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

----- X

In the Matter of

ROBERT YOUNG (ESTATE)

Project No. 18-2002
1871 Route 9W, Marlboro
Section 103.1; Block 1; Lots 28, 30

----- X

SKETCH - LOT LINE CHANGE

Date: February 20, 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: SUSAN DEMSKIE

----- X

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

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ROBERT YOUNG (ESTATE)

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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, February 20, 2018. Regular meeting at 7:30 p.m. Approval of stenographic minutes for 1/16. On the agenda tonight, Robert Young (Estate), sketch, lot line; Susan Bagatta, sketch, lot line. Next deadline: Friday, February 23rd. Next scheduled meeting: Monday, March 5th.

First up, Robert Young (Estate).

MS. FLYNN: The minutes.

CHAIRMAN BRAND: Thank you. Can I have a motion to approve the minutes for 1/16?

MS. LANZETTA: Can I just make one correction?

CHAIRMAN BRAND: Sure.

MS. LANZETTA: Under Bagatta, page 17, right at the top you're talking about Top Hill and it was written in Gloria. I think you meant Laurie. Otherwise I would make that motion with that correction.

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ROBERT YOUNG (ESTATE)

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CHAIRMAN BRAND: Change Gloria to
Laurie.

MS. LANZETTA: Yes.

CHAIRMAN BRAND: Is there a second?

MR. LOFARO: I'll second.

CHAIRMAN BRAND: All those in favor,
say aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So carried.

First up, Robert Young (Estate).

MS. DEMSKIE: So everybody has a map.
We're proposing a lot line revision. Patti had
prepared a memo in response to Pat Hines'
comments. Should I pass that out?

CHAIRMAN BRAND: Sure.

MS. LANZETTA: Are these the comments
for February 16th?

MS. DEMSKIE: Yes.

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CHAIRMAN BRAND: Would you like to just run through the plans of what's being proposed for us?

MS. DEMSKIE: Sure. So basically tax parcel ID number 30 will be giving land to tax map parcel 28, 4.77 acres of land.

MR. HINES: The existing Young's Motors is located on a 1.8 acre lot at the corner of Milton Turnpike and Route 9W. The plan here is to take 4.77 acres of the large parcel that extends up Milton Turnpike, it has the "junkyard" on it, and provide the area that's the frontage of 9W onto what is the Young's Motors car dealers, the new car dealership facility.

We took a look at that and have comments, not specifically related to the lot line. Portions of parcel A, the 4.77 piece there, in recent years has been regraded, expanded and the car lot has kind of grew to the north. There's no record of any approvals of that. I spoke with the building inspector today and he concurs that the first area labeled as new car parking lot, and when I refer to new it's new vehicles for purchase, not a new parking lot. So

1 anything south of the billboard basically is
2 pre-existing nonconforming as new car sales
3 parking lot inventory. North of the billboard is
4 more recent activity that has no site plan
5 approval for use of that area. It's been
6 extensively regraded. It looked like a mine at
7 some point, some historical photos, historical
8 being five, six years ago.

10 MR. ALDRICH: Jeff Aldrich. With that,
11 there was a mine that took the shale and moved it
12 so I had more usable parking space where it's
13 blacktop now. That's where the shale went. So
14 it filled that in. That's where the blacktop is.

15 The regrade at the top, the parking
16 lot, was an afterthought. That wasn't the reason
17 why we were expanding at that time. You call it
18 an expansion. It was more of an afterthought. I
19 said I'll do a car display up there. It gave me
20 more visibility. I wasn't aware of a site plan
21 or anything like that at that time. That's when
22 my father was still alive and doing that.

23 So the lot line revision and doing the
24 site plan, I have no problem doing that now. I'm
25 trying to do everything.

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MR. HINES: That cleans up -- we're here now doing this and part of that process will clean that up. Right now it's really being operated in contravention to the Town Code because it literally expanded north.

MR. ALDRICH: Right.

MR. HINES: So there will be some additional topography. The Google Earth map I looked at today has new cars being parked there, so it is being utilized.

We recommended a deed plot for the lot 30. Patti seems to take exception to that. I don't think there's a very good survey for that.

MS. DEMSKIE: There's not a good description in the deed. I have a copy of the deed.

MR. HINES: Normally you would get a plotting of, I think it's some 20 acres. If you look at the location map on the top, the majority is DEC regulated wetland. I was suggesting a deed plot of that to show the balance of the parent parcel. It looks like that may cause some difficulty. Basically we're going off the location map in the upper corner.

