TRAPANI: That's my only concern. If they can fit it, we don't -- you don't need and we don't need to have any problems down the road. That's it.

MR. TRUNCALI: So the question is about the environmental assessment. Does this Board

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believe he should have to do the SEQRA now or do it when the development moves forward?

MR. CLARK: I've got two issues. I think it could be adjusted to extend that line up to Summit Drive and change that driveway. This short environmental assessment form should be redone and then --

MR. TRUNCALI: Right. Pat has comments on that form, that the DEC portion needs to be filled out.

Do we have a motion to not have do the SEQRA at this point?

MS. LANZETTA: I think your motion would be to have him do his SEQRA short form.

MR. BLASS: The motion would be to proceed with a short form E.A.F. supplemental, as Pat had suggested, and the scope of the action is no more than the .13 acre lot line realignment.

MR. TRUNCALI: Do we have a motion for that?

MR. CLARK: Repeat the motion, please.

MR. TRUNCALI: Can you repeat that motion?

MR. BLASS: To ask the applicant to

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redo the short form environmental assessment form consistent with Pat's recommendations and to identify the scope of the action for SEQRA review purposes as nothing more than the .13 acre lot line realignment, and not including the downstream consequential affect of maximum buildout.

MR. CLARK: I want to see that driveway moved on lot 6 so it doesn't conflict with the lot line revision.

MR. BLASS: So that resolution is really just the SEQRA component. You can put a period after that. If it's okay with the Board to pass on that, then we can say that the applicant is instructed to comply with the rest of Pat's recommendations, which would include relocation of that driveway.

MR. CLARK: Is that a motion?

MR. TRUNCALI: Yes.

MR. CLARK: I'll second that motion.

MR. TRUNCALI: Somebody has to be first.

MR. CLARK: I'll make that motion.

MR. TRAPANI: I'll second.

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MR. TRUNCALI: All in favor?

MR. TRAPANI: Aye.

MR. CLARK: Aye.

MR. TRUNCALI: Aye.

All opposed?

MS. LANZETTA: Aye.

MR. TRUNCALI: So carried.

Thank you. So you'll come back with the changes that Pat requested for the next meeting.

MR. GALELLA: Prior to the public hearing or --

MR. TRUNCALI: We'll have to schedule the public hearing after we have all of those changes.

MR. GALELLA: And you want to see the map changes?

MR. TRUNCALI: Right.

MR. GALELLA: And the SEQRA can stay? Is that --

MR. TRUNCALI: What's that?

MR. GALELLA: That part has to be revised, the application for the SEQRA?

MR. TRUNCALI: A new form filled out

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for the -- a whole new form should be filled out,
the short form E.A.F.

MR. GALELLA: Thank you.

(Time noted: 8:00 p.m.)

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: August 26, 2015

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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
First Street
Section 103.3; Block 4; Lot 65.600

----- X

SKETCH
TWO-LOT SUBDIVISION

Date: August 3, 2015
Time: 8:00 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
STEVEN CLARK

ALSO PRESENT: RONALD BLASS, ESQ.
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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MR. TRUNCALI: James Marquis, sketch,
two-lot subdivision.

MR. SCALZO: Good evening. My name is
Darren Scalzo. I last appeared here in April for
the same project.

I'm not here for any -- I'm here to
update the Board on where we stand right now.
I'm not looking for any action on the Board's
part.

At our last meeting we were instructed
to do some soils evaluation so we could develop
our sanitary systems, which we have done. I have
submitted to the Ulster County Health Department.
They are currently reviewing, so I have no
comments from them.

I have pat Hines' comments which I
received today. Pat has given me some
instructions on some additional information he
would like to see on the map, which I can do for
our next submittal.

I don't want to take any more of your
time than I have to. While I'm here, if you had
any questions or comments, perhaps I could take
those with me and address those at my next

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JAMES MARQUIS

32

meeting as well.

MR. CLARK: I have a question. You mentioned the Army Corp of Engineers, second page, second paragraph. This determination regarding the delineation shall be considered valid for a period of five years from the date of this letter unless new information in regards to the determination.

MR. SCALZO: That brings us to November of this year.

MR. CLARK: Okay.

MR. TRUNCALI: Does anybody else have any questions?

MS. LANZETTA: I'm just looking. When you were here in April, you said you had submitted an application to Board of Health then?

MR. SCALZO: We had not. Well, the application had gone, yes. Purely because for us to get a representative from the Ulster County Health Department out there they need an application with the application fee. So the application had been submitted in April. We had made arrangements to meet with them in the field in June. So that is correct. They had seen no

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JAMES MARQUIS

33

preliminary designs at that point. I chose to base my design after we had done our deep soils analysis, and that's how I proceeded.

MS. LANZETTA: So you did meet with them?

MR. SCALZO: Yes. Actually on page 2 of the plans, the deep test pits. We met on the 25th of June and we did deep test holes on lot number 1. Also on sheet 2 you will see it's going to be a raised system. The soils would not support a standard system. We had ground modeling at 23 inches at our most shallow point. I do have more than a foot of usable soils. Based on the New York State Department of Health handbook, the only appropriate system here would be a raised system.

MS. LANZETTA: And did the Army Corp of Engineers say you could bring fill onto that site?

MR. SCALZO: The area that that fill would be imported to is not in a Federal wetland area. However, from Pat's comments, Pat is asking for a reconfirmation of those limits and also to verify that no additional fill or

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JAMES MARQUIS

34

manipulation of that area has been done. I spoke with my client earlier this evening. He's making arrangements to have a certified wetland specialist come out and reflag those. I will physically field locate those and those locations will appear on the next submittal.

MS. LANZETTA: Okay.

MR. TRUNCALI: Anything else?

MR. TRAPANI: How long has this parcel been -- how long have you been trying to develop this parcel?

Do you know, Mr. Blass?

MR. BLASS: I don't.

MR. TRAPANI: I know it's been a long time, and I know there were some issues with filling in down there.

MR. SCALZO: Yes, there were.

Actually, the Army Corp of Engineer package that I gave you, there was a map attached on the back end of that, an 11 by 17. That was from 2010 I believe. I don't know how far before that Mr. Marquis had started this process but I know it's at least five years old.

MR. TRAPANI: I've been on here a

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JAMES MARQUIS

35

little bit longer than that and I know it came up when I first came on here. That was the big thing at that time, there was some fill put in there and they weren't going to let him do anything.

MR. SCALZO: Absolutely. The first meeting when I was here in April my client had gotten instructions from previous -- not instructions. He got advice that turned out to be harmful to him for this process. So he's fully aware that that shouldn't have happened and moving forward for going about it the right way.

MR. TRUNCALI: All right. So if we have nothing else --

MR. SCALZO: Thank you very much for your time.

MR. TRUNCALI: Thank you.

Just a comment. Chairman Logue has resigned from the Planning Board and we're looking for a new replacement.

Any other new business?

MS. LANZETTA: No.

MR. TRUNCALI: If not, a motion to adjourn the meeting?

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MR. TRAPANI: I'll make that motion.

MS. LANZETTA: I'll second.

MR. TRUNCALI: All in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CLARK: Aye.

MR. TRUNCALI: Aye.

(Time noted: 8:06 p.m.)

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: August 26, 2015