

TOWN OF MARLBOROUGH PLANNING BOARD

TOWN HALL, ROUTE 9W, MILTON, NY 12547

MAY 06, 2002

A G E N D A :

PATRICK MITCHELL	FINAL	3 LOT SUB/DIVISION
FREDERICK-MARY (P)	PRELIMINARY	4 LOT SUB/DIVISION
NICHOLAS PAPULI	SKETCH	2 LOT SUB/DIVISION
ROBERT POLLOCK	SKETCH	2 LOT SUB/DIVISION
FRANK SOZIO	SKETCH	2 LOT SUB/DIVISION
AL LAMARCA (P)		SITE PLAN/AUTO BODY
WILLIAM WOODWARD (P)		SITE PLAN/BANK

P R E S E N T :

CHAIRMAN JOSEPH PORCO  
DR FRANK MCGUIRE  
RUSSELL PARKS  
ALAN TRONCILLITO  
CHRIS CERONE  
RICHARD ROZA  
FRANK RICCIARDONE  
ATTY FRANK FERRO  
ENG PAT HINES

MR RICCIARDONE MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 08, 2002 MEETING. THIS MOTION WAS SECONDED BY MR ROZA.

AYES - 6 -

NOES - 0 -

DR MCGUIRE ABSTAINED

MR PARKS MADE A MOTION TO APPROVE THE FINDING-OF-FACT IN THE APPLICATION OF ERNEST GREINER / RESERVOIR ROAD/ 2 LOT SUB/DIVISION. THIS MOTION WAS SECONDED BY MR ROZA.

AYES - 7 -

NOES - 0 -

PATRICK MITCHELL

FINAL

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON MAPLE AVE, MILTON, NY AND IN THE R DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY PATTY BROOKS OF BROOKS AND BROOKS LAND SURVEYORS, HIGHLAND NY.

ATTORNEY FERRO RESEARCHED THE DEED IN THE ULSTER COUNTY CLERKS OFFICE AND DETERMINED THAT PATRICK MITCHELL AND PHILIP GIANSAANTE WERE GRANTED MUTUAL RIGHT-OF-WAYS OVER THE EXISTING DRIVEWAYS.

AS THERE WERE NO FURTHER CONCERNS FROM THE BOARD A MOTION FOR FINAL APPROVAL WAS MADE BY MR RICCIARDONE AND SECONDED BY MR ROZA.

AYES - 7 -

NOES - 0 -

FREDERICK MARY CORP      PRELIMINARY      4 LOT SUB/DIVISION  
THE PROPERTY IN QUESTION IS LOCATED ON MILL POND ROAD, MARLBORO, NY  
AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY PATTY BROOKS OF BROOKS AND  
BROOKS LAND SURVEYORS, HIGHLAND, NY.

MRS BROOKS STATED THAT THIS APPLICATION WAS INADVERTENTLY NOT  
ADVERTISED FOR A PUBLIC HEARING THEREFORE SHE WILL ADVERTISE FOR THE  
JUNE HEARING.

MRS BROOKS FURTHER STATED THAT HOPEFULLY SHE WILL HAVE BOARD-OF-HEALTH  
APPROVAL AT THAT TIMES ALSO.

AYES - 6 -

NOES - 0 -

NICHOLAS PAPULI      SKETCH      4 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON RIDGE ROAD, MARLBORO, NY AND IN  
THE RAG-1 DISTRICT.

MR PAPULI IS BEFORE THIS BOARD FOR A TWO LOT SUB/DIVISION OF HIS  
LANDS. A TOTAL OF 9.083 ACRES WILL BE DIVIDED AS SUCH:

LOT #1 - 1.016 ACRES      LOT #2 - 8.067 ACRES

MR PAPULI WAS PREVIOUSLY BEFORE THE ZONING BOARD OF APPEALS AND  
OBTAINED THE VARIANCE LISTED BELOW:

THE NORTH SIDE OF THE TWO STORY FRAMED HOUSE ON LOT #1 - 21.7 FEET  
THE SOUTH SIDE OF THE TWO STORY BLOCK BUILDING ON LOT #2-14.7 FEET

MRS HINES STATED THAT AS REQUESTED THE APPLICANT PROVIDED A SEPARATE  
WATERLINE FOR LOT #1 AND NOTES WHICH WILL REQUIRE THE DISCONNECTION OF  
THE EXISTING WATERLINE SERVING THE STRUCTURE EXISTING ON LOT #1.

MR RICCIARDONE QUESTIONED THE AMOUNT OF RENTAL HOUSING ON THIS  
PROPERTY. MR HINES STATED THAT DUE TO THE ACREAGE ONLY 8 FAMILIES ARE  
ALLOWED. MR RICCIARDONE WOULD LIKE A NOTE ON THE MAP STATING THAT IF  
THE VACANT ABANDONED HOUSE WAS RENOVATED IT COULD ONLY BE RENTED AS A  
SINGLE FAMILY RESIDENCE. THE BOARD WAS IN AGREEMENT OF THAT NOTATION.

AS THERE WERE NO FURTHER QUESTIONS FROM THE BOARD MR CERONE MADE A  
MOTION FOR SKETCH APPROVAL THIS MOTION WAS SECONDED BY MR RICCIARDONE.

AYES - 7 -

NOES - 0 -

THE APPLICANT WAS ADVISED TO ADVERTISE FOR A PUBLIC HEARING.

ROBERT POLLACK      SKETCH      2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON NORTH ROAD, MILTON, NY AND IN  
THE R-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY COLIN HOUSTON, ENGINEER,  
KINGSTON, NY.