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ROBERT YOUNG (ESTATE)

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CHAIRMAN BRAND: Why do we want that?

MR. HINES: For the future. When they say where did this come from, it came from this parcel to this parcel.

CHAIRMAN BRAND: Okay.

MS. LANZETTA: It's required because the site plan required that she provide the deed and everything.

CHAIRMAN BRAND: Okay.

MS. LANZETTA: I'm assuming they're going to ask for a waiver.

MR. HINES: Yes. They're saying it all goes to the center line of the existing road. It may.

MS. DEMSKIE: And the Central Hudson easement.

MR. HINES: There's things that say easement. Either they can submit the deed and we'll take a look at that as we move forward.

Our third one shows box trailers in the gravel parking lot. Storage trailers are not permitted. I did discuss that with Tom Corcoran again today and he concurs that the storage trailers/overseas containers/tractor trailers

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being utilized for storage --

MR. ALDRICH: I've got a lot of remnants from my father. I'm currently moving everything out.

MR. HINES: Those are located on the parent parcel behind the metal building.

MR. ALDRICH: Correct.

MR. HINES: That use is not permitted.

The next one, we have the same comment, those storage trailers have to go.

It's located in the HD Zone so it doesn't qualify for the streamlined lot line process. I think we're going to be looking at a lot line and amended site plan moving forward.

Lot 27, which is the residential portion of this, is kind of located in the middle, the pre-existing lot. We're suggesting that the -- it all shares access, each of these parcels. There's no defined where the car lot ends and where the access drive is. Patti's response to that is they'll prepare necessary cross access easements for that.

Then we're looking for -- we didn't get Tommy's gatekeeper letter on this one to let us

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ROBERT YOUNG (ESTATE)

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know where he's at with it. I did discuss it with him today.

CHAIRMAN BRAND: We do have a letter I think.

MR. HINES: I did discuss my comments with Tom and he concurs with them. At first he was saying it's not a new car parking lot, it's for new cars. I explained the area north of the billboard basically is something that kind of morphed into a new car parking lot during that excavation process.

That's all we have here. I have no real issues with the lot line. I think the site plan will clean it up for future use and make it all a new car dealership.

MS. DEMSKIE: We'll do that as a separate action.

MR. HINES: I think they should follow the same path.

MS. DEMSKIE: You think it should be done --

MR. HINES: We can't really approve the lot line with it saying new car parking lot there.

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MS. DEMSKIE: Even if we -- you know, say he's contracting with us to make submissions?

MR. ALDRICH: Right. If I start that process now -- I'm after the lot line revision for multiple -- there's multiple reasons, one of them being insurance also. Right now, heaven forbid, somebody walks on my lot or the car display lot, I have an issue with insurances, how I'm covering this. These are all things --

MR. HINES: You'd probably have those same issues with it not being an approved site plan if somebody walks onto your lot.

MR. ALDRICH: Correct. But at least -- well, if I move forward doing both things -- I was hoping to get the lot line revision while working on the site plan. I'm going to do both. Or tell me what I've got to do to have that happen.

MR. HINES: It's difficult with that use being on the lot already.

MR. ALDRICH: So if I don't park anything on the shale hill? How about I don't park anything up there at all?

MR. HINES: I think that would

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eliminate the issue.

MR. ALDRICH: So I won't park anything there while we do the lot line revision and then we'll do the rest of it.

MR. HINES: Do the site plan.

MR. ALDRICH: Is that agreeable?

MR. HINES: That works.

MR. ALDRICH: I only have fifteen cars up there. I'll just move the trucks down onto the blacktop. I have plenty of space there. I was only doing that for visibility purposes.

MS. LANZETTA: Can't we do these concurrently?

MR. HINES: He can. He wants the lot line to move faster.

MS. DEMSKIE: We're looking to get this done.

MR. HINES: There's some need, apparently, to have the lot line done.

MR. CAUCHI: His point is because of insurance issues that --

MS. LANZETTA: I understand that. I'm thinking there's going to have to be a public hearing either way. Rather than advertise for

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ROBERT YOUNG (ESTATE)

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two different public hearings, if you could get the paperwork done for the site plan -- it's going to be pretty straightforward, isn't it?

MR. HINES: I think so.

MS. LANZETTA: If you could get that done and do it concurrently, it will save you a lot of money. I don't think it's going to be that much more time.

