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

----- X

In the Matter of

MILTON TURNPIKE SOLAR FARM

Project No. 18-2010
132 Milton Turnpike, Milton
Section 103.1; Block 1; Lot 33.2

----- X

PUBLIC HEARING - SITE PLAN

Date: December 17, 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: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: MICHAEL CUCCHIARA

----- 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: 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, December 17, 2018. Regular meeting 7:30 p.m. Approval of stenographic minutes for 11/5 and 11/19. Milton Turnpike Solar Farm, public hearing, site plan; Ridge Road, final, subdivision; Kevin and Kellie Casey, sketch, lot line. Discussion without lawyer, engineer and stenographer, Bob Pollock, spa extension. Next deadline: Friday, December 21st. Next scheduled meeting: Monday, January 7th.

CHAIRMAN BRAND: I'd like to have a motion to approve the stenographic minutes for November the 5th and November the 19th.

MR. CAUCHI: I'll make that motion to approve the stenographic minutes for 11/5 and 11/19.

CHAIRMAN BRAND: Do I have a second?

MR. LOFARO: Second.

CHAIRMAN BRAND: Any discussion?

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(No response.)

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: So moved.

I would like to just present, before we get started, I did do two hours of training. I have a one-hour self-study course in public meetings and hearings. I'm very proud of myself scoring 90 percent on that. I also have a completion of the Department of States Planning Board overview course.

Jen, I'll just give that to you.

First up, Milton Turnpike Solar Farm public hearing.

MR. TRUNCALI: Jen, do you have the notice?

CHAIRMAN BRAND: The public hearing

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notice.

MR. TRUNCALI: "Legal notice,
commercial site plan application and special use
permit application. Please take notice a public
hearing will be held by the Marlborough Planning
Board on Monday, December 17, 2018 for the
following application: Milton Turnpike Solar
Farm, at the Town Hall, 21 Milton Turnpike,
Milton, New York at 7:30 p.m. or as soon
thereafter as may be heard. The applicant is
asking for site plan approval and a special use
permit for a solar energy farm on lands located
at 132 Milton Turnpike, Milton, New York 12547,
Section 103.1, Block 1, Lot 33.1. Any interested
parties either for or against this proposal will
have an opportunity to be heard at this time.
Chris Brand, Chairman, Town of Marlborough
Planning Board."

CHAIRMAN BRAND: Excellent.

Did you send out the mailings?

MR. CUCCHIARA: Yes, I did.

CHAIRMAN BRAND: How many did you send
out and how many were returned?

MR. CUCCHIARA: So at the time of

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Thursday last week when I was last in the office -- I have the numbers. I sent out approximately 45. I believe 45 was the number using Ulster County Mapper, using the 500-foot buffer. I have all the receipts from the mailings. I believe it's 45 or 46. At this time call it 20 responses -- signatures.

CHAIRMAN BRAND: Okay. Can you just give those to the secretary? That would be great.

MR. CUCCHIARA: Yes. I'll send in the remaining ones when I get back.

CHAIRMAN BRAND: Would you just give us a brief overview of what it is you have planned here?

MR. CUCCHIARA: Sure. So for the community at large and the Planning Board, thanks for being here. I know it's a busy time of the year.

This project -- Jen, if you don't mind, I think page 2 C-130 would be the best way to display this. I'm sorry. Page 3. Thank you very much.

MS. FLYNN: This one?

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MR. CUCCHIARA: That one right there.
There you go. That's the one.

So this is a 2 megawatt community solar farm sited at 132 Milton Turnpike. The view is a little skew. North is on the left-hand side and south being on Milton Turnpike. So you're really looking north, south, east and west. It's situated approximately 240 feet from Milton Turnpike. It would be connected through a 20-foot gravel path that would lead back to the back end of that northwest corner of the lot. It's approximately 114 feet from the New Road side to any of the panels that are on the back end, 70 feet from the western parcel behind, and greater than 400 or 500 feet from any lot lines going all the way out to the east.