THE APPLICANT IS PROPOSING TO SUB/DIVIDE HIS 43.19 ACRES INTO TWO LOTS  
AS STATED BELOW:

LOT #1 - 39.68 ACRES      LOT #2 - 3.51 ACRES

MR HINES STATED THAT THE APPLICANT PROVIDED TOPOGRAPHY AS REQUIRED AND  
THE LOCATION OF THE PROPOSED SEPTIC SYSTEMS. MR HINES ALSO STATED  
THAT A NOTE WAS PLACED ON THE MAP STATING THAT THE NEW CONSTRUCTION  
WILL BE CONNECTED THE THE TOWN WATER SYSTEM.

MR HINES STATED THAT A DEED EASEMENT MUST BE REVIEWED BY THE BOARD  
ATTORNEY FOR INGRESS/EGRESS OVER OTHER LANDS TO ACCESS THIS PROPOSED  
PARCEL, A MAINTENANCE AGREEMENT AND A WATERLINE EASEMENT.

MR HINES ALSO STATED THAT THE EXISTING WELLS MUST BE REMOVED AS THIS  
LAND WILL UTILIZE TOWN WATER, AND THAT BOARD-OF-HEALTH APPROVAL MUST  
BE RECEIVED PRIOR TO FINAL APPROVAL.

AS THERE WERE NO FURTHER QUESTION FROM THE BOARD A MOTION FOR SKETCH  
APPROVAL WAS MADE BY MR PARKS AND SECONDED BY MR CERONE.

AYES - 7 -

NOES - 0 -

THE APPLICANT WAS ADVISED TO ADVERTISE FOR A PUBLIC HEARING.

TOWN OF MARLBOROUGH PLANNING BOARD

TOWN HALL, ROUTE 9W, MILTON, NY 12547

JUNE 03, 2002

A G E N D A :

WILLIAM WOODWARD  
ABSOLUTELY AUTOMOTIVE  
MATTHEW TICCONY  
NICHOLAS PAPULLI  
ROBERT POLLOCK  
ANTHONY PASCALE  
DENNIS ELLIS  
DAVID YOUNG  
JOHN VANDERMARK  
PINNACLE HOMES  
JOEL TRUNCALI

PRELIMINARY  
PRELIMINARY  
SKETCH  
SKETCH  
SKETCH  
SKETCH

SITE PLAN  
SITE PLAN  
SITE PLAN  
2 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
5 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
19 LOT SUB DIVISION

P R E S E N T :

RUSSELL PARKS  
FRANK RICCIARDONE  
RICHARD ROZA  
CHRIS CERONE  
ALAN TRONCILLITO  
CHAIRMAN PORCO  
DR FRANK MCGUIRE  
PAT HINES ENGINEER  
FRANCIS FERRO, ATTY  
GEORGE SALINOVICH, BLDG INS

A B S E N T :

MR RICCIARDONE MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 08,  
2002 MEETING. THIS MOTION WAS SECONDED BY MR ROZA.

AYES - 7 -

NOES - 0 -

MR PARKS MADE A MOTION TO APPROVE THE FINDING-OF-FACT IN THE  
APPLICATION OF ERNEST GREINER / RESERVOIR ROAD / MARLBORO, NY. / LOT  
LINE REVISION. THIS MOTION WAS SECONDED BY DR MCGUIRE.

AYES - 7 -

NOES - 0 -

NICHOLAS PAPULI

PRELIMINARY

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON 20 CONSOLI DRIVE, MARLBORO, NY IN THE RAG-1 DISTRICT.

MR PARKS READ THE LEGAL NOTICE THAT APPEARED IN THE ULSTER COUNTY PIONEER. THERE WERE 7 LEGAL NOTICES SENT OUT AND 6 SIGNED RECEIPTS RETURNED.

AS THERE WERE NO QUESTIONS FROM THE AUDIENCE A MOTION TO CLOSE THE PUBLIC PORTION OF THIS HEARING WAS MADE BY MR ROZA AND SECONDED BY DR MCGUIRE.

AYES - 7 -

NOES - 0 -

MR HINES STATED THAT ALL OUTSTANDING ISSUES PERTAINING TO THE DENSITY OF THE PROPERTY AND WATER LINES HAVE BEEN RESOLVED.

MR HINES WITH THE PLANNING BOARD READ AND COMPLETED PART 11-ENVIRONMENTAL ASSESSMENT AND FOUND ALL DOCUMENTATION TO BE IN ORDER (THEREFORE)

MR RICCIARDONE MADE A MOTION FOR PRELIMINARY APPROVAL. THIS MOTION WAS SECONDED BY DR MCGUIRE.

AYES - 7 -

NOES - 0 -

MR PAPULI QUESTIONED IF THERE WERE NO FURTHER CHANGES TO THE MAPS COULD FINAL APPROVAL BE GRANTED AT THIS TIME. AFTER A SHORT DISCUSSION BY THE BOARD MR PARKS MADE A MOTION FOR FINAL APPROVAL. THIS MOTION WAS SECONDED BY MR CERONE.

AYES - 7 -

NOES - 0 -

ROBERT POLLOCK

PRELIMINARY

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON 238 NORTH ROAD, MILTON, NY IN THE R-1 DISTRICT.

MR PARKS READ THE LEGAL NOTICE THAT APPEARED IN THE ULSTER COUNTY PIONEER. THERE WERE 11 LEGAL NOTICES SENT OUT AND 8 SIGNED RECEIPTS RETURNED.

JOSEPHINE TOTTEN AND FRED CALLO, NORTH ROAD, MILTON, NY WERE IN FAVOR OF THIS PROPOSAL AND STATED THAT THEY ARE VERY IMPRESSED WITH THE WORK THAT THE POLLACKS HAVE DONE ON THIS PROPERTY.