MS. DEMSKIE: We won't be able to submit for the next deadline with Patti being out of town.

MS. FLYNN: You wouldn't be able to have the public hearing the first meeting of March anyhow. It would have to be the 19th. There's not enough days to have it.

MR. ALDRICH: That was my plan, for the 19th.

MS. DEMSKIE: We would have to submit by --

MS. FLYNN: It would be the 9th. Submit by the 9th.

MS. DEMSKIE: She's back on the 2nd. Yeah, we can do that.

MR. HINES: I think it benefits you to

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ROBERT YOUNG (ESTATE)

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try it. If not, I think we can proceed with the lot line.

CHAIRMAN BRAND: I think you should put them all together if it's possible.

MR. ALDRICH: If I can get it done.

MR. LOFARO: Save yourself money and time.

MS. FLYNN: They would have to have it to me by the 3rd; right?

MR. HINES: Yes.

MS. FLYNN: They would have to have it to me by the 3rd or the 2nd.

CHAIRMAN BRAND: Of March?

MS. FLYNN: Yes. The 2nd of March to have it in order to get it in the paper, otherwise you have to wait until April.

MS. DEMSKIE: It would have to be advertised?

MS. FLYNN: It has to be in the paper for ten days. I'd have to have it by March 2nd to get it in the paper for two weeks.

MS. DEMSKIE: Patti is not back until the 2nd.

MR. HINES: It's just going to cause

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ROBERT YOUNG (ESTATE)

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you --

MR. ALDRICH: I can't publish anything?
She has to do it?

MR. HINES: We can't publish a public hearing for a site plan we don't have. We have to have the application. Removing the cars and doing it works if that's the route you choose. It's going to cause additional public hearing.

MR. ALDRICH: Until we talk to Patti -- I'll try to do both at the same time. I have no problem with that. If she can't do it --

MR. HINES: Does the two weeks make or break you, if it was April 3rd or something?

MR. LOFARO: The first Monday meeting in April. It's only another week or so past that.

MR. HINES: It's two weeks.

MR. LOFARO: Then you should be all set to do everything.

MS. FLYNN: We have Easter.

MR. LOFARO: Easter is April 1st.

MR. HINES: The meeting would be the next day, the 2nd.

MR. ALDRICH: We'll go for it. We're

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going to try to do both at the same time. If not, I'm going to move the cars off the shale hill just in case Brooks & Brooks can't have it done in time, and we'll move forward from there.

MS. DEMSKIE: For an April public hearing what would be the deadline?

MS. FLYNN: For the April 2nd meeting the deadline would be -- I would have to have it by the 19th because it has to go in.

MS. DEMSKIE: The site plan would have to come one meeting before a public hearing is scheduled?

MR. HINES: Yes.

MS. FLYNN: If you're coming in on April 2nd, your paperwork should be here by the 16th or the 19th, that way I can get everything done and get the public hearing into the paper.

MR. HINES: It sounds like you have to split them.

MR. BLASS: What about a condition that we split them now but the site plan application has to be filed by a certain date?

MR. HINES: Yes. I like that idea.

MR. ALDRICH: That's fine.

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CHAIRMAN BRAND: There will be no cars at the top of the hill?

MR. BLASS: What date would that be? That would be like March 19th?

CHAIRMAN BRAND: Yes. That's the second meeting in March.

MS. FLYNN: Public hearing March 19th?

MR. BLASS: The public hearing the first Monday in March?

MR. HINES: The second.

MS. FLYNN: The 19th.

MS. DEMSKIE: So the public hearing for the lot line revision would be the 19th?

MR. HINES: That's the soonest we can do that.

MR. BLASS: What's the cut off for the next meeting?

MR. HINES: The site plan has to go to County Planning, DOT.

MS. FLYNN: The cut off is the 23rd, Friday.

MR. BLASS: Site plan application by March 23rd?

MS. FLYNN: Patti's not back until the

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2nd.

MS. DEMSKIE: I think we should do them separately.

MR. HINES: What we're trying to do is condition that you will submit the site plan. We don't want to do the lot line and let you off the hook and have the cars show back up there.

MR. ALDRICH: I'll do whatever I have to do.

MR. BLASS: March 23rd for the application. That will be a condition of the lot line.

CHAIRMAN BRAND: That will just be part of the resolution?

MR. BLASS: Yes.

