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

----- X

In the Matter of

PAUL GLADMAN

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

----- X

SKETCH - LOT LINE

Date: July 16, 2018
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
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

----- X

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

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PAUL GLADMAN

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MR. TRUNCALI: I'd like to call the meeting to order with the Pledge to the flag.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of Marlborough Planning Board, July 16, 2018. Regular meeting 7:30 p.m. Approval of stenographic minutes for 5/7, 6/4 and 6/18. Paul Gladman, sketch, lot line; Marlborough on Hudson, sketch, site plan. Next deadline: Friday, July 20th. Next scheduled meeting: Monday, August 6th.

Does anyone have any changes or comments on the minutes from 5/5, 6/4 and 6/18?

(No response.)

MR. CAUCHI: I'll make a motion to approve the stenographic minutes for 5/5, 6/4 and 6/18.

MR. TRUNCALI: Do I have a second?

MR. CLARKE: I'll second.

MR. TRUNCALI: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

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PAUL GLADMAN

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MR. LOFARO: Aye.

MR. TRUNCALI: Aye.

Opposed?

(No response.)

MR. TRUNCALI: So carried.

Is anyone here for Paul Gladman?

(No response.)

MR. TRUNCALI: I guess we'll move on to
Marlborough on Hudson.

MS. LANZETTA: Can I discuss -- I have
a question on this.

Ron, I want to make sure that I
understand the Paul Gladman sketch. They
actually have four lot consolidations. Correct?

MR. BLASS: Four lots into one lot.

MS. LANZETTA: They will have to go
through a public hearing?

MR. BLASS: Yes. It's a two lot cap.

MR. HINES: I have a whole bunch of
comments, just looking at it in the last ten
minutes. They have some work to do as well.

MS. LANZETTA: Okay.

(Time noted: 7:34 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 27th day of July 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

MARLBORO ON HUDSON

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

----- X

SKETCH - SITE PLAN

Date: July 16, 2018
Time: 7:34 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: JOEL TRUNCALI, Acting Chairman
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: ANDREW FETHERSTON

----- X

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MR. TRUNCALI: Marlborough on the Hudson.

MR. FETHERSTON: I've got a historic plan. None of you were on the Board when we brought it before the Board. I think it was '04, '05.

My name is Andrew Fetherston, Maser Consulting.

I'd like to take you through the plan, what was built, what was not built, what we're proposing here. In very simple terms, we're looking to finish up the remaining 12 units. 8 units of 36 were built.

MR. TRUNCALI: 24.

MR. FETHERSTON: I'm sorry.

MR. HINES: 12 were.

MR. FETHERSTON: Let me start all over again. 12 of the original units were built and 24 are remaining to be built, for a total of 36. That was the original site plan approval.

When this came before us I called Pat and spoke to him, what do you think you're going to want to see on here, more specifically about stormwater. The buildings are proposed to go

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where they were going previously.

I was hoping my client was going to be here to talk to you about the architecture. My understanding is his intent is to match what's there. That's got to be confirmed. Pat was looking for -- understandably he's looking for some architectural.

I met with Pat to talk about stormwater. The regulations have changed a bit in the ten to twelve years since we've been out here. We originally were using lesser rainfall values for what was commensurate in the day, lesser water quality volume numbers commensurate with the day. The water quality volume requirements have increased. There's now something called runoff reduction. We have incorporated that onto this site and we are using redevelopment standards because the parcel was previously developed. So we ran all new stormwater using today's values, which are all quite a bit higher than they were back in the day. The hundred-year storm is greater today than it was years back. We modified the stormwater detention basins.

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The first thing that we did was I wanted to know what was out there. We did the approvals. We were never involved in any of the construction. They selected somebody else to take them through that. It was partially over time. Unfortunately I wasn't involved in that as far as having more knowledge. What I needed to do was do an as-built.

We weren't going to be able to observe from the ground where the water main was constructed, so we had one of our guys go out with a ground penetrating radar device. It looks like a baby carriage and he pushes it across the ground and determines -- is able to easily find what is an iron water main by putting a mild electric charge to it and he's able to pick it up. So we found that this is generally within the easement we had proposed back in the day. One of Pat's comments was center the easement so we can redo the easement to match what's actually been built. The water is coming from Anna Place, it comes into the site and it goes right on through. We also left a stub out here on Highland Avenue for any future connection.