AS THERE WERE NO FURTHER QUESTIONS BY THE AUDIENCE MR CERONE MADE A MOTION TO CLOSE THE PUBLIC PORTION OF THIS HEARING. THIS MOTION WAS SECONDED BY DR MCGUIRE

AYES - 7 -

NOES - 0 -

MR HINES STATED THAT HE RECEIVED THE ULSTER COUNTY BOARD-OF-HEALTH PERMIT AND THAT IT APPEARED TO BE IN ORDER.

THE APPLICANT STATED THAT THEY HAVE NOT COMPLETED THE ROAD MAINTENANCE AGREEMENT BUT THAT IT SHOULD BE DONE WITHIN THE NEXT MONTH.

MR HINES STATED THAT THE ONLY OUTSTANDING ISSUES ARE THE ACCESS EASEMENTS, ROAD MAINTENANCE AND WATER EASEMENTS.

AS THERE WERE NO FURTHER QUESTIONS FROM THE BOARD:

MR HINES WITH THE PLANNING BOARD READ AND COMPLETED PART 11-ENVIRONMENTAL ASSESSMENT AND FOUND ALL DOCUMENTATION TO BE IN ORDER (THEREFORE)

MR RICCIARDONE MADE A MOTION FOR A NEGATIVE DECLARATION ON ENVIRONMENTAL IMPACT. THIS MOTION WAS SECONDED BY MR PARKS.

AYES - 7 -

NOES - 0 -

AS THERE WERE NO FURTHER QUESTIONS FROM THE BOARD MR RICCIARDONE MADE A MOTION FOR PRELIMINARY APPROVAL THIS MOTION WAS SECONDED BY MR TRONCILLITO.

AYES - 7 -

NOES - 0 -

TOWN OF MARLBOROUGH PLANNING BOARD

TOWN HALL, ROUTE 9W, MILTON, NY 12547

FEBRUARY 03, 2003

A G E N D A :

BRUCE CHOATE  
ROBERT POLLACK  
CONIFER CORP  
RICHARD LINSIG  
EMILY SCIARRATTA  
JOSEPH TRAPANI  
KIRK VANDUZER  
TRUNCALI  
V. BIENGARDO

PRELIMINARY 2 LOT SUB/DIVISION  
SKETCH 2 LOT SUB/DIVISION  
SKETCH 2 LOT SUB/DIVISION  
SKETCH 2 LOT SUB/DIVISION  
SKETCH 5 LOT SUB/DIVISION  
6 LOT SUB/DIVISION  
SITE PLAN  
DISCUSSION ONLY  
REVIEW ONLY

P R E S E N T :

FRANK RICCIARDONE  
CHRIS CERONE  
ALAN TRONCILLITO  
JOSEPH PORCO  
RUSSELL PARKS (8:00 P.M.)  
PAT HINES, ENGINEER  
ATTORNEY FRANK FERRO

A B S E N T :

DR FRANK MCGUIRE  
RICHARD ROZA

THE APPROVAL OF THE MINUTES AND THE FINDING-OF-FACTS WILL BE FOUND AT THE END OF THE MINUTES.....

BRUCE CHOATE

22.41

PRELIMINARY

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON MULBERRY LANE, MILTON, NY, AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY PATTY BROOKS OF BROOKS AND BROOKS, LAND SURVEYORS, HIGHLAND, NY.

MR CHOATE IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO 2 LOTS:  
LOT #1 - 1.01 ACRES LOT #2 - 2.72 ACRES

CHAIRMAN PORCO READ THE LEGAL NOTICE THAT APPEARED IN THE ULSTER COUNTY PIONEER. THERE WERE 5 REGISTERED LETTERS SENT AND 5 SIGNED RECEIPTS RETURNED.

AS THERE WERE NO QUESTIONS FROM THE AUDIENCE A MOTION TO CLOSE THE PUBLIC PORTION OF THIS HEARING WAS MADE BY MR CERONE AND SECONDED BY MR RICCIARDONE

AYES - 4 -

NOES - 0 -

MRS BROOKS STATED THAT SHE RECEIVED A LETTER FROM HIGHWAY SUPT APPLER DENYING THE DIRT LANE AS THE PROPOSED DRIVEWAY ACCESS DUE TO POOR SIGHT VISIBILITY AND PREFERRED THAT THE ROAD BE MOVED ADJACENT TO THE EXISTING STONE DRIVEWAY WHICH WOULD GIVE BETTER VISIBILITY INGRESS/EGRESS TO MULBERRY LANE. THIS CHANGE WAS ACCEPTABLE BY THE APPLICANT.

MR HINES ALSO STATED THAT THE BOARD OF HEALTH PERMIT HAS BEEN RECEIVED AND THAT THERE IS AN EASEMENT SHOWN FOR UTILITIES.

AS THERE WERE NO FURTHER QUESTIONS FROM THE BOARD MR HINES WITH THE PLANNING BOARD READ AND COMPLETED PART 11-ENVIRONMENTAL ASSESSMENT AND FOUND ALL DOCUMENTATION TO BE IN ORDER (THEREFORE)

MR RICCIARDONE MADE A MOTION FOR NEGATIVE DECLARATION ON ENVIRONMENTAL IMPACT. THIS MOTION WAS SECONDED BY MR CERONE.

AYES - 5 -

NOES - 0 -

AS THERE WERE NO FURTHER QUESTION FROM THE BOARD A MOTION FOR PRELIMINARY APPROVAL WAS MADE BY MR CERONE AND SECONDED BY MR RICCIARDONE.

AYES - 5 -

NOES - 0 -

AS THERE WERE NO ADDITIONS OR CHANGES TO BE MADE TO THE MAP THE APPLICANT QUESTIONED IF FINAL APPROVAL COULD BE GRANTED AT THIS TIME.

AFTER A BRIEF DISCUSSION MR RICCIARDONE MADE A MOTION FOR FINAL APPROVAL. THIS MOTION WAS SECONDED BY MR CERONE.