MR. ALDRICH: So it's doable? If it's not doable just say so. A public hearing for the lot line revision on the 19th. We can receive final conditional upon the site plan?

MR. BLASS: No. I think you're going to get a lot line adjustment first and then a site plan second. A condition of the lot line change will be filing a site plan application by March 23rd.

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MR. HINES: I don't know where March 23rd came from. That's a Friday.

MR. BLASS: The cut off date.

MR. HINES: It is for the April meeting. It would be the cut off date for the site plan.

MS. FLYNN: I'm confused.

MR. HINES: We're going to do the public hearing --

CHAIRMAN BRAND: We're going to do the lot line change public hearing on the 19th with the condition that you're going to submit the site plan application by the --

MR. HINES: April 1st deadline of March 23rd.

MS. FLYNN: If Patti is not back by the 2nd are you going to be able to get out the notices to everybody?

MS. DEMSKIE: Yes, I will.

MS. FLYNN: Okay.

MR. HINES: Sue does them anyway.

MS. DEMSKIE: That's no problem.

CHAIRMAN BRAND: We're all good with that?

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MR. TRAPANI: Yes.

MR. CAUCHI: Yes.

MS. LANZETTA: Yes.

MR. LOFARO: Yes.

CHAIRMAN BRAND: All right. I think
that will do it then.

(Time noted: 7:50 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of March 2018.



MICHELLE CONERO

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ROBERT YOUNG (ESTATE)

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

----- X

In the Matter of

SUSAN BAGATTA

Project No. 17-1027
1 Top Hill Road, Marlboro
Section 109.1; Block 4; Lots 70.220

----- X

SKETCH - LOT LINE CHANGE

Date: February 20, 2018
Time: 7:50 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: SUSAN DEMSKIE

----- X

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SUSAN BAGATTA

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CHAIRMAN BRAND: Next up, Susan Bagatta.

Are you representing Bagatta as well?

MS. DEMSKIE: I am.

CHAIRMAN BRAND: Pat, do you want to start with your comments on this one?

MR. HINES: This has been before us a couple of times. They had some issues regarding access. I think we muddled through them with a couple of changes.

We're suggesting -- Patti submitted to us a 1996 subdivision that created the original lot layout prior to this proposed one. It had a 50-foot wide right-of-way. It's clearly not a road on the right-of-way. It just says 50-foot right-of-way. It's in favor of lot 1, which is parcel A of this subdivision.

Basically the code enforcement officer has looked at this and said with the exception of the removal of the trailers from what is depicted as lot 3 on this map, actually filed map 3, lot 2, the 4.06 acres. He wants the trailers still removed as a compliance issue.

The right-of-way, he determined that

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the lot line does not make any of the nonconforming's worse and actually improves the access to the lot that comes off of Laurie Lane.

We would like the note that says existing 50-foot right-of-way known as Tops Hill Road, to take out of the known as Tops Hill Road. I don't know where that came from because the 1996 subdivision doesn't call it a road, it's a right-of-way. The reason being if you have a roadway created on a subdivision map, that makes it a road. I think the intent was to provide a 50-foot right-of-way in favor of lot 1 across lot 2 back in '96. By removing Tops Hill Road, that removes that issue.

The trailers being removed. I think we had another condition.

MS. DEMSKIE: I also have a response memo for this as well.

MR. BLASS: I think Tom said no further subdivision --

MR. HINES: Right.

MR. BLASS: -- in his ruling.

CHAIRMAN BRAND: Could you repeat that, Ron?

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MR. BLASS: He said let it be noted on the maps that the lot that is created without ownership to a public road or right-of-way and only accessible by the current right-of-way can not be subdivided.

CHAIRMAN BRAND: He's saying in the future?

MR. HINES: Right.

MR. BLASS: No further subdivision of one or both lots? Just one?

MR. HINES: The lot that comes off the existing roadway is too small to subdivide anyway. You couldn't get two lots out of it. He's suggesting no further subdivision because of the lack of access.

CHAIRMAN BRAND: For which parcel?

MR. HINES: Both of them. Both resulting parcels. Unless they can prove -- because the one over here doesn't have access to a road.

CHAIRMAN BRAND: Right.

MR. HINES: That does have the trailers on there. Patti's response is the right-of-way on the plans relate to a 20-foot wide driveway

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SUSAN BAGATTA

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easement which is shown here. Clearly the 1996 subdivision doesn't call that Tops Hill Road where it says that. It helps clarify if you look at it. There's what it should say. That right-of-way back in '96 --

CHAIRMAN BRAND: 50-foot right-of-way?