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The roadway was built from here down having these two entrances which were originally proposed, one in the center of the site, one on the north end of the site. It loops back down to South Street. That was built. There's a portion from here to here that was never built. The units here, the units here and the units in the center were never -- were the ones that were never built. We did an as-built to see what the existing conditions were. When we did the as-built our findings were that the stormwater basins were not built to the proper size for the original plan. What we had to do was first bring them up to size, but we didn't bring them up to size for the original plan, we brought them up to size for today's rainfall values. They got a little larger than what was originally proposed. So that's the as-built drawing.

This was our demo plan. The road that was constructed is generally to the line that we specified, but it was only paved with binder. It all has to receive top course. If you've driven it you know. If you were snowplowing you'd knock your teeth out on the sewer manholes that have

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been -- that are raised way in to accept that pavement. So this portion of the road all has to receive top course pavement, as does the back parking and other parking areas throughout the site. Full depth pavement has to be built on this portion.

The drainage was somewhat installed. Some of it is on grade, some of it is not, some of it will have to be reset. We incorporated that into the plans.

One of the other things that we noticed -- I'm going back through historic plans. We kept everything. The original lighting plan specified bollards only about as high as my belt with metal halite fixtures. That was what was done in the day. Now of course everything is LED. But bollards were not installed here. Short poles were installed out here. They look like high pressure sodium. We're not sure exactly what they are. What we're going to recommend to the client is that we get out there, take the cap off, get the model numbers, see what's there and see if we can either match them or preferably probably retrofit them so that they

1
2 come up to today's standards with an LED fixture.
3 The lights that were installed were not per the
4 approved plan. We'd like to match them and keep
5 what's there but it's up to the Board. We have
6 to do a lighting plan for that. We also have to
7 do a landscaping plan. So a lighting and a
8 landscaping plan which I have from the former
9 submittal. We were going to pretty much match
10 that, but again that's up to the Board. I'll
11 show you what we did before, what was approved.

12 On the landscaping plan, I've got a
13 licensed landscape architect in my office and I
14 asked him to go through the tables of what the
15 plantings were that were selected, is there
16 anything in there which in the ten or twelve
17 years now you wouldn't want to plant because of
18 disease, or for some reason you wouldn't want to
19 plant that same species. There was one or two on
20 there that I had noticed were not native plants
21 and maybe we would swap them out. I could have a
22 plan done for the Board to review, see what you
23 think about using all native plants.

24 So this is our layout plan. The darker
25 shading, like I told you, that's the full depth

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pavement section. Everything else would receive just a top course, including the parking spaces.

The sidewalks are all in. The curbing is in for the most part.

The drainage we're going to look at on that section.

Here's the units that have to go in. The clubhouse and the pool, we're looking for approval for that. That's what was on the original plan. We weren't going to design that. We're not the best guys to do the pool design. We don't have -- we recommend to the client to get a pool guy to come in and design that.

This is our grading plan. The original basin was probably only that size. We've made it a bit larger but we also added this bump out to achieve some of what they call runoff reduction. So we've achieved that, and we added another spot over here for the runoff reduction.

The permit and redevelopment all specifies best practicable -- maximum practicable that you could possibly fit on the site. We looked at doing something else on the site for stormwater on this side to do runoff reduction.

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We just can't fit it anywhere. With the drainage that was installed, it kind of makes a loop. This is high in the center. Half the site goes to the south towards South Street and the other half goes to the north. Because the piping does somewhat of a loop, it's really flat and it's really shallow and we're not finding a way to mathematically hit that with another basin to get runoff reduction on this section. We did what we thought was the best we could do by capturing a surplus amount on the south end. Pat's got the stormwater report that we did all under review.

The grading pretty much matches exactly what we were doing. It looks like maybe some additional grading was done over here as they were working the site over the ten or twelve years. We originally had quite an embankment coming down.

MR. HINES: That was a large rock outcrop.

MR. FETHERSTON: Yeah. That's not there now. So it made the grading a little bit easier.

The only changes to the drainage are

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just to the basins that I told you about and making these drains that were installed previously, making them fit or pulling them out and resetting them. We've got to look.

Water and sewer connections. We got a comment from Pat recommending how to do the water connections. We concur. We agree with his suggestion and we're going to modify the plan as such if the Board thinks that that's the way to go. We certainly agree with what Pat said.

The erosion control plan now isn't for the whole site, it's for those localized areas where we're doing the soil disturbance. It's kind of compact working around the residences that are there.