AYES - 5 -

NOES - 0 -

ROBERT POLLACK

13-10

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON 238 NORTH ROAD, MILTON, NY, AND IN THE R-1 DISTRICT.

THERE WAS NO ONE PRESENT IN THE AUDIENCE TO REPRESENT THIS APPLICATION,

MR POLLACK IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO 2 LOTS:  
LOT #1 - 39.68 ACRES      LOT #2 - 3.51 ACRES

MR HINES STATED THAT THE ONLY OUTSTANDING ISSUE ON THIS APPLICATION WAS THE ROAD EASEMENTS. MR HINES STATED THAT A LETTER WAS RECEIVED FROM ATTORNEY DISTACI'S OFFICE STATING THAT THE AGREEMENT WAS ACCEPTABLE AND THAT THE BOARD COULD PROCEED ON THE SUB/DIVISION APPLICATION.

CHAIRMAN PORCO QUESTIONED THE BOARD IF THERE WERE ANY ADDITIONAL QUESTIONS ON THIS APPLICATION.

AS THERE WERE NO FURTHER QUESTIONS FROM THE BOARD A MOTION FOR FINAL APPROVAL WAS MADE BY MR RICCIARDONE AND SECONDED BY MR CERONE.

AYES - 4 -

NOES - 0 -

TOWN OF MARLBOROUGH PLANNING BOARD  
TOWN HALL, ROUTE 9W, MILTON, NY 12547

AUGUST 18, 2003

A G E N D A :

CHARLES SCUDERI	PRELIMINARY	2 LOT SUB/DIVISION
MICHAEL LAPOLLA	SKETCH	2 LOT SUB/DIVISION
MARTIN MARKONIC	SKETCH	5 LOT SUB/DIVISION
ORCHARD RIDGE	PRELIMINARY	17 LOT SUB/DIVISION
PATRICIA BULSON	PRELIMINARY	9 LOT SUB/DIVISION
JOANNE CUTRONE		SITE PLAN
ALAN POLLOCK		SITE PLAN

P R E S E N T :

RUSSELL PARKS  
DR FRANK MCGUIRE  
RICHARD ROZA  
FRANK RICCIARDONE  
CHRIS CERONE  
ALAN TRONCILLITO (L)  
PAT HINES, ENG

A B S E N T :

JOSEPH PORCO

MR RICCIARDONE MADE A MOTION TO APPROVE THE MINUTES OF THE AUG. 4, 2003 MEETING. THIS MOTION WAS SECONDED BY MR ROZA.

AYES - 6 -

NOES - 0 -

CHARLES SCUDERI

PRELIMINARY

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON LATTINTOWN ROAD, MARLBORO, NY AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY PATTY BROOKS OF BROOKS AND BROOKS LAND SURVEYORS, HIGHLAND, NY.

THE APPLICANT IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO TWO LOTS AS STATED:

LOT #1 - 1.91 ACRES

LOT #2 - 5.00 ACRES

MR HINES STATED THAT THERE WERE NO CHANGES TO THE MAP AND THAT THIS APPLICATION CAN BE SET UP FOR A PUBLIC-HEARING ON THE NEXT AVAILABLE AGENDA.

MICHAEL LAPOLLA

SKETCH

2 LOT SUB/DIVISION

THE PROPERTY IS QUESTION IS LOCATED ON MULBERRY LANE, MILTON, NY AND

THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY PATTY BROOKS OF BROOKS AND BROOKS LAND SURVEYORS, HIGHLAND, NY.

THE APPLICANT IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO 2 LOTS AS

STATED:

LOT #1 - 1.63 ACRES

LOT #2 - 1.03 ACRES

AS THERE WERE NO FURTHER COMMENTS FROM THE BOARD MR MADE A MOTION FOR SKETCH APPROVAL. THIS MOTION WAS SECONDED BY MR

MR HINES STATED THAT THIS APPLICATION HAS SUFFICIENT INFORMATION FOR A SKETCH.

THE PROPERTY IN QUESTION IS LOCATED ON MILL POND ROAD, MARLBORO, NY AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY KEN LYTLE OF ZEN CONSULTANTS, FISHKILL, NY.

THE APPLICANT IS PROPOSING TO OPEN UP A DAYCARE FACILITY IN A RESIDENTIAL DISTRICT.

THIS APPLICANT WAS ORIGINALLY BEFORE THE BOARD FOR HOME OCCUPATION BUT SUBSEQUENTLY CHANGED TO A SITE CHANGE SPECIAL USE.

MR HINES IS REQUESTING THE FOLLOWING ITEMS. A FLOOR PLAN FOR THE PROPOSAL AND ASBUILT OF THE SEPTIC SYSTEM, PARKING SPACE AVAILABILITY, HANDICAP SPACE LOCATION, HOURS OF OPERATION, NUMBER OF EMPLOYEES, QUANTITY OF CHILDREN.

THE BOARDS ATTORNEY STATED THAT SOME DAYCARES ARE UNDER THE JURISDICTION OF THE STATE. THE BOARD MUST DETERMINE IF THIS IS ONE OF THEM.

AFTER A BRIEF DISCUSSION MR LYTLE WAS ADVISED TO ADDRESS THE ABOVE ISSUES PRIOR TO COMING BACK BEFORE THE BOARD.

ALAN POLLOCK

SITE PLAN

THE PROPERTY IN QUESTION IS NORTH ROAD, MILTON, NY AND IN THE R-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY DAN MARTUSCELLO ATTORNEY MARLBORO, NY.

THE APPLICANT IS PROPOSING TO OPEN UP A BED AND BREAKFAST / RESORT HOTEL / DAY SPA.