MR. HINES: Right. It talks about lots 1 and 2. So if we remove known as Tops Hill Road, I don't know where that came from, I think we're okay with that.

My other comment had to do with Ron's comments which we talked about before the meeting.

They're requesting a memo from the code enforcement officer in support of this application. They're requesting six months to remove the storage trailers. That doesn't have anything to do with this Board. I don't know if you can stamp a map that has pre-existing nonconforming zoning violations.

CHAIRMAN BRAND: Right. This one is still with pre-existing nonconforming violations.

MR. HINES: In his memo he recommends the trailers be removed.

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SUSAN BAGATTA

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CHAIRMAN BRAND: They would have to be removed before signing the maps?

MR. HINES: Typically we do that.

MS. LANZETTA: This has confused me from the beginning. So we are talking about really a private driveway that services three lots; right? Do I have that correct? As far as how people get in and out to these three lots --

MR. HINES: No. They don't actually physically do that. The lots actually physically come off a different road.

MS. LANZETTA: This one?

MR. BLASS: The dotted lines.

MS. LANZETTA: The driveway? It's basically a gravel driveway that comes off of Laurie and it services the three lots?

MR. HINES: The three.

MS. LANZETTA: Do we have any regulations about how many houses -- I looked in the code book and I didn't see anything in reference to driveways.

MR. HINES: We wouldn't do this in today's age. It would be a private road. Two lots on a common driveway is a private road.

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MS. LANZETTA: Two lots --

MR. HINES: Yes.

MS. LANZETTA: -- you can't have a shared driveway?

MR. HINES: Two lots can share.

MS. LANZETTA: Anything more than two --

MR. HINES: Kicks in the private road.

MS. LANZETTA: Okay. All right. But we can -- Tom is saying we can look the other way because everything was pre-existing?

MR. HINES: It's not being made worse. In his opinion it's being made better because the lot that has the mobile home here previously did not have frontage and now it does on Laurie Lane. There's two houses on one lot. That would be a pre-existing nonconforming. He's okay with it remaining that way.

CHAIRMAN BRAND: We talked about this mobile home. Were there people in there?

MR. HINES: We're not sure but they're not willing to give it up.

MS. LANZETTA: They want to keep it.

MR. HINES: I don't know who put the

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conditions in.

MS. LANZETTA: Technically they could replace it with another mobile home if they want to.

MR. LOFARO: I think that's what he was saying. He wants the right to be able to continue to put another mobile home there.

MS. DEMSKIE: Yes.

MR. HINES: Tom seems okay with that.

Those are our suggested changes. Take off the known as Tops Hill Road.

MR. TRAPANI: The whole section gets taken off going all through here and that property stays with the parcel --

MR. HINES: No. The right-of-way stays. That's on the original filed map. It's going to say existing 50-foot right-of-way. The words where it says known as Tops Hill Road will get eliminated. The right-of-way stays. We're not changing that. That's on the filed map in '96. It's just labeled as existing 50-foot wide right-of-way.

CHAIRMAN BRAND: What's the purpose of that right-of-way?

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MR. HINES: It's to provide access
should that 20-foot right-of-way not function.

CHAIRMAN BRAND: The driveway?

MS. LANZETTA: She stated that there's
a maintenance -- there's an agreement for this.

MR. HINES: There is.

CHAIRMAN BRAND: I think that was on
that map, the original one.

MR. HINES: She states in her comment
here the purpose of creating the 50-foot wide
access was to create a roadway, although it was
not specifically noted as a private roadway on
the map.

MS. LANZETTA: But there's no mention
of this here. So technically if they wanted to,
if they agreed, they could cut this person off?

MR. HINES: I'm not sure. I don't
know. It only says lot 1 and 2 on the notes
there.

MS. LANZETTA: That's why I'm
wondering.

MR. HINES: They would have access off
their right-of-way onto Pascale Road. Pascale
Road is now a Town road so it cleans it up a

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little bit.

MS. LANZETTA: Then they would have to access the existing right-of-way to get to Pascale Road --

MR. HINES: Correct.

MS. LANZETTA: -- Place?

MR. HINES: Even the gravel driveway to the house, the Andrew Bagatta lot, is outside the 20-foot wide easement that's shown. The driveway comes out there.