MR. HINES: I just want to clarify.
The roadway into the site is over 900 feet from Milton Turnpike.

MR. CUCCHIARA: All the way to the back?

MR. HINES: To the fence.

MR. CUCCHIARA: To the fence line?

MR. HINES: Yes.

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MR. CUCCHIARA: Okay. I guess not as the crow flies. I was doing a quick measurement.

MR. HINES: It's over 700 feet.

MR. CUCCHIARA: Okay.

MR. HINES: It's further back.

MR. CUCCHIARA: Further back. Thank you for the correction. I apologize, my scale is off.

So it's significantly set back from 132 Milton Turnpike, closer to New Road.

If you look at the sort of squiggly lines encompassing the outer perimeter of the site, it's approximately 17 acres of disturbance. That squiggly line would be the remaining and existing treeline that would be left in place, leaving what we consider a pretty substantial buffer to New Road as well as to the western boundary, and as we're discussing, fairly set back from Milton Turnpike. We also intend to include in updated plans some screening that will go in to where the treeline sort of breaks right in the middle on the property itself to both screen that from the home that's on the property as well as potentially the road as well. So I

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think that would also help. We will make sure we update that as well.

Basically these are fixed tilt mountings. They are screw-in type racks that get screwed in the ground. Easy go in, easy go out. The panels sit on them and will rise just under 10 feet -- between 9 and 10 feet at the highest end and sit off the ground, about 2 to 3 feet off the ground. They don't move. There's no moving parts. All the wires will go underground. The medium voltage line will follow the course of that road out to Milton Turnpike where they will come up on utility poles and then interconnect with the existing utility poles on Milton Turnpike.

The Planning Board has asked for an access gate to be somewhat at the entrance to avoid any trespassing or illegal access. The project is fenced in by a 7-foot chain-link fence. We have been asked to raise that chain-link fence by approximately -- to allow for small critters to move underneath if they got in there and got trapped. We agreed to that. Once again, that will be a follow-up submission. I have not

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submitted new plans. I was just waiting for the public comment before we submit our finalized plan for the Board's approval and comments.

I think that pretty much gives a general overview of the site itself.

This project does have permission to interconnect from the utility. I shouldn't say permission to operate because that's the final definition. It has an interconnection report and it is allowed to be put on. We get permission to operate once it is finally tested. It is approved and would travel back to a substation near Highland. We also have an award from the State which supports solar growth in the State and supports renewable energy.

One more step back. The next thing, we are a solar company. I think one thing that sets us apart from other developers that work throughout New York State is that we are vertically integrated, meaning that we are not only going to develop this project, build it but long term own and asset manage this project, which includes going out and finding customers who would benefit from the electricity, the

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discount to take electricity off the grid. So we take this project from start to finish. We're going to be ultimately responsible for it's success and production of electricity to benefit residents not only in Marlborough but Ulster County and the Central Hudson utility.

CHAIRMAN BRAND: Thank you.

Pat, do you want to just run through your comments?

MR. HINES: We have not received plans since the last meeting so some of our comments are a repeat.

The Planning Board had previously asked for visual simulations from several scenic areas across the river. We're awaiting submission of those. I think there was a park or a location across the river we discussed last time, Locust Grove. We're looking for those visual simulations.

Ulster County Planning Board, I think you received those comments.

CHAIRMAN BRAND: We did. Did you get that copy?

MR. HINES: Yes.

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CHAIRMAN BRAND: Did you receive a copy of that as well?

MR. CUCCHIARA: I have not received it. I only saw it this afternoon as I was looking at the agenda. I have it now.

CHAIRMAN BRAND: Okay.

MR. CUCCHIARA: I have to discuss some of the comments.

MR. HINES: Coordination with the jurisdictional fire department. We want them to review it, make sure they don't have any questions, comments or concerns.

Status of the PILOT agreement. It's just a follow-up comment, whether the Town is going to enter into a PILOT agreement or has some other legal mechanism for taxing purposes.

