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

----- X

In the Matter of

YOUNG'S 9W PLYMOUTH

Project No. 18-2002  
1871 Route 9W, Milton  
Section 103.1; Block 1; Lot 28

----- X

PUBLIC HEARING - SITE PLAN

Date: April 16, 2018  
Time: 7:30 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
JOEL TRUNCALI  
BEN TRAPANI  
JOSEPH LOFARO  
MANNY CAUCHI  
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

----- X

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

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YOUNG'S 9W PLYMOUTH

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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.)

MR. TRUNCALI: Agenda, Town of Marlborough Planning Board, April 16, 2018. Regular meeting 7:30 p.m. Approval of stenographic minutes for 3/19. Young's 9W Plymouth, public hearing, site plan; Hudson Valley Tree House, decision, site plan; Affuso/Noto Logging, sketch, site plan; Ridge Road, sketch, subdivision. Next deadline: Friday, April 20th. Next scheduled meeting: Monday, May 7th.

CHAIRMAN BRAND: I would like to have a motion for the approval of the stenographic minutes for March 19th.

MR. LOFARO: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. TRUNCALI: I'll second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor, say aye.

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MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So carried.

Before I begin I would like to enter into the minutes that Board Member Joel Truncali did receive two hours of in-service credit for attending the Ulster County Planning Department Floodplain Management Considerations for Community Planner.

Jen, can you keep that in the file.

Thank you.

First up, Young's 9W Plymouth, public hearing.

Ron, we did leave it open last time. Do I need to re-open it or restate it or we're good to go?

MR. BLASS: You can just proceed.

CHAIRMAN BRAND: This is a public

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hearing. I'd like to hear from the applicant first.

MS. BROOKS: Again as we discussed at the last meeting, this is an application for an existing car facility located on 5.06 acres.

We did get the lot line revision maps signed this evening, so they will be filed tomorrow. We'll be able to make reference on the map of the consolidation of the parcels. We actually have a 6 acre parcel we're applying under.

It was sent to the Ulster County Planning Board. We did get comments back from them as well as the comments from Pat.

I wasn't sure, was SEQRA circulated on this? Did this go -- some of the comments were with regard to Ulster County DPW and New York State Department of Transportation. I had given a copy of the map to John Riley, who is our regional representative at the New York State Department of Transportation, and told him just to hang on to it until he got the SEQRA circulation because I was assuming they were going to be doing their reviews under that.

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MR. HINES: I don't think it's been done yet.

MS. BROOKS: So, you know, two of the questions were with regard to the Ulster Department of Public Works and the New York State Department of Transportation. They'll be doing their review under the SEQRA circulation. We're going to have to wait until we're able to get comments from them. That was Pat's number one comment. We are waiting for comments from both of those agencies.

The cross easements that were addressed during the lot line revision process have been referenced on the revised plans, and we also submitted copies of the deed where those easements were filed.

Pat noted that the parking lot has been identified as new car inventory parking lot only and not for the new car sales, so there will be no customer traffic in that area.

CHAIRMAN BRAND: I did forward you the Ulster County Planning Board recommendations.

MS. BROOKS: The comments.

CHAIRMAN BRAND: Right.

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MS. BROOKS: So the Ulster County Planning Board did have comments regarding the Milton Turnpike definition. Again, we await the comments from the Ulster County Planning Board. Obviously they're the jurisdictional agency with regard to that road frontage, so their comments with regard to how they would like that to be handled will rule.

New York State Department of Transportation, it's the same type of a situation. We did show the New York State Department right-of-way. There are no encroachments of car parking. We'll make sure if there are overhanging bumpers, if they have to be pulled back then they can be pulled back.

With regard to the stormwater, we also had a discussion about that at the last meeting. The area which was regraded for the additional parking, it has always been impervious rock. Although there has been disturbance, there has been no stormwater impact and no stormwater control plans are required. I believe that the Board concurred with that at the last meeting.

With regard to landscaping, the entire

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site recently went through a renovation that significantly enhanced the curb appeal of the site. Again, it is all blacktop. I'm not sure what we would be able to do as far as landscaping. We did discuss that with the Board last time. I mean the only potential is there is an area in front of the showroom where in the summertime, you know, barrels could be planted with seasonal flowers. Other than that there really is no -- there's no availability for landscaping on this site.