ONE OF THE MAIN CONCERNS FROM THE PUBLIC HEARING WAS THE NOISE ISSUE AND PATIO PLACEMENT.

MR POLLOCK STATED THAT SINCE THE PUBLIC HEARING THE PATIO HAS BEEN MOVED BACK APPX 100 FEET TOWARDS THE RIVER TO ALLEVIATE SOME OF THE NOISE CONCERN.

THE HIGHWAY SUPT HAS REVIEWED THE TRAFFIC AND HIS ONLY CONCERN WAS THE ENTRANCE DRIVE BEING NARROW WHERE THE GATES ARE LOCATED.

DR MCGUIRE WAS VERY CONCERNED ABOUT THE NOISE THAT WILL BE GENERATED AND THE IMPACT ON THE SURROUNDING PROPERTIES.

ATTORNEY MARTUSCELLO STATED THAT ADDITIONAL TREES COULD BE PLANTED ALONG THE PROPERTY LINES TO BLOCK THE NOISE.

MR POLLOCK STATED THAT HE WOULD TRY AND HAVE NO OUTSIDE MUSIC AFTER 11:00 PM.

MR POLLOCK ADDED THAT WEDDINGS WOULD BE FRIDAY, SAT, & SUN WITH SMALLER PARTIES DURING THE WEEK.

MR POLLOCK STATED THAT BY MOVING THE PATIO CLOSER TO THE WATER MOST OF THE MUSIC OR NOISE WOULD BE TOWARDS THE WATER RATHER THEN THE ADJOINING PROPERTIES.

MR ROZA QUESTIONED IF THERE WERE SOME KIND OF SOUND TESTING THAT COULD BE PERFORMED FOR THE DECIBEL MEASUREMENT. MR ROZA ALSO QUESTIONED IF THERE WAS SOME KIND OF BAND SHELL OR SHIELD THAT COULD BE ERECTED. (PERMANENT OR TEMPORARY)

AGAIN DR MCGUIRE STATED THAT THE NOISE IS A MAJOR CONCERN FOR THE BOARD.

MR HINES STATED THAT HIS ONLY ISSUES WERE THE NOISE AND THE INGRESS/EGRESS INTO THE PROPOSED SITE.

ATTORNEY MARTUSCELLO STATED THAT THE ENGINEERS DETERMINED THAT THERE WAS ADEQUATE ROADWAY FOR A CAR TO PULL OVER WHILE ANOTHER ONE WENT



THROUGH THE GATE.

MR HINES STATED THAT THEY ARE WAITING FOR BOARD OF HEALTH APPROVALS AND COMMENTS FROM THE HIGHWAY SUPT. FOR INGRESS/EGRESS. MR HINES IS ALSO REQUESTING THAT THE ADJACENT PROPERTY OWNERS BE IDENTIFIED ON THE MAP

MR HINES STATED THAT THE APPLICANT SHOULD ADDRESS THE BOARDS CONCERNS ON THE NOISE ISSUES BEFORE THIS APPLICATION CAN PROCEED.

THE MONTHLY MEETING OF THE MARLBORO PLANNING BOARD WAS ADJOURNED AT 8:45 PM

RESPECTIVELY SUBMITTED,

*Dr. Frances McGuire*

DR. FRANCES MCGUIRE

TOWN OF MARLBOROUGH PLANNING BOARD

TOWN HALL, ROUTE 9W, MILTON, NY 12547

SEPTEMBER 02, 2003

A G E N D A :

CHARLES SCUDERI  
PATRICIA BULSON  
ALAN POLLOCK  
CHESTNUT PETROLEUM

PRELIMINARY  
PRELIMINARY

2 LOT SUB/DIVISION  
9 LOT SUB/DIVISION  
SITE PLAN  
SITE PLAN

P R E S E N T :

A B S E N T :

RUSSELL PARKS

DR FRANK MCGUIRE  
CHRIS CERONE

RICCARU ROZA  
FRANK RICCIARDONE  
ALAN TRONCILLITO  
JOSEPH PORCO  
PAT HINES, ENGINEER  
RON BLASS, ATTORNEY

MR. RICCIARDONE MADE A MOTION TO APPROVE THE MINUTES OF THE AUGUST 18, 2003 MEETING. THIS MOTION WAS SECONDED BY MR. TRONCILLITO.

AYES - 5 -

NOES - 0 -

CHARLES SCUDERI

PRELIMINARY

2 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON LATTINTOWN ROAD, MARLBORO, NY AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY PATTY BROOKS OF BROOKS AND BROOKS LAND SURVEYORS, HIGHLAND, NY.

DR MCGUIRE READ THE LEGAL NOTICE THAT APPEARED IN THE ULSTER COUNTY PIONEER. THERE WERE 8 REGISTERED LETTERS SENT AND 5 SIGNED RECEIPTS RETURNED.

THE APPLICANT IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO TWO LOTS AS STATED BELOW:

LOT #1 - 1.91 ACRES

LOT #2 - 5.00 ACRES

AS THERE WERE NO QUESTIONS FROM THE AUDIENCE A MOTION TO CLOSE THE PUBLIC PORTION OF THIS HEARING WAS MADE BY MR. RICCIARDONE AND SECONDED BY MR. PARKS.

AYES - 5 -

NOES - 0 -

MR. HINES STATED THAT BOARD-OF-HEALTH AND COUNTY ROAD CUT PERMITS ALL HAVE BEEN RECEIVED.

AS THERE WERE NO QUESTIONS FROM THE BOARD MR. HINES WITH THE PLANNING BOARD READ AND COMPLETED PART 11-ENVIRONMENTAL ASSESSMENT AND FOUND ALL DOCUMENTATION TO BE IN ORDER, THEREFORE

MR. RICCIARDONE MADE A MOTION FOR NEGATIVE DECLARATION ON ENVIRONMENTAL IMPACT. THIS MOTION WAS SECONDED BY MR. TRONCILLITO.