We have reviewed the stormwater pollution prevention plan. Based on the lack of impervious surfaces and the change in the vegetation cover from trees to grass, there's no significant drainage impacts post construction. They will require a stormwater permit and we will draft a municipal authorization that they'll require prior to approval.

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We do need some new plans submitted for the screening, modifications of the fencing and I think those visual assessments.

CHAIRMAN BRAND: Great. Thank you.

This is a public hearing. At this time any comments from the public will be heard either for or against the project. I would just ask that you state your name for the stenographer clearly before you start.

Sir, go right ahead.

MR. OLSON: My name is Mike Olson, I live on Milton Turnpike. My only question is is this a typo that says it's going to be 103.1-1-33.1, because your letter says it's going to be 103.1, block 1, lot 33.2?

MR. CUCCHIARA: .2 I believe is the correct lot number as sent out. I believe we may have read off the first letter. I did ask Ms. Flynn to update that. There was a change in the lot lines or the parcel number. This property I believe had two lot numbers. There was a subdivision off of it or something like that. .2 is the correct one. Yes, this was by the Town of Marlborough and County of Ulster Real Property

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Tax Service.

MR. OLSON: Thank you.

CHAIRMAN BRAND: Thank you.

Any other comments or questions? Mr. Garofalo.

MR. GAROFALO: James Garofalo. I was wondering with regard to the property itself, is it going to be mowed? Are you going to use pesticides? What exactly is going to be the methodology of keeping the grass down? Obviously you don't want weeds growing up and trees growing up.

MR. CUCCHIARA: Sure. Great question. These projects, what would happen after site work is completed, we would hydro seed or basically spray what we call a solar seed mix that is a seed and grass mix that doesn't grow above the bottom edge of the panels. However, there will be weeds and things that pop up. All of it will go through mechanical mowing basically.

So that's one other thing I wanted to mention earlier too is that these projects, really after they're up and constructed are really quiet neighbors. We will be on site two,

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maybe three times a year for maintenance on the actual equipment and things like you were mentioning, just weed clearing and mowing and things like that. Other than that, no one is going to be going in and out of this road except for a light bodied pick-up truck, mowing, maybe snow plowing and/or maintenance on the roadway.

MR. GAROFALO: Do they clear it from snow or does it just melt off? How is that handled?

MR. CUCCHIARA: Typically we let it just melt off. The lack of production in the winter months is modeled into our sort of feasibility analysis. We assume a certain level of loss of production. If we thought that we had got a lot of snow, we had a melt and it all slid off, maybe we expected more, there may be an opportunity to go out and clear so that the snow that does melt off can not keep piling up. That would be an extreme weather event. Otherwise we just let nature take it's course.

MR. GAROFALO: One other comment. I want to thank you for coming to Marlborough.

MR. CUCCHIARA: Thank you. Thanks for

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having us.

CHAIRMAN BRAND: Any other questions or comments?

MS. BORGERSEN: My name is Ann Borgersen, I live on 152 Milton Turnpike which is I guess just to the west of -- can you put that further up a little so I can see the driveway going in on Milton Turnpike? So I'm just to the bottom of that on that map.

What's the distance from that driveway coming up Milton Turnpike to my property line? I think it's substantial but it doesn't look so over there.

MR. HINES: Probably 80 feet. 80, 90 feet.

MS. BORGERSEN: 80 or 90 feet?

MR. HINES: Yeah.

MR. TRAPANI: It's going to be right down where the old barn was down there that they knocked down just below you?

MS. BORGERSEN: I can't hear you.

MR. TRAPANI: Right down below you where they knocked the -- where the old barn was, the hay barn?

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MS. BORGERSEN: Yeah.

MR. TRAPANI: That's I think basically what's --

MS. BORGERSEN: No, that's not it. It's going to be above Walnut Lane.

MR. BORGERSEN: It's right next to my driveway.

MS. BORGERSEN: The start of it is right across from Walnut but above Walnut. There's another map I just saw as I was walking out. When I looked at the agenda it showed the driveway really well. I don't know if you guys have it but it's on the Town's website.