With regard to the lighting, I thought that the photographs that we had submitted showed in pretty good detail that they were full cut-off fixtures. The site lighting was upgraded in 2016 to LED full cut-off fixtures and the applicant has provided the LED upgrade paperwork that was done which I'll submit for the file. So the lighting issue already has been addressed.

CHAIRMAN BRAND: Pat, did you have anything else?

MR. HINES: She hit all of our comments. The SEQRA lead agency has to be done. I missed that between now and the last meeting.

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We will do that, get the information to Ulster County Planning and New York State DOT.

I would suggest some of the information that was submitted to the County regarding the County comments be submitted to them.

MS. BROOKS: To the County?

MR. HINES: Yeah. So they can weigh in on the lighting and the landscaping. I think a line-by-line address --

MS. BROOKS: Response.

MR. HINES: Otherwise you're going to have to do a County override, which was kind of suggested. I think if the County can weigh in, state back they're okay with the discussion the Board has had with the applicant with the situation regarding stormwater and the landscaping, those could be resolved without the County override.

CHAIRMAN BRAND: Ron, did you have anything?

MR. BLASS: The override would be by a supermajority vote. If there's any issue that the County has spotted that this Board disagrees with, it's a majority plus one vote.



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CHAIRMAN BRAND: Okay. This is a public hearing also. Is there anyone from the audience who would like to speak either for or against this project? If so, stand and state your name. Mr. Garofalo.

MR. GAROFALO: James Garofalo. I'm all in favor of businesses dealing with cars, whether they be new cars, old cars, repairs, et cetera. That's good.

There are a few things that I would like to point out with regard to talking to DOT. I also would like the Board to make sure that there is a resolution that -- at the very corner of Route 9W it appears that the road is inside the property line. I don't know if that's a mistake, a mistake with the property line, maybe a mistake somebody made doing the road, but if they're going to clarify where the curb cuts are, the parking, et cetera, maybe they can clarify this one little area also at the same time.

MS. BROOKS: I can address that. The highway bounds have been shown as per the New York State DOT mapping. The DOT mapping just goes straight up and down 9W. It doesn't relate

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to Milton Turnpike at all. The County Highway Department did not have any mapping at that intersection and they had no highway takings. They did have highway takings further up Milton Turnpike where Old Milton Turnpike used to come around and the roadway straightened out. We computed the highway bounds at 25 feet off the existing center line of Milton Turnpike where it intersected with the highway bounds of New York State Route 9W based on the highway taking maps.

MR. CLARKE: Back in the `70s the County decided to take a 100 foot right-of-way. I don't know at that point but further up the road they surveyed and purchased land from all the adjoining landowners to create a 100 foot right-of-way. I don't know if it extended down that far or not.

MS. BROOKS: It definitely didn't. We always have to FOIL the maps from them to get whatever highway takings. The only area they had, even down in this area, was where the old County road sweeps around by Rodelli's, in that area there, which actually they still own the property in between there.

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CHAIRMAN BRAND: Mr. Garofalo.

MR. GAROFALO: I don't know if you answered it, whether or not the road actually extends onto the property according to the map that's on the website.

MS. BROOKS: Again, that entire area there is paved. There really is not a major distinction. We showed a gray line in there because we hooked up where the edge of the curbing was to the edge of the shoulder here. This entire area in here is blacktop. There is no "edge of pavement" there.

MR. GAROFALO: In dealing with defining where the accesses are and where they are not, perhaps that could be better defined in that particular area.

MS. BROOKS: We certainly will be consulting with the Ulster County Department of Public Works and DOT, and we will take all of their comments under advisement.

MR. GAROFALO: I would certainly suggest that for the access going up to the top where there's not supposed to be any customers, that there be a sign or something to tell

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customers not to drive up there, or, if they prefer, a gate. Something so the customers know they are not supposed to drive up there.

I'm not sure you can do much landscaping, as was mentioned here, but certainly one of the comments I did receive from the County was something you have to deal with which is native species. I encourage you when ever there is any landscaping, to have them define what's native landscaping and what's not. It might actually -- in this case landscaping might be better defined over by their boulder wall. If they have any more boulders that they could add to the wall, that might be considered some landscaping. I don't know if they're going to be doing any digging or not.

One of the things that I did not see on the plan was anything dealing with accessible parking. Many of these site plans may have been developed prior to the ADA regulations. I think it behooves the Board to try to have these sites brought into compliance with ADA regulations.