AYES - 5 -

NOES - 0 -

AS THERE WERE NO FURTHER QUESTION FROM THE BOARD MR. RICCIARDONE MADE A MOTION FOR PRELIMINARY APPROVAL. THIS MOTION WAS SECONDED BY MR. TRONCILLITO.

AYES - 5 -

NOES - 0 -

MRS BROOKS STATED THAT SINCE THERE WERE NO OUTSTANDING ISSUES ON THIS SUB/DIVISION COULD FINAL APPROVAL BE GRANTED AT THIS TIME. AFTER A BRIEF DISCUSSION BY THE BOARD MR RICCIARDONE MADE A MOTION FOR FINAL APPROVAL. THIS MOTION WAS SECONDED BY MR TRONCILLITO.

AYES - 5 -

NOES - 0 -

PATRICIA BULSON

PRELIMINARY

9 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON DRAGOTTA ROAD, MARLBORO, NY AND IN R DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY CHARLIE BROWN, OF TACONIC DESIGN, NEWBURGH, NY.

THE APPLICANT IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO NINE LOTS RANGING IN SIZE FROM 0.42 ACRES TO 1.37 ACRES.

MR HINES STATED THAT IF THIS WAS TO BE A TOWN ROAD A BOND MUST BE ESTABLISHED FOR MUNICIPAL IMPROVEMENTS.

MR HINES ALSO STATED THAT THIS EVENING HE RECEIVED A COST ESTIMATE FOR THE BONDING OF THE TOWN ROAD, WHICH ALSO HAS NOT YET BEEN REVIEWED.

MR HINES ADDED THAT A UPDATED REPORT FOR THE RETENTION POND WAS RECEIVED SHOWING HOW THE BOND FUNCTIONS AND THE QUALITY AND QUANTITY OF STORMWATER RUNOFF. MR HINES ALSO STATED THAT THE RETENTION POND MAINTENANCE AGREEMENT WHICH CROSSES OVER 3 LOTS MUST BE RECEIVED AN REVIEWED.

THE REMAINING OUTSTANDING ISSUES ARE:

1. ULSTER COUNTY BOARD OF HEALTH APPROVALS FOR THE WATER MAIN EXTENSION
2. THE BOND ESTIMATE
3. ANY APPROVALS MUST BE SUBJECT TO THE DEC SPEDES PERMIT FOR CONSTRUCTION.
4. OFFER OF DEDICATION FOR THE MUNICIPAL IMPROVEMENTS (TO THE BOARD ATTORNEY)
5. MAINTENANCE AGREEMENT FOR THE DETENTION PONDS.

THERE WAS A BRIEF DISCUSSION ABOUT THE WATER DISTRICT EXTENSION AND LEGALITIES TO THE APPLICANT. THE APPLICANT ASSUMED THAT HE ALREADY HAD TOWN APPROVAL FOR THE WATER EXTENSION. CHAIRMAN PORCO STATED THAT THERE WAS NO PUBLIC HEARING HELD ON THIS EXTENSION THEREFORE APPROVAL HAS NOT YET BEEN GRANTED BY THE TOWN. CHAIRMAN PORCO STATED HE WOULD CONTACT THAT TOWN BOARD ON THIS ISSUE.

ATTORNEY BLASS STATED THAT HE RECEIVED THE DRAINAGE EASEMENT AND ROAD DEDICATION ALL WHICH HAVE TO BE REVIEWED.

MR HINES STATED THAT THE MAPS SHOW THE NEW REVISED SEWER EASEMENTS CONFORMING WITH THE CENTER LINE OF THE ASBUILT CONSTRUCTION OF THE SEWER LINES.

MR GALELLA WAS ADVISED OF THE OUTSTANDING ISSUES AND HE STATED HE WOULD MAKE ALL NECESSARY CHANGES OR OBTAIN ALL DOCUMENTS AS REQUIRED.

ALAN POLLOCK

SITE PLAN

THE PROPERTY IN QUESTION IS LOCATED ON NORTH ROAD, MILTON, NY AND IN THE R-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY DAN MARTUSCELLO ATTORNEY, MARLBORO, NY.

THE APPLICANT IS PROPOSING TO OPEN UP A BED AND BREAKFAST / RESORT / HOTEL / DAY SPA.

ATTY MARTUSCELLO STATED THERE WERE THREE OUTSTANDING ITEMS FROM THE LAST MEETING ONE OF THOSE WAS COMMENTS FROM THE HIGHWAY SUPT. THE BOARD RECEIVED A LETTER DATED AUGUST 20, 2003 FROM GAEL APPLER, HWY SUPT WHICH STATED "THAT AS LONG AS THERE WILL BE ATTENDANTS WHO WILL BE DIRECTING AND PARKING THE VEHICLES, THAN THE PROBLEM OF STACKING WILL BE ALLEVIATED AS LONG AS THE STAFF IS CLEARING AND DIRECTING TRAFFIC.

ATTY MARTUSCELLO STATED THAT THE SECOND ISSUE WAS THE LOCATION OF THE ADJOINING STRUCTURES TO THE SOUTH LINE OF THE PROPERTY. MR MARTUSCELLO SUBMITTED TO THE BOARD AERIAL PHOTO'S OF THE POLLOCK PROPERTY AND THE ADJACENT STRUCTURES AS REQUESTED. ATTY MARTUSCELLO STATED THAT THERE ARE 3 STRUCTURES TO THE SOUTH SIDE ALL SHOWN ON THE PHOTO'S.