MR. CUCCHIARA: The one on the website with the extent of the driveway we submitted to the DPW. Correct. I don't know if we have that available. It was online.

MS. BORGERSEN: You're telling me -- so as it's going in from above Walnut Lane to my property line, that's 80 or 90 foot in there?

MR. CUCCHIARA: Approximately, yup. What I would say also is that, you know, we don't have any need for clearing or any shading except for the strip of the driveway itself. That

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remaining vegetation is going to remain.

MS. BORGERSEN: Good. And then the field in the back, like so that's coming in and going across the field; right? On this map it goes up --

MR. CUCCHIARA: Yup.

MS. BORGERSEN: -- and it loops back? Is there a treeline? I don't think it needs one. I'm just wondering what your plans are.

MR. CUCCHIARA: That field is going to be left open for the owner to use as they wish. We're just crossing it, like I said, just a gravel path.

MS. BORGERSEN: Okay. I was hoping not to see a treeline.

MR. CUCCHIARA: Okay.

MS. BORGERSEN: It was a nice view.

MR. CUCCHIARA: I don't believe we're doing any clearing in that area. It will remain as is, just us kind of --

MR. HINES: There are some proposed plantings in the center where you see that treeline.

MS. BORGERSEN: That's what I thought I

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saw on something actually Jeff had shown me. I don't know that it's necessary to put trees there. I'm talking about the open field.

MR. CUCCHIARA: I see. No, I don't think so. Not in that --

MR. HINES: Where it says 2.3, there's a proposed treeline there to screen from the road.

MR. CUCCHIARA: That's the area I was speaking of screening. I think you're talking about the open field closer to the western side.

MS. BORGERSEN: I am, yeah. Like below my property in the back.

MR. CUCCHIARA: Exactly. There I believe we -- we will not be doing anything there. I mean that's going to be left existing. To the extent that we have to cut through some of it to get into the back of the property --

MS. BORGERSEN: Okay.

MR. CUCCHIARA: I don't anticipate needing additional screening there.

CHAIRMAN BRAND: Any other questions or comments?

Were you finished? I'm sorry.

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MS. BORGERSEN: Just a thought. I don't think it would affect me but in another -- in Rhode Island I have some friends and somebody had some solar panels on the other side of the lake and it's like right in their windows. If somebody had an issue with that. I mean I don't know --

UNIDENTIFIED SPEAKER: The glare?

MS. BORGERSEN: The glare. It's really unbelievably strong and it blinds them.

MR. CUCCHIARA: Sure. We do not expect that type of glare. I don't know how this would impact your home. I think being set back so far --

MS. BORGERSEN: I can't imagine with the trees. Hopefully I won't have that.

MR. CUCCHIARA: Sure. I'm not exactly sure in that situation how that was set up. I think if the amount of screening -- also, these panels are meant to absorb incoming solar radiation, not reflect back. We expect any of that to be little to none. No impact.

MS. BORGERSEN: Good. Thank you.

CHAIRMAN BRAND: Any other comments or

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questions from the public?

(No response.)

CHAIRMAN BRAND: No.

Anything from the Board?

MR. CAUCHI: Yeah. The duration of this project again, how long will it take from start to finish?

MR. CUCCHIARA: Construction should be approximately four to five months. I'd say four months certainly on our end. There might be a month or two where we wait for the utilities to come out and actually link it up. That would just kind of be at the road itself. So about four months.

MR. CAUCHI: You're saying you'll start in the spring, four months later it should be --

MR. CUCCHIARA: That would be ideal. I believe, yeah. If we were able to start in the April timeframe we should be done by the end of the summer, late August, September. Hopefully we'll be able to connect soon after that and be operating.

MR. CAUCHI: Okay. Also, are there any other requirements from Central Hudson that are

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going to be needed for regulations that they're going to require from you that we should know about?