MS. BROOKS: The ADA parking space is right here. They actually have proper striping

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at this point.

MR. GAROFALO: Okay. I hope that if there's a problem with that location because of the access, that the Board will allow them to move that, as well as the right-of-way for the residential house. It may turn out that the right-of-way is not where they're going to allow a curb cut. Please be lenient in allowing them to move that according to where the curb cut ends up being.

There's clearly a path for residential vehicles to enter from the County road. I'm not sure if the intention is for them to turn around and go back out that way or to go to turn where it says do not enter and go to Route 9W. I'm not really clear on that, where the curb cuts are. I certainly would suggest that if there's do not enter on the pavement, that there be a sign also because there will be times when there's snow or whatever and that will be covered up. They should have at least one sign that says do not enter.

I thank the Board for their time.  
Thank you very much.

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CHAIRMAN BRAND: Thank you, Mr.  
Garofalo.

Anyone else for or against the project  
has an opportunity to speak?

(No response.)

CHAIRMAN BRAND: No. So I think  
what --

MR. CLARKE: Jeff, if you could join  
with the folks down in the hamlet, across the way  
there's a sign there. If you could do something  
similar to that, a planting, even a small  
planting, I think it would tie in with the whole  
hamlet. I think that would be a great idea. I'm  
not --

MR. ALDRICH: I can try a box.

MR. CLARKE: I'm not requiring it. I  
would request you join with those and do some  
planting there.

MR. ALDRICH: I've always thought about  
a box between the poles.

MR. CLARKE: One of the things you  
might do, go to the town, they still have the  
paving stones that came out of the road down to  
the river. Like the sign across from you, you

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YOUNG'S 9W PLYMOUTH

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might be able to do a small thing there and plant it and just help tie in to the community.

MR. ALDRICH: Okay. I'm good with that.

CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: So then I would like to have a motion to close the public hearing.

MR. CLARKE: So moved.

MR. TRAPANI: I'll second it.

CHAIRMAN BRAND: Any discussion?

MR. HINES: I would suggest you have the applicant waive the 62 day timeframe for a decision.

CHAIRMAN BRAND: Are you willing to waive the 62 day timeframe?

MS. BROOKS: Say yes.

MR. ALDRICH: Yes.

MS. BROOKS: We're still waiting for input from some other agencies and we don't know how long it's going to take to resolve.

CHAIRMAN BRAND: All those in favor of closing the public hearing?

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MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So we will wait to hear back once the SEQRA circulation process is completed and we hear from DOT. Thank you.

MS. BROOKS: Thank you.

(Time noted: 7:46 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 20th day of April 2018.

*Michelle Conero*  
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MICHELLE CONERO

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

----- X

In the Matter of

HUDSON VALLEY TREE HOUSE

Project No. 17-1019  
80 Gobblers Knob, Marlboro  
Section 108.3; Block 2; Lot 64

----- X

DECISION - SITE PLAN

Date: April 16, 2018  
Time: 7:46 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
JOEL TRUNCALI  
BEN TRAPANI  
JOSEPH LOFARO  
MANNY CAUCHI  
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: LAUREN BAGLIO

----- 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: Next up, Hudson Valley  
Tree House.

Just so the Board is aware, we did  
receive another copy from the firehouse. That's  
in all of your packets.

Did you get a copy of that as well?

MS. BAGLIO: Yes. I handed it in.

CHAIRMAN BRAND: So we do have two  
things before you right now. First up, we have  
the SEQRA and negative declaration and  
determination of non-significance in addition to  
the short environmental assessment form part 2  
impact assessment.

Jen, would you please poll the Board?

MS. FLYNN: Chris Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Joel Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Manny Cauchi?

MR. CAUCHI: Yes.

MS. FLYNN: Joe Lofaro?

MR. LOFARO: No.

MS. FLYNN: Steve Clarke?

MR. CLARKE: Yes.

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MS. FLYNN: Ben Trapani?

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MR. TRAPANI: Yes.

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CHAIRMAN BRAND: Okay. You also have before you from the Planning Board a resolution of disapproval for this project. It's there. We received it ahead of time. It lays out the reasons why the Board is choosing to disapprove or not the project.

Ron, did you want to run through anything with that?

MR. BLASS: No. I think the resolution speaks for itself. The Board was provided with the resolutions.

CHAIRMAN BRAND: Just to be clear for this, voting yes for this means you're saying no to the project?