Another one of Pat's comments was to provide phasing. I'll work with the client and determine how they think they want to phase this in keeping with -- in keeping the dust down and keeping the construction activities so that these folks that live here suffer the minimum of disturbance.

I thought that the best staging area would be back here in the rear. There's a nice

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flat spot back here. What that does is by putting it up on the lawn, I maintain all the parking places that are there. I'm not putting the trailers in places where people could park, so we're not losing any parking during the construction.

I did a series of details for the construction.

This I didn't give the Board but I can. You might have it in the Town files. This was the landscaping and the lighting plan that I found. It may be the final one. I'm going through archive files to find them. The date is 2004. It shows what the original intent was, all of the plantings. These larger circles, they're not trees, that's the light emitted from these bollards. Because the bollards weren't installed and the poles were, we think the poles today are a better idea. That's up to the Board to decide if they're accepting of the poles that are there, can we match them. We've got to work with you on that one.

We did a blow up of one typical unit so you can see some more detail. It gets too tight.

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What I'd like to do tonight is I'm asking the Board to circulate SEQRA for lead agency, maybe schedule a public hearing, send it out to the County. Those things that take time, if we could possibly do a couple of those things while we modify the plans to address Pat's comments, at the very least, and then your own comments. I'll try to answer any questions you have.

MS. LANZETTA: I have some comments and then some questions. First of all, the landscaping and the lighting really should be done and ready to go before it goes to County. That is one of the main things that they're going to be looking at, along with everything else. I just know sitting on the board that they'll send it right back and say that they want that. There's no sense in us even circulating it there until those things are done.

The other thing I wanted -- along with that lighting, I would suggest that you take into account the dark skies --

MR. FETHERSTON: Yeah.

MS. LANZETTA: -- and the necessity for

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keeping the lighting downward.

As far as the swale drainage areas that you have, you might want to include on your landscaping a provision to possibly develop some rain garden vegetative plantings. Those areas do get wet, and they do look very nice too.

MR. FETHERSTON: Can I speak to that for a second?

MS. LANZETTA: Sure.

MR. FETHERSTON: What we proposed is pretty much just what you're saying. It's a bio-retention area similar to a rain garden. It's got the engineered soil, trying to promote some infiltration. There are underdrains in the easement because this whole place was mined for shale before we ever got the project.

MR. CLARKE: Is there any percolation on that site?

MR. FETHERSTON: I really doubt it. It's all soils. A is beach sand, B is --

MR. HINES: The site was completely altered.

MR. FETHERSTON: C is beyond where you do infiltration and D is like wetlands soils,

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absolutely no infiltration at all. So I would say no. I would say no.

MR. CLARKE: You're really --

MR. HINES: It's a filtering practice.

MR. CLARKE: A house on top of an impermeable base or not, if you have a lot of water what are you going to do with it?

MR. HINES: That's where the detention ponds come in. Also, the bio-retention areas are a filtering practice for water quality.

MR. CLARKE: Two or three inches of rain --

MR. HINES: The ponds do have discharge, so there's piping.

MR. CLARKE: They're on top of the hill. The discharge goes down. It will serve somebody else, not him.

MR. FETHERSTON: I mean it's under review by Pat. We reduced the peak flows lower than it was originally before we even got out there. The requirement is that you minimize -- maintain or reduce flows over existing conditions. We called existing conditions for this the original note construction and then

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reduced or maintained the flows from that.
Everything is sized for a maximum hundred-year storm. It has more than the required capacity.

MS. LANZETTA: Did you want to finish your comments?

MR. FETHERSTON: The bio-retention, it's similar to a rain garden, short of the extensive plantings. A rain garden is primarily for that temporary storage and then infiltration. Knowing that, that's why we put underdrains underneath these bio-retention systems, so it percs through the soil slowly, filtering and then discharges.

MR. CLARKE: On page 7 you have some details.

MS. LANZETTA: Okay. So you are going to plant those types of vegetation?

MR. FETHERSTON: There will be some plantings on those basins. It's not going to be a rain garden.

MR. HINES: The DEC requires it's maintained and there's a mulch on top.

MR. TRUNCALI: On the north side of the property where the road comes in there, I think

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it was poor planning when they did this project. That road should have connected to Anna Place there. Do you think that's something possible that could happen?

MR. HINES: The project sponsor at the time lived on Anna Place.

MR. TRUNCALI: He didn't want it?