MR. CUCCHIARA: So they have -- as I was saying before, they have fully studied the project. We have a study that shows that we can connect this size system to the grid. They have given us a construction schedule, a tentative one. At this point right now I think with us giving notice once we begin, they should be ready within a relatively short timeframe to link up with us. No other requirements from them except for what they do with all projects which is called a witness test. Basically they go out and make sure that all the system safety closures and things that shut the project on and off in an emergency or if they don't need the power are working. So they do something like that which takes, you know, usually like a month to schedule and complete. It's like a day that they do it. Once we pass that then we're good to go. That's the typical kind of permission test that we have to pass. That would be done after the project is built and ready to go.

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CHAIRMAN BRAND: Anything else from the Board?

Yes. Please state your name.

MR. BORGERSEN: This may be not a question --

MS. FLYNN: State your name.

MR. BORGERSEN: Tom Borgersen. This may not be a question specifically for you because it's a crystal ball question. Ten years, twenty years down the line, all installed, lovely. Somebody comes up with new technology. Now the question is this to the Board: Can they augment this and change it into other things?

MR. HINES: Not without coming to the Board for approval.

MR. BORGERSEN: It happened next door to me on the left. It didn't matter.

MR. HINES: The answer is --

MR. BORGERSEN: They start grinding stumps when they only have permits to do leaves. So things change. They're only supposed to have tractor trailers between 8 in the morning and 5 at night and we get them at 5:30 in the morning. They come in, go out. Nobody cares. Nobody

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changes anything.

My concern here is we approve something today and ten, fifteen, twenty years down the line what can happen?

CHAIRMAN BRAND: I think any change of use would require a review by the Planning Board. There are what's considered similar uses that would not necessarily require that. I think if they were changing the intent of this project they would certainly have to come before the Planning Board for review to change their site plan.

Correct.

MR. BORGERSEN: So the Planning Board has to approve future changes based on this engineering now?

MR. HINES: Yes.

CHAIRMAN BRAND: Correct.

Any other questions or comments from the Board?

(No response.)

CHAIRMAN BRAND: No.

I'd like a motion to close the public hearing.

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MR. CAUCHI: I'll make that motion to close the public hearing.

CHAIRMAN BRAND: A second?

MR. HINES: We just want a condition that the applicant waived the 62-day timeframe for approval.

MR. CUCCHIARA: I'm sorry?

MR. HINES: If the Board closes the public hearing they have to make a decision within 62 days. You may or may not be ready. If you consent to waiving that timeframe --

MR. CUCCHIARA: What would I not be ready for? I mean --

MR. HINES: We're waiting for visual simulations, we're waiting for some other things --

MR. CUCCHIARA: Sure.

MR. HINES: -- so we can close the project out and issue findings under SEQRA.

MR. CUCCHIARA: Is it possible as far as the visibility analysis to put it as a condition of approval or would that be something we'd have to get done in the 62 days?

MR. HINES: I don't think the Planning

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Board would issue a negative dec without those outstanding comments.

MR. CUCCHIARA: Sure.

MR. HINES: The ball is in your court to get that to them.

MR. CUCCHIARA: Of course. Of course. I guess my concern is to waive it, I just don't want to open up --

MR. HINES: You can always rescind it.

MR. CUCCHIARA: -- and have it open ended. You know, like I mean I'd like to have a finite time when we have to make a decision, although I'm hoping to extend it until we've met all the standards. Would it be better to postpone the public hearing or the closing until we can produce that? Is that a better way so we have the 62-day clock?

CHAIRMAN BRAND: We can adjourn it briefly. Correct?

MR. HINES: To a date certain so it doesn't have to be re-noticed.

CHAIRMAN BRAND: So let's go with the 60-day notice. 60 days from today would bring us to about where, Jen?

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MR. HINES: I don't think your applicant is looking to go that far out.

MR. CUCCHIARA: No, we're definitely not. I guess just my concern is waiving that. Maybe not put any pressure on the Planning Board to complete. I'm not saying that you wouldn't, I just want to make sure I protect our interest on that. I'd prefer if you postpone it, we have the ability to get in our visibility analysis and any other outstanding items to you, then we know we have a --

CHAIRMAN BRAND: Right.