MR. BLASS: Correct.

CHAIRMAN BRAND: Jen, would you please poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Member Trapani?

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MR. TRAPANI: Yes.

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MS. FLYNN: Member Lanzetta?

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CHAIRMAN BRAND: Absent.

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MS. FLYNN: Member Lofaro?

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MR. LOFARO: Yes.

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MS. FLYNN: Member Cauchi?

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MR. CAUCHI: I'm going to abstain from

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the vote. I wasn't here at the last meeting.

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MS. FLYNN: Member Clarke?

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MR. CLARKE: Yes.

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CHAIRMAN BRAND: Do you have a copy of

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the motion as well?

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MS. BAGLIO: No. I asked for it.

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CHAIRMAN BRAND: We'll provide that to

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you tonight and you'll be able to see the reasons

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why.

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MS. BAGLIO: Do I grab it from Jen?

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CHAIRMAN BRAND: Yes.

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MS. BAGLIO: I have thirty days to

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respond --

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CHAIRMAN BRAND: Ron.

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MS. BAGLIO: -- legally?

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MR. BLASS: Respond to the content of

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the resolution?

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MS. BAGLIO: Yes.

MR. BLASS: That really wouldn't serve any purpose.

MS. BAGLIO: Is there legally a thirty-day window where I have to advise legal counsel?

MR. BLASS: If you want to consult with counsel, you should take that.

MS. BAGLIO: Is there a time period in which I have to address the decision?

MR. BLASS: Thirty days from filing with the town clerk, which will probably occur tomorrow.

MS. BAGLIO: Okay. Thank you.

CHAIRMAN BRAND: Thank you.

(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 20th day of April 2018.

*Michelle Conero*

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MICHELLE CONERO

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

----- X  
In the Matter of

AFFUSO/NOTO LOGGING

Project No. 18-2003  
Mt. Zion/Reservoir Road  
Section 108.1; Block 1; Lots 6, 20, 23, 24 & 25

----- X

SKETCH - SITE PLAN

Date: April 16, 2018  
Time: 7:50 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
JOEL TRUNCALI  
BEN TRAPANI  
JOSEPH LOFARO  
MANNY CAUCHI  
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: JORDAN HELLER

----- X

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



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CHAIRMAN BRAND: Next up, Affuso/Noto Logging.

Do you want to give us a quick overview of what it is you have for us this evening?

MR. HELLER: My name is Jordan Heller, I'm a forester for Green Lumber Company.

Basically we have a timber harvest up on the mountain there. Basically we have three parcels that have been put together for one big timber harvest to make it worthwhile.

All the trees are marked. There are different colors for different landowners.

We're pulling all the wood to the Curial property which is on the southwest side of the map and also in the Town of Plattekill. I've been in contact with the highway super for the Town of Plattekill. It's an abandoned road and the landing is on the neighboring landowner.

CHAIRMAN BRAND: You have to get approval from them as well?

MR. HELLER: Yup. We follow New York State Best Management Practices for logging. I laid that out in my document here. We use that in other towns.

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The harvest will probably take about two months. We have a small crew cutting it. We go slow and they do a nice job.

All the trails will be graded. We'll have skid trails. We'll stabilize the soil, if we can get any sunlight in there.

There's Hemlock mixed. Other than that -- there isn't really any steep ground. It's pretty flat.

CHAIRMAN BRAND: Pat?

MR. HINES: We just noted that it's a timber harvest of approximately 580 trees on a 58-acre parcel. Part of the parcel is in the Town of Plattekill. It's about 10 trees per acre. It's not a substantive harvest.

The haul roads and landing for the project are all located in the Town of Plattekill, so that will be under their review. This is a rather unique timber harvest. Typically you would have some bonding and requirements for access to your roads, but in this case no Marlborough access is proposed. It's all coming off of New Unionville Road in the Town of Plattekill. I'm not familiar with that

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road.

Basically this is here for your timber harvest ordinance. The only thing it needs is a public hearing. You need to have that. I would recommend that the public hearing be scheduled to see if there's any input from the neighbors.

They did provide a map showing the proposed skid roads and the haul out location in the Town of Plattekill. They have a map showing the adjoining landowners as well.

According to your code, it does need a public hearing. We would recommend that be scheduled.

CHAIRMAN BRAND: Can I just ask procedurally, because of the two towns, he will need approval in both towns?

MR. HINES: Yes.

CHAIRMAN BRAND: Does the order matter? When they are both completed he can begin if he's approved in both towns?

MR. BLASS: Any approval from this Board will be subject to any and all approvals required from Plattekill. The same would be true of Plattekill's approval. The order doesn't

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matter.

CHAIRMAN BRAND: Okay. That was my only question.

Any comments or questions from the Board?

MR. CLARKE: To have a public hearing, how are people notified of this?

MR. HINES: Similar to any other site plan, they'll have a certified mailing.

MR. CLARKE: A certified mailing?

MR. HINES: Yes.

MR. CLARKE: I'd like to direct my comments to you. I was very impressed. You have identified each individual tree, and I was very impressed with that. It sounds pretty much like, you know, the species that are there. You know, this is just so much better than it was thirty years ago. Somebody wants to cut 10 acres, they cut 500 acres, what happened to all my trees. This is the way it should be done and I applaud you for it.

MR. HINES: I've had experience with this forester in other towns as well.

MR. TRUNCALI: I would like to know how

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do you know where the property lines are?

MR. HELLER: We just use a compass and flagging and deeds.

MR. TRUNCALI: I'm an adjoining property owner on the east side.

MR. HELLER: Yeah.

MR. TRUNCALI: I'm not even sure where my property line is.

MR. HELLER: Okay.

MR. TRUNCALI: I'd like to see it. I did put some flagging up out there awhile ago. I don't know if it's still there or not. I'm not sure where my property line is. I'd like to know where it is.

MR. HELLER: Let me see.

MR. HINES: Truncali.

MR. HELLER: That was all flagged in pink or orange flagging. This was a bid sale. This was actually marked by a different forester. We were the high bidder. Chris marked all those lines with pink or orange flagging.

Actually, I was on this property about two years ago. We walked away from it because we couldn't get any other landowners, and then Chris

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got them all together and bid it out. I know there's orange flagging on the east side, parcel 108.1 --

MR. CLARKE: You know Joel, GPS is good.

MR. HELLER: We don't have that type of stuff. All the corners are flagged. There's either drops or pins. Ulster County is pretty horrible with deed descriptions. There are a lot of ledges, so the ledge is the line.

MR. TRUNCALI: Why is there no harvest in the cross hatched area?

MR. HELLER: That's because we don't want the timber in there, plus we don't want to clean it up. It doesn't look good. It's not good for what the species are.

CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: So we can go ahead and schedule a public hearing.

Jen, when would that be?

MS. FLYNN: 5/7.

CHAIRMAN BRAND: Does that work for

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you?

MR. HELLER: Yeah.

CHAIRMAN BRAND: May 7th. Just get the mailings out.

MR. HELLER: Just to maybe put Mr. Truncali at ease, if you want to go for a walk, I can certainly take some time to go for a walk. I can try to get Chris out there.

MR. TRUNCALI: If you have a card.

MR. HELLER: I'll run out to the truck. I don't have any on me. I'll drop it off to you.

MR. TRUNCALI: Thank you.

CHAIRMAN BRAND: Thank you.

(Time noted: 7:57 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 20th day of April 2018.

*Michelle Conero*

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MICHELLE CONERO



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

----- X  
In the Matter of

RIDGE ROAD

Project No. 18-2004  
Ridge Road, Milton  
Section 102.4; Block 2; Lot 32.810

----- X

SKETCH - SUBDIVISION

Date: April 16, 2018  
Time: 7:58 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
JOEL TRUNCALI  
BEN TRAPANI  
JOSEPH LOFARO  
MANNY CAUCHI  
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: ROBERT JAMES

----- X

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

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RIDGE ROAD

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CHAIRMAN BRAND: Next up, Ridge Road, sketch, subdivision.

Just give us a brief overview.

MR. JAMES: I'm Bob James, Diachishin. The applicant is Nick Galella.

What he's proposing is two new vacant lots and the remainder lot where he has his house. The two new lots are a little over an acre fronting on Ridge Road. Single-family lot. Town water and septic systems. That's about it.

CHAIRMAN BRAND: This was originally one large lot?

MR. JAMES: Yes.

CHAIRMAN BRAND: You're proposing to break it into three?

MR. HINES: This was previously subdivided into multiple lots in 2014. I believe it was consolidated into --

MR. JAMES: There was a consolidation.

MR. HINES: -- this larger lot again. Now I guess they're looking to subdivide some parcels out of it again.

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

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MR. HINES: Sure. Rob, did you get these?

MR. JAMES: No, I didn't. Do you have a copy?

MR. HINES: The first comment just has to do with the history in 2010. It was subject to a subdivision, I believe it was eight lots. At that time a drainage district was formed. There were drainage improvements that were required for that subdivision.

In 2014 several of the lots that had not been constructed on previously were combined, I believe for tax purposes of not being able to market the lots and not wanting to pay taxes on the individual residential lots. They went back to what's identified as lot A on the plan.

We're looking for confirmation that these lots are in that drainage district. There will need to be notes on the map that they are part of that drainage district. The fact that they're consolidated didn't make them go away. As they come back again, to make sure they're part of that original drainage district.

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lots 1, 2 3 and the plans are 1, 2 and 8-A. That needs to be cleaned up.

Ulster County Health Department approval for the septic systems will be required. I just noted that the septic on lot 2 is located upgradient of the house and may need a pump system. I don't know why that's there.

MR. JAMES: The soil is a little better actually.

MR. HINES: Details for connection to the Town's water system. The two proposed lots are located within the Town's water district so we'll need approval from the water superintendent as well as details depicting how they're going to connect to the system.

The short form E.A.F. doesn't look like it was filled out on the DEC's interactive website. We require that that get filled out. On their website it will populate the fields that DEC has information on in their database, things like critical environmental areas, hazardous material sites in proximity, historic preservation and threatened or endangered species will populate.

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The E.A.F. identifies 1.6 acres of disturbance, so a stormwater pollution prevention plan for residential subdivisions must be prepared. A permit for DEC for greater than 1 acre disturbance in compliance with the Town's MS-4 regulations.

The highway superintendent's comments on the driveway locations.

We note that there is no surveyor stamped on the plan. We'll need a surveyor to stamp the plan.

MR. JAMES: On the stormwater pollution prevention are you looking for basically erosion control?

MR. HINES: Yes. For residential 1 acre to the west and 5 acre disturbance. The important part there is not the plan but the coverage under the SPDES permit program. The Town is a regulated MS-4.

Ron was just mentioning the drainage district had improvements, some of which were constructed and some of which were not previously. You need to take a look at that approved subdivision map. It may be that these

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RIDGE ROAD

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lots have tributary portions that weren't constructed. If you can get the 2010 map and see what improvements were there versus what are proposed now.

MR. JAMES: Okay.

CHAIRMAN BRAND: Is that it, Pat?

MR. HINES: That's all I have.

CHAIRMAN BRAND: Ron, did you have anything?

MR. BLASS: No. There is a pattern developing on this project, which is subdivision, lot consolidation, subdivision. It raises a question of how many segments are we dealing with under SEQRA. So a full build-out plan should -- you might want to ask for a full build-out plan. Basically you're having a series of subdivisions, consolidations followed by subdivisions, which is, you know, inconsistent with the concept of a segmentation.

CHAIRMAN BRAND: We would just ask for a full build-out plan?

MR. BLASS: You could.

CHAIRMAN BRAND: How does the Board feel?

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MR. CLARKE: I thought there were some regulations on how many times you can come back for a piece of property and subdivide that piece of property. The second time --

MR. HINES: It's been three years.

MR. BLASS: It might be. It might be in the new amendment to the SEQRA regulations as well.

MR. CLARKE: In my mind you can do a single, the next time you go back to do a subdivision you had to show full build out.

MR. BLASS: I think there is something like that.

MR. CLARKE: That might be.

MR. BLASS: I think you're right.

CHAIRMAN BRAND: When you're referring to the full build out you're just not referring to these lots in particular, you're referring to --

MR. CLARKE: Build out. If he has intentions to subdivide further, we want to know about it now.

CHAIRMAN BRAND: Does he own additional property?

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MR. HINES: Yes.

MR. TRAPANI: It's up on the top. This was brought up here. You couldn't develop this, right across from Morris. So that's the only place that they can come in or out is up on the top.

CHAIRMAN BRAND: Does the owner own lot 8-A?

MR. JAMES: Yes. He lives on that lot.

MR. HINES: There are still two pieces of frontage on Ridge Road. Originally I believe this was an eight-lot subdivision with portions somewhere else.

MR. CLARKE: Further down. I think there were three or four lots subdivided.

MR. TRUNCALI: I would just like to say when I did my subdivision on Mt. Zion I was asked by the Town to do a full layout of the whole parcel which resulted in a lawsuit and we lost for segmentation because we didn't consider drainage for that whole layout that was there. I don't think that's --

MR. BLASS: So maybe the full build-out plan may be the 2010 subdivision map. It appears



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that there was a 2010 eight-lot subdivision, then there was a consolidation of X number of those lots, and now we're seeing a subdivision off of what was consolidated. If the full build-out plan is the 2010 subdivision map, fine, that's all you can review. It probably got a negative declaration.

MR. TRUNCALI: He's not requesting anything more than he did originally on the original subdivision.

MR. BLASS: That's possible. You won't know without a full build-out plan.

MR. TRUNCALI: I mean as far as these two more lots. There are not any new lots that were on the original plan.

MR. BLASS: I wouldn't be surprised.

MR. HINES: They may be identical. I didn't pull up the 2010 plan. It may be. As Ron said, the 2010 plan may stand as their maximum potential build out. You'll see in the corner of lot 8-A, the lower corner they're showing some of the drainage improvements to the district that shows connectivity to the lots further down towards the title block.

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RIDGE ROAD

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CHAIRMAN BRAND: Do these lots match up with 2010?

MR. JAMES: I don't know that. I don't have my file.

CHAIRMAN BRAND: So are we in agreement that we're going to require a full build out for this?

MR. CLARKE: Yes.

MR. HINES: I think what you're looking for is that concept plan. It will show the ultimate intention of the owner.

CHAIRMAN BRAND: Okay. So just yes on the build out?

MR. CLARKE: Yes.

MR. TRAPANI: Yes.

MR. TRUNCALI: No.

MR. CAUCHI: Yes.

MR. LOFARO: Yes.

CHAIRMAN BRAND: Yes.

Everybody is yes, Joel is no.

CHAIRMAN BRAND: We're going to require you to have a full build out.

MR. JAMES: Okay.

MR. HINES: Conceptual.

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CHAIRMAN BRAND: Conceptual.

MR. TRAPANI: What if he says I'm not going to do a full thing, build-out plan, and then five years from now he wants to change his mind?

MR. BLASS: Well that's the reason for the rule Mr. Clarke was mentioning. You can only slice the bologna so many times the same way. I think that full build-out plan now is what we need for environmental review because of the back and forth. In fact, a full build-out plan should probably be required all the time. If somebody comes in with a very large parcel and wants to create a small lot out by the street, you might ask for a full build-out plan. That will be by the applicant's statement that I have no intentions --

MR. CLARKE: The problem with that is a lot of farmers, all of a sudden his kids want a couple lots so you create a couple lots but your intent is not to do a full build out. Twenty years later, you know, things might change. So I don't know if I agree with you on that.

MR. BLASS: I think I've got to find

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RIDGE ROAD

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the regulation you're speaking of.

MR. CLARKE: Okay. If it's by regulation, then so be it.

MR. BLASS: Yeah.

MR. CLARKE: You either tell us now or you're done.

MR. BLASS: Right.

MR. CLARKE: Great.

CHAIRMAN BRAND: Any other questions?

MR. JAMES: No.

CHAIRMAN BRAND: So you have your homework to do. We'll see you at another time.

MR. JAMES: Yes.

CHAIRMAN BRAND: Anything from the Board for before we adjourn?

MR. CLARKE: Yes. I didn't state I was at that meeting and so was Manny.

CHAIRMAN BRAND: Manny and Joel were both there.

MR. CLARKE: We were both there. Joel is obviously a little more in control of things.

CHAIRMAN BRAND: I certainly believe you were there. We can contact them.

MR. CLARKE: Jen will take care of that

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for me.

MS. FLYNN: What?

CHAIRMAN BRAND: The certificate.

MR. CLARKE: Call the Ulster County  
Planning Board and see if my name was on there.  
I signed in for that meeting the other night.

CHAIRMAN BRAND: Steve and Manny.

MS. FLYNN: Okay. We'll check.

CHAIRMAN BRAND: Anything else?

(No response.)

CHAIRMAN BRAND: Motion to adjourn?

MR. LOFARO: So moved.

MR. TRUNCALI: Second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: Carried.

(Time noted: 8:11 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 20th day of April 2018.

*Michelle Conero*

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MICHELLE CONERO