THE THIRD IS THE SOUND ISSUE. ATTY MARTUSCELLO STATED THAT ONE OF THE CONCERNS WAS FROM THE ADJOINING PROPERTY OWNER MRS TOTTEN. ATTY MARTUSCELLO STATED THAT THERE ARE 845 FEET BETWEEN THE TOTTEN PROPERTY AND 340 FEET BETWEEN THE SHERMAN (STEIFEL) PROPERTY AND THE PROPOSED PATIO. ATTY MARTUSCELLO ADDED THAT THERE IS ALSO 581 FEET TO ONE NEIGHBOR AND 686 FEET TO THE INTERSECTION OF RIVERKNOLL.

MR POLLOCK STATED THAT THERE WILL BE DIFFERENT DECIBEL READINGS FOR DIFFERENT TYPES OF SITUATIONS. (WEDDINGS, SHOWERS, DJ'S)

MR HINES QUESTIONED IF ANY SCIENTIFIC NOISE READINGS WERE TAKEN. MR POLLOCK STATED THAT THE DID USE A SOUND SYSTEM. THIS SYSTEM WAS PLACED ON THE PROPOSED PATIO AT HIGH VOLUME AND COULD BARELY BE HEARD AT THE FIRST PROPERTY LINE (TOTTEN).

MR POLLOCK STATED THAT HE HAS A REPORT THAT SHOWS THAT THE DECIBEL READING IS ACCEPTABLE TO THIS PROJECT. (BELOW 55 DECIBELS)

MR HINES QUESTIONED WHAT IS THE BACKGROUND NOISE AT 11:00 P.M. MR POLLOCK STATED THAT CRICKETS ARE 60-80 DECIBELS. THE APPLICANTS REPRESENTATIVE (NAME NOT KNOWN) STATED THAT THERE ARE MANY VARIABLES INVOLVED WITH REGISTERING DECIBELS IT IS VERY DIFFICULT TO PERFORM A SOUND STUDY AND VERY EXPENSIVE. THIS GENTLEMEN ALSO STATED THAT ONCE A STUDY IN PERFORM THE RESULTS ARE VERY DIFFICULT TO INTERPRET.

THE APPLICANT STATED THAT THE STATE DEC HAS A GUIDELINE OF 55 DECIBELS AT A PROPERTY LINE. MR POLLOCK IS PROPOSING A LIMIT OF 50 DECIBELS AT SAID LINE, IF SOMEONE WAS TO GO TO THE PROPERTY LINE WITH A METER AND THE DECIBEL READING WAS MORE THAN 50 DECIBELS THE MR POLLOCK IS WILLING TO REAPPEAR FOR A REVISED SITE PLAN.

ATTORNEY MARTUSCELLO ALSO REMINDED THE BOARD THAT THERE IS NO NOISE ORDINANCE IN THE TOWN OF MARLBORO. MR POLLOCK ADDED THAT WHEN TWO TRAINS ARE IN THE HOLDING PATTERN AT THE WATERFRONT NO NOISE FROM THIS PROPOSED PROJECT WOULD MATCH THE SOUND OF THEIR HORNS.

MR RICCIARDONE QUESTIONED THE HOURS OF OPERATION AND THE MAXIMUM AMOUNT OF PEOPLE THIS PROJECT WOULD ACCOMMODATE. THE APPLICANT STATED THAT SPECIAL EVENTS WILL END AT 11:00 P.M. MR RICCIARDONE QUESTIONED IF THE MUSIC ENDS AT 11:00 P.M. WILL THE FESTIVITIES CONTINUE INTO THE MORNING HOURS ? MR POLLOCK ALSO ADDED THAT THE OPERATION WOULD RUN FROM APRIL TO OCTOBER BASICALLY WEEKENDS.

ATTY BLASS QUESTIONED THE NEXT TO THE LAST PAGE OF THE SOUND REPORT. MUSIC ON SITE WILL NOT GENERATE MORE THAN 6 dB AT THE PROPERTY LINE. THE APPLICANT'S REPRESENTATIVE EXPLAINED THE CHART IN THE SOUND REPORT. ATTY BLASS QUESTIONED 6dB AT THE PROPERTY LINE WOULD THAN BE LESS THAN A WHISPER. AFTER A BRIEF DISCUSSION IT WAS NOTED THAT THE 6dB SHOULD BE 60 DECIBELS.

MR POLLOCK STATED THAT EVEN WHEN THERE IS NO BAND THERE MIGHT BE 50 DECIBELS AT THE PROPERTY LINE WITH THE SOUND OF CRICKETS, TRAIN WHISTLES, MOVEMENT OF THE TRAINS CARS OF EVERYDAY TRAFFIC (NATURAL SOUND).

MR RICCIARDONE STATED AN OPTION IS TO PLACE THE SHELL MORE TO THE RIVER THAN TO THE PROPERTY LINE SO MORE OF THE SOUND WOULD GO TOWARDS THE RIVER. MR POLLOCK STATED THAT BY JUST USING THE BAND SHELL THE DECIBEL READING WOULD DROP CONSIDERABLY.

ATTY BLASS QUESTIONED THE APPLICANT IF YOU WERE TO PROPOSE A CONDITION TO THIS APPROVAL REGARDING SOUND, WHAT WOULD IT BE? ATTY MARTUSCELLO ANSWERED, "IF THE SOUND AT THE PROPERTY LINE WAS MORE THAN 50 DB THAN THE BAND WOULD BE REQUIRED TO LOWER THE VOLUME ON THEIR SOUND SYSTEM. ATTY BLASS STATED THAT THE MEASUREMENT WOULD ONLY BE FOR MUSIC, NOT NORMAL DAY SOUNDS? MR POLLOCK STATED THAT ANY SOUND THAT EFFECTED THE NEIGHBORS THE MOST WOULD TRY TO BE ALLEVIATED.