MR. CUCCHIARA: -- final approval.

MS. FLYNN: So we have January 7th, January 22nd, February 4th or February 18th.

CHAIRMAN BRAND: When do you think you'd be ready?

MR. CUCCHIARA: I think January 22nd would give us enough time to get everything in. I know we couldn't make the January 7th meeting. We'd need a little more time than that. If January 22nd is possible, we can meet that.

CHAIRMAN BRAND: I guess I'd like to have a motion to amend the previous motion to

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adjourn the public hearing until January 22nd.

MS. FLYNN: That is a Tuesday, not a Monday.

CHAIRMAN BRAND: Because of the holiday.

MR. HINES: Martin Luther King.

CHAIRMAN BRAND: Adjourn it to Tuesday, January 22nd.

MR. TRUNCALI: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. LOFARO: I'll second it.

CHAIRMAN BRAND: Any discussion?

(No response.)

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: All right. We will see you on January 22nd.

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MR. CUCCHIARA: Thank you very much.

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

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 3rd day of January 2019.

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

RIDGE ROAD

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

----- X

FINAL - SUBDIVISION

Date: December 17, 2018
Time: 8:00 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: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: NICHOLAS GALLELA

----- 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, Ridge Road, final, subdivision.

How are you tonight?

Ron, you have nothing for this one? Sorry. Pat, you have nothing on this one; right?

MR. HINES: I have nothing outstanding on this. The resolutions for approvals were prepared by Jeff's office.

CHAIRMAN BRAND: Yes. Do you just want to run through the declaration and the covenant at all? Do you think that's necessary?

MR. BATTISTONI: I'll mention just a couple things.

CHAIRMAN BRAND: Okay.

MR. BATTISTONI: The application is in the name of Nema Contracting, Inc. The deed to the property was still in individual names. We amended the declaration for the covenant to include both the individuals and the corporation as the parties making the covenant.

We also referred back to the map plan and report. It wasn't clear when that was filed with the Town Board. We also cited the Town Board resolution and adopted that map plan and

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RIDGE ROAD

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report. We just kind of cleaned it up a bit.

I did speak with the applicant's attorney about that and he was fine with those changes. I sent those to him.

CHAIRMAN BRAND: Just to be clear, we're going with the eight unit --

MR. BATTISTONI: Eight units. Correct.

CHAIRMAN BRAND: And the larger is paying two out of eight?

MR. BATTISTONI: That's correct.

CHAIRMAN BRAND: Okay. So you have before you a SEQRA negative declaration and notice of determination of non-significance in regards to the application of Nicholas Gallela, Anna Gallela and Nema Contracting.

Jen, would you poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lanzetta?

CHAIRMAN BRAND: Absent.

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MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

CHAIRMAN BRAND: You also have before you tonight a resolution of approval by the Town of Marlborough Planning Board for a three-lot subdivision for the application of Nicholas Gallela, Anna Gallela and Nema Contracting, Incorporated.

Jen, would you poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Lanzetta?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

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MR. CLARKE: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

MR. TRUNCALI: "Recreation fee findings, Town of Marlborough Planning Board. Whereas the Planning Board has received a subdivision application known as Nick Gallela with respect to real property located at Ridge Road, Milton, in the Town of Marlborough, Member Chris Brand offered the following resolution which was seconded by Member Joe Lofaro: It is hereby resolved the Planning Board makes the following findings pursuant to Section 277 of the Town Law: Based on present and anticipated future need for park and recreation opportunities in the Town of Marlborough and to which the future population of the subdivision will contribute, parklands should be created as a condition of approval of the subdivision. However, a suitable park of adequate size to meet the above requirement can not be properly located within the proposed project site. Accordingly, it is appropriate that in lieu of providing parkland the project sponsors render the Town payment of a

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RIDGE ROAD

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recreation fee to be determined in accordance with the prevailing schedule established for the purpose of the Town of Marlborough. The approved subdivision known as Ridge Road resulted in three lots for a total of \$3,000 in recreation fees, parent parcel excluded." That's all.