MR. FETHERSTON: I don't know if that's -- I don't know if that's feasible just because of the grades. I do not have topo there. I stood there over the winter --

MR. TRUNCALI: The pump station is there kind of in the way. Even if it was one way, there's no where for plow trucks on Anna Place to turn around, it would make it a lot nicer to go straight through there.

MR. HINES: The plow trucks wouldn't go through. This is not a Town road, it's a private development.

MR. TRUNCALI: They couldn't dedicate that to the Town?

MR. HINES: That would cause lot line change issues based on the setbacks. That would make new front yard setbacks. We can ask if they

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have a topography to show that and see if it's feasible or not.

MR. TRUNCALI: Any other comments?

(No response.)

MR. TRUNCALI: Pat, do you want to go over your comments?

MR. HINES: Sure. Our first comment is just describing the project.

The second comment, and this is an important comment here, the water main easement. This has been a bit of a situation with this project since it started. The project was always envisioned to dedicate the water mains to the Town of Marlborough. If not, we put a master meter on there. The idea was to have it move through. The water mains have never been dedicated to the Town and they should. The Town had interest in the past in connecting Highland Avenue out. The then project sponsors were not allowing the access. Basically the stormwater mains are on the Town's system. That's the point of my comment two, is we're looking for the applicant to dedicate the pipe itself within an easement centered on the pipes so that should the

1
2 Town wish to connect to the Highland Avenue water
3 main, they'll have the ability to do that. If
4 this project was proposed without that original
5 intent there would have been one master meter
6 somewhere where it connected. The intent was to
7 loop it through from Anna Place to, is it South
8 Street, and then also provide the ability for the
9 Town to bring in Highland Avenue and provide
10 future extension. So that's an issue for them to
11 work out.

12 The pump station is on the site. The
13 applicant's representative is proposing a couple
14 of adjustments just in the floats. That pump
15 station has been there functioning for ten years
16 now.

17 We identified the landscaping plan.
18 There may be a little grade issue. Andrew, you
19 can take a look at the corner there were
20 there's --

21 MR. FETHERSTON: I saw that. We have a
22 typo. I saw that.

23 MR. HINES: I have a comment for Ron's
24 office. I know this is the first round we're
25 seeing. The condominium filing is dated. I

1
2 don't know what the ramifications of that are.
3 It's a legal question. I've seen the situation
4 before with condominium projects where they're
5 partially built and now they come in and build 24
6 new units and those folks that buy the 24 new
7 units become financially responsible for 12-year
8 old roofs on the original project. There may be
9 an issue with that. There may be a need to
10 update the filing. On a project this small it
11 might not be bad, but I've seen larger multi-unit
12 condos where it's been an issue. 15 years later
13 are you going to buy a condo when those other
14 people had the benefit of 15 years of a roof that
15 may need to be replaced? That's a comment for
16 Ron to look into. There are ways to adjust that
17 by making smaller underlying homeowners
18 associations addressing maybe the 12 units that
19 are there versus the 24. That that can be spread
20 around a little more equitable.

21 We talked about the water main. These
22 buildings are proposed to be sprinklered. Right
23 now there's a separate sprinkler line and a
24 potable water line. We're recommending that be
25 changed to a single line with a water meter

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such that when you turn the water off to the building -- when you turn the fire sprinklers off the potable water to the building will be shut off, otherwise the way this is set up you could turn the fire sprinklers off and never turn them on and no one would ever know. If the water is not coming out of the sink you'll have an issue.

The stormwater plan is under review.

A public hearing is required.

Site lighting and landscaping will be needed. That will be a County comment. I concur they're going to want to see that.

We talked about construction phasing and how that's going to work. That's more for the building department to know what's going to be built, what COs are issued. I'm sure they are going to want to sell some of the units as the project progresses, so we need to talk about that.

I don't know the answer to this. Trash collection becomes an issue on some of these. I notice there's no dumpster.

MR. FETHERSTON: On the original plans from '03, the original plans, a note that

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referred to a dumpster, common dumpster location, it was never built. It was never the intention. The intention was to pull the cans out of the garages on trash collection day and have them picked up.

MR. HINES: Is that what occurs now?

MR. FETHERSTON: Yes, that's what occurs now.

MR. HINES: Normally as you develop those you should take those into account. Provide somewhere for that to happen so that the condominium association doesn't constantly write people up for having their garbage cans stored outside, that that becomes an issue. That leads into another possible condominium filing, if that was included with the original.

MR. FETHERSTON: Right.

MR. HINES: Architectural renderings. I did notice that the constructed buildings seemed to have some kind of a porch or a concrete pad on the front yards and the new ones don't. Just take a look at the elevations. The elevations look three foot higher for the first floors. I don't know what was intended there.

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MR. FETHERSTON: Was the intent to maintain that architecture for these remaining units?

UNIDENTIFIED SPEAKER: Yes.

MR. FETHERSTON: We'll get you the plans on them, how it's going to work.

MR. HINES: That leads to the elevation difference. I'm not sure -- if they're similar architecture they should work. I didn't get the finished floor elevations. The garage is about 5 feet lower than the first floor, which seems a little strange. Your living space on your first floor, I don't know what's happening. We'll see that when the architectural plans are developed. The 3-foot difference in the front -- on the sidewalks on the front to the finished floors seems a little strange, too.

Those are our comments to date.

In fact, Joel, I remember Anna Place did come up during the original approvals. It wasn't just the project sponsor but some of the other people on Anna Place were very concerned about it becoming a cut through.

We did hear from the folks on Highland

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Avenue regarding visuals. They were concerned about that. That comes back to the landscaping plan.

MR. FETHERSTON: Right.

MS. LANZETTA: I think one of the things that was brought out was that they wanted to keep as much of the rock outcrop when you come to South Road as possible.

MR. HINES: On the corner?

MS. LANZETTA: Yeah.

MR. HINES: That's gone away.

MS. LANZETTA: We don't want any more to go away.

MR. HINES: I think it's mostly gone. There was a plan originally to preserve that.

MR. FETHERSTON: There's a rise. I mean from the intersection of Highland and South Street there's quite a rise, maybe eight feet or so. It certainly pales in comparison to what it was originally.

MR. HINES: There was a rock here.

MR. TRUNCALI: There's no need to take any more out?

MR. FETHERSTON: That's correct.

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MR. HINES: The grading is at grade in the corner. Showing what is now grade.

MR. FETHERSTON: This is the original survey from before anything was done out there. The elevation at the intersection is around 360 and rises to 380, 385. That was proposed to be gone for the road that was cutting through anyway. The same thing with these knobs.

MR. TRUNCALI: So where are the clubhouse and pool locations supposed to go?

MR. FETHERSTON: Right here. Right in the middle of the site. Back road, pool and then a modest clubhouse as part of the facilities.

MR. TRUNCALI: Is there a parking lot for that?

MR. FETHERSTON: There is. I mean everything is easily walkable with the sidewalks that are on the site, but there are a couple of spots there. One of them will be handicap.

MR. HINES: There's an excess of parking actually. Each of the units has a garage and then they each have their own driveway. That parking lot over by the condominium association is kind of extra, as well as the parking along

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Highland Avenue. Each unit has it's own garage and parking space, and then all those other parking spaces are in excess of your code.

MR. TRUNCALI: If people are having a party at the clubhouse, outside people are going to come in.

MR. HINES: I think the parking was a lot higher.

MR. FETHERSTON: The code requires 2 spaces per unit or 72 spaces. What's on here is 116 spaces. That will accommodate a party, having folks over for the holidays, that kind of thing.

MR. CLARKE: I think we should schedule a public hearing.

MR. TRUNCALI: Are we ready to circulate for intent?

MR. BLASS: So the resolution would be the Planning Board circulates the intent to be lead agency.

MR. TRUNCALI: Do you have anything else, Ron?

MR. BLASS: No.

MR. TRUNCALI: If nobody else has

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anything, do I have a motion for the Marlborough
Planning Board to have the intent to be lead
agency on this project?

MS. LANZETTA: I'll make that motion.

MR. TRUNCALI: Do I have a second?

MR. CAUCHI: I'll second.

MR. TRUNCALI: All in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MR. TRUNCALI: Aye.

All opposed?

(No response.)

MR. TRUNCALI: So carried.

Is there any new business?

(No response.)

MR. TRUNCALI: If not, I'll ask for a
motion to adjourn.

MR. CAUCHI: I'll make the motion to
adjourn this meeting.

MR. LOFARO: Second.

MR. TRUNCALI: All in favor?

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MARLBOROUGH ON HUDSON

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MR. TRUNCALI: Aye.

(Time noted: 8:03 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 27th day of July 2018.

Michelle Conero

MICHELLE CONERO