CHAIRMAN BRAND: Meaning it's wider than the 20 feet?

MR. HINES: It doesn't stay within what is shown as the 20 feet. This driveway comes in, it comes up here. The orange is actually the driveway, the easement is here, and that dashed line was --

MS. LANZETTA: If they ever wanted to -- if they get nasty they can just say --

MR. HINES: The right-of-way --

MS. LANZETTA: They can tell them to forget about it.

MR. HINES: They all have the same last name now.

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CHAIRMAN BRAND: Wasn't there talk about this being steep coming off Pascale Place?

MR. HINES: Yes. We had suggested that they connect through here.

MS. LANZETTA: That was over here. We're still talking about these guys? This one?

MR. HINES: Right. That lot is not subject to what's before us right now. It's outside of our application right now.

CHAIRMAN BRAND: Can we have a new maintenance agreement so that doesn't happen to the person, Andrew Bagatta?

MR. HINES: You're putting someone in here that's not a party to this application.

CHAIRMAN BRAND: Right.

MS. LANZETTA: They have to look out for themselves.

MR. LOFARO: They should come to the public hearing.

MR. HINES: There's not going to be a public hearing. Once we muddle through the issues we have, this actually qualifies for the streamlined lot line change.

MS. LANZETTA: They would have to talk

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to their neighbors.

MR. HINES: They're all currently the same parties.

CHAIRMAN BRAND: That doesn't stay forever.

MR. HINES: No.

MS. LANZETTA: No.

MR. HINES: Sometimes that's worse.

CHAIRMAN BRAND: Right. And you're saying because Andrew Bagatta is not involved --

MR. HINES: He's not a party to this.

CHAIRMAN BRAND: -- because that goes through there, we can't include it?

MR. HINES: He can say I'm not doing anything.

MR. BLASS: Do we know whether he has an easement or not?

MR. HINES: He has one here. The driveway is actually not in it.

MR. BLASS: Oh, it's not within the dotted line?

CHAIRMAN BRAND: This was one giant lot before.

MR. BLASS: So the driveway is --

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MS. LANZETTA: This was all a giant lot and this was a little piece here.

MR. BLASS: You can condition it on getting an easement.

MR. HINES: They may be granting it. Our application is here to grant an easement.

CHAIRMAN BRAND: I think that should be included.

MR. HINES: It would clean up the existing condition.

CHAIRMAN BRAND: Do we think that's a good idea?

MR. LOFARO: Yes.

CHAIRMAN BRAND: This change -- even though it's not coming from Andrew Bagatta, that change in lot definitely could hinder his access to that in the future.

MR. BLASS: Yes.

MR. LOFARO: He could say I don't care, everything is fine, I don't care.

CHAIRMAN BRAND: I don't know that we care if he doesn't care. We want to make sure in the future it has access.

MR. LOFARO: Right.

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MS. LANZETTA: We're not going to take that away?

MR. HINES: We're not going to take the one away. We're going to include the orange in the easement.

MS. LANZETTA: You're going to take that away and the easement will have to remain on the gravel?

MR. HINES: We'll leave the existing easement and they'll have a new one that follows the course of the orange.

MS. LANZETTA: That will be a condition of approval?

MR. HINES: Right.

CHAIRMAN BRAND: Ron?

MR. BLASS: I don't have a resolution tonight. I can do one for the next meeting.

CHAIRMAN BRAND: And that would be in the resolution?

MR. BLASS: Yes.

CHAIRMAN BRAND: Okay. Do you think your applicant would be okay with that as well, providing that easement?

MS. DEMSKIE: I do, yes.

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SUSAN BAGATTA

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CHAIRMAN BRAND: And then the trailers would have to be removed --

MS. DEMSKIE: Prior to receiving approval.

MR. HINES: It will be a condition of approval. It won't get stamped until they're removed.

CHAIRMAN BRAND: So there's some time that they have there but it's not six months I don't think.

MR. BLASS: Do you have enough data to do metes and bounds for the easement area?

MS. DEMSKIE: I'm not sure. I will have to --

MR. BLASS: We'll have to reference the map then.

MS. DEMSKIE: -- talk to Patti about that.

MR. HINES: They can do a gravel to center line.

CHAIRMAN BRAND: So for the next meeting -- we'll approve this at the next meeting with the conditions that the trailer be removed, there's some type of easement to the lands of

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SUSAN BAGATTA

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Andrew Bagatta. Is there anything else?