MR POLLOCK ADDED THAT A SOUND TEST WOULD BE PERFORMED BEFORE ANY FUNCTION FOR MEASUREMENT OF THE DECIBEL LEVEL AND ADJUSTED

ACCORDINGLY. ATTY BLASS QUESTIONED IF A READING AT THE PROPERTY LINE SHOWN ON THE DECIMETER WOULD NOT EXCEED 50 DECIMETER FOR ANY SOURCE OF SOUND. MR POLLOCK STATED NO SOUND WOULD BE DISCRIMINATED.

MR POLLOCK ADDED THEY WOULD TRY AND DO NATURAL AND UNNATURAL SOUNDS.

MR HINES STATED THAT A SITE PLAN OF THIS PROPOSAL MUST BE SUBMITTED TO THE BOARD SHOWING ALL STRUCTURES EXISTING AND PROPOSED, ALL PARKING SPACES AND INGRESS/EGRESS.

MR HINES STATED THAT THE APPLICANT SHOULD REVIEW THE REALISTIC SOUND OF THE AREA ALSO THE HOURS OF OPERATION AND HOPEFULLY THE APPLICANT, ATTY BLASS AND MYSELF CAN WORK TOWARDS A SEQOR DETERMINATION FOR THE BOARDS REVIEW.

AGAIN MR HINES STATED THAT A SITE PLAN MUST BE PRESENTED TO THE BOARD SHOWING ALL IMPROVEMENTS.

MR HINES STATED THAT THE APPLICANT SHOULD BE CAUTIONS WITH WHAT HE IS LIMITING HIMSELF TO IN REGARD TO DECIBEL LIMITS. MR POLLOCK HAS TO TAKE INTO CONSIDERATION TRAIN NOISES AND EVERYDAY NOISE.

MR POLLOCK STATED THAT ONE OF THE CONDITIONS COULD BE THAT THE CUSTOMER WOULD HAVE TO RENT THE COMPLETE FACILITY FOR THE WEEKEND A PACKAGE DEAL INCLUDING ROOMS. MR HINES QUESTIONED ALL THREE DAYS. MR POLLOCK STATED YES.

AFTER FURTHER DISCUSSION ABOUT SOUND LEVELS AND LIMITATIONS MR POLLOCK WAS ADVISED OF WHAT WAS NEEDED TO BE PLACED ON THE NEXT AGENDA.

CHESTNUT PETROLEUM

CON/GAS

SITE PLAN

THE PROPERTY IN QUESTION IS LOCATED ON ROUTE 9W, MARLBORO, NY, AND IN THE HD DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY CIRO INTERRANTE, ARCHITECT, POUGHKEEPSIE, NY.

THE APPLICANT SUBMITTED NEW PLANS OF THIS PROPOSAL FOR REVIEW WHICH SHOW 3 ACCESS DRIVES INTO THE PROPOSED SITE WHICH NEED D.O.T APPROVAL FOR THE INGRESS/EGRESS AN CURB CUTS.

MR HINES QUESTIONED THE 40 FT RETAINING WALLS IN THE BACK. MR STATED THAT THEY HAVE AN ENGINEER LOOKING IT OVER AND THAT THERE ARE 3 DIFFERENT TYPES OF RETAINING WALLS SYSTEMS. MR INTERRANTE ALSO STATED ON THE LARGER SCOPE OF THE WALL THE LARGER OF THE SYSTEMS WOULD BE USED TAPERING DOWN TO THE TWO SMALLER SYSTEMS.

MR HINES QUESTIONED THE ACCESS TO THE DIESEL PUMPS, HE STATED THAT THERE DOESN'T SEEM TO BE ENOUGH AREA FOR THE TRUCKS TO ENTER AND EXIT. MR HINES ADDED THAT THE ISLAND SHOULD BE SUCH THAT THE TRUCK TRAFFIC CAN ACCESS THE DIESEL FUEL ISLAND.

MR HINES ADDED THAT HEALTH DEPT APPROVAL HAVE NOT YET BEEN RECEIVED.

MR HINES ALSO QUESTIONED IF A VARIANCE FOR LOT SIZE HAS BEEN RECEIVED SINCE THE ATTEMPT TO PURCHASE ADDITIONAL LAND HAS FAILED. MR INTERRANTE THOUGHT IF WAS APPLIED FOR AND STATED HE WOULD CHECK ON THAT MATTER.

TOWN OF MARLBOROUGH PLANNING BOARD

TOWN HALL, ROUTE 9W, MILTON, NY 12547

SEPTEMBER 15, 2003

A G E N D A :

JOHN LEOMBRUNO  
JOSEPH FREEBORN  
TIM SANDRI  
LOIS HEPWORTH  
JOANNE CUTRONE  
ALAN POLLOCK

SKETCH  
SKETCH  
SKETCH  
SKETCH

4 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
2 LOT SUB/DIVISION  
SITE PLAN  
SITE PLAN

P R E S E N T :

DR FRANK MCGUIRE  
RUSSELL PARKS  
RICHARD ROZA  
FRANK RICCIARDONE  
ALAN TRONCILLITO  
JOSEPH PORCO  
PAT HINES, ENGINEER  
RON BLASS, ATTORNEY

A B S E N T :

CHRIS CERONE

MR RICCIARDONE MADE A MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 02, 2003 MEETING. THIS MOTION WAS SECONDED BY MR ROZA.

AYES - 6 -

NOES - 0 -

JOHN LEOMBRUNO

SKETCH

4 LOT SUB/DIVISION

THE PROPERTY IN QUESTION IS LOCATED ON PLATTEKILL ROAD, MARLBORO, NY AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY CHARLIE BROWN OF TACONIC CONSULTANTS, NEWBURGH, NY.

THE APPLICANT IS PROPOSING TO SUB/