CHAIRMAN BRAND: Jen, would you poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Lanzetta?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

CHAIRMAN BRAND: Okay. I think you're all set then.

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RIDGE ROAD

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I was just asked to remind you to make sure that you bring your escrow account up to date, and just to remind you that needs to be paid in full before I sign the maps.

(Time noted: 8:05 p.m.)

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 3rd day of January 2019.

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

KEVIN & KELLIE CASEY

Project No. 18-2011
134 Idlewild Road, Marlboro
Section 108.3; Block 1; Lots 4.11 & 4.12

----- X

SKETCH - LOT LINE

Date: December 17, 2018
Time: 8:05 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: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATTI BROOKS

----- X

MICHELLE L. CONERO
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Newburgh, New York 12550
(845)541-4163

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CHAIRMAN BRAND: Next up, Kevin and Kellie Casey, sketch, lot line.

How are you tonight?

MS. BROOKS: Good evening.

CHAIRMAN BRAND: I think we're relatively familiar with this one. Do you want to just run through it very briefly?

MS. BROOKS: We recently received approval for this subdivision a couple of months ago. When we went out to do the foundation location on lot number 1 we determined that the foundation had been built too close to the rear line. I guess the excavator when he was out there thought it would look better further back. That's what happened. Luckily because Mr. Casey owns the rear lot, he was able to give his daughter and son-in-law a little extra parcel to make it conforming.

So the proposal is to add an additional 0.17 acres to lot number 1 so that the rear yard setback will be 87.6 feet. The required setback is 75 but I figured just to be on the safe side. If they want to put a deck or something else on the back, we better give them a little bit of

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extra.

CHAIRMAN BRAND: Okay. Pat?

MR. HINES: My first comment just explains what Patti just said.

The only thing, when you look at the maps it looks like the septic system was moved. I didn't know why that occurred. I looked at the previous map and this map. You see on the newest map they're touching the former rear property line and that wasn't the case.

MS. BROOKS: Well because the concrete foundation moved back, in order to keep it 20 feet off the foundation --

MR. HINES: We're just going to look for a condition that Ulster County Health Department sign off on that as well.

MS. BROOKS: Okay.

MR. HINES: Our next comment just was to review the house location.

This project most likely fits in the streamlined lot line revision regulations that were adopted about eight months ago. It's only two lots so I think you can do it without a public hearing.

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Our only condition would be to have
Ulster County Health Department sign off on the
revised septic locations.

CHAIRMAN BRAND: We can add that to the
resolution; correct?

MR. BATTISTONI: Yes, you can.

CHAIRMAN BRAND: Excellent. So you
have before you the SEQRA negative declaration
and notice of determination of non-significance
for the application of Kevin J. Casey and Kellie
Casey.

Jen, would you poll the Board?

MS. FLYNN: Chair Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lanzetta?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

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MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

CHAIRMAN BRAND: You also have before you the resolution of approval by the Town of Marlborough Planning Board for a lot line revision of the application of Kevin J. Casey and Kellie Casey. We will be adding the condition of Ulster County approval for the proposed septic and reserve areas on the map.

Jen, would you poll the Board?

MS. FLYNN: Chairman Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Lanzetta?

CHAIRMAN BRAND: Absent.

MS. FLYNN: Member Truncali?

MR. TRUNCALI: Yes.

MS. FLYNN: Member Trapani?

MR. TRAPANI: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

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CHAIRMAN BRAND: Okay.

MS. BROOKS: Thank you very much.

CHAIRMAN BRAND: Thank you. You should be all set.

CHAIRMAN BRAND: Just a reminder before we adjourn without the lawyer and engineer and stenographer, that if you haven't completed your training hours for 2018 you should try to do so as soon as possible.

I'd like to thank everybody for another great year on the Planning Board. Nice job, everybody.

You guys are free. We don't adjourn until afterwards.

Have a great holiday. Thank you for coming.

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

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

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I further certify that I am not
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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 3rd day of January 2019.

Michelle Conero

MICHELLE CONERO