MS. LANZETTA: Reflective of the existing conditions.

MR. HINES: Tops Hill Road.

MR. BLASS: And no further subdivision.

CHAIRMAN BRAND: No further subdivision.

MR. HINES: Until they have access to the Town road.

MS. FLYNN: They're going on the agenda for the next meeting?

CHAIRMAN BRAND: Yes. Which is March --

MS. FLYNN: 5th.

MS. LANZETTA: Probably right on top because it will be quick, I would suggest.

MS. FLYNN: She's the only one so she is going on top.

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

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of March 2018.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

* FLOW CHART FOR SITE PLAN REVIEW

* TRAINING AT McGOEY, HAUSER & EDSALL ON
2/28/18

----- X

BOARD BUSINESS

Date: February 20, 2018
Time: 8:06 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

----- X

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

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CHAIRMAN BRAND: Is that it? Anything else from the Board before we close?

MS. LANZETTA: I just wanted to make sure that everyone saw the latest updated flow chart for site plan review.

MR. LOFARO: This one you printed out here is the updated? The printed out one?

MS. LANZETTA: I printed mine out at home. Pat has been working on this, putting this together for us. I just want to make sure that the Board, if they have any questions about it or suggestions, that we hear them. We're hoping for this to go out to applicants so that they have a better idea of what the flow is and also for -- I know for me it's helpful to know how things --

MR. LOFARO: It definitely makes it easier.

CHAIRMAN BRAND: I did recommend that there be some type of statement or caveat somewhere that says this is an ideal situation.

MR. HINES: Ideal flow chart.

CHAIRMAN BRAND: In theory, these arrows, it's not necessarily indicative that you're going in a straight line down. You might

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have to go back.

MR. HINES: DOT, County Planning.

CHAIRMAN BRAND: I don't want somebody to say according to this I go right from here to here. Maybe some kind of note. Other than that, I think it looks good.

Anything else on the flow chart?

MS. LANZETTA: Maybe if anybody has anything else, just e-mail it. If not, this will be helpful to me, I know that.

CHAIRMAN BRAND: I know when I first was on the Board I was looking for something like this to help guide me.

MR. LOFARO: Exactly. But now you kind of got it a little bit but it's nice to have a guide.

CHAIRMAN BRAND: Absolutely. I did look on some other town websites to visualize it myself. It was similar to these.

MR. HINES: There's things like SEQRA. If somebody pos decs something it throws it out.

MS. LANZETTA: Before I forget, you had invited us to a program on Friday morning?

MR. HINES: It's next Wednesday, a week

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BOARD BUSINESS

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from today, the 28th.

MS. LANZETTA: I don't know why I wrote it down -- I had the wrong day.

MR. HINES: Today is Tuesday. It's next Wednesday, the 28th. We're doing it for our clients that are MS-4 regulated, which you guys are. We're doing a 101. We've been having a couple DEC audits of some of our clients and one of the things they said is the municipalities should have more training. So we're doing a little breakfast, one-hour training. It's Wednesday, the 28th, at my office. We have twelve municipally regulated clients.

CHAIRMAN BRAND: What time?

MR. HINES: 8 a.m. until 9:30 or so. Half hour, a little breakfast, and then jump into it. It's going to be basically how it relates to highway superintendents, how it relates to the planning boards. We put it together -- Town of Wallkill, they had a training day and we put it together. We said we have it all together, why don't we present it to all of our clients instead of one at a time. We have a big room.

MR. TRAPANI: Next Wednesday?

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BOARD BUSINESS

MR. HINES: A week from tomorrow at my office.

MR. CAUCHI: It starts at 8:00?

MR. HINES: Yes, in the morning. If you come in, as you're going to the terminal make your first left and come up the hill. We're up on top there. I'll send out the invite again.

MS. LANZETTA: I know Jen sent it out.

MR. HINES: I can send it in the morning.

MR. CAUCHI: Thanks.

CHAIRMAN BRAND: Anything else?

(No response.)

CHAIRMAN BRAND: Motion to adjourn?

MR. LOFARO: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MS. LANZETTA: Second.

CHAIRMAN BRAND: All those in favor?

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

(Time noted: 8:10 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do hereby
certify:

That hereinbefore set forth is a
true record of the proceedings.

I further certify that I am not
related to any of the parties to this proceeding by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of March 2018.

Michelle Conero

MICHELLE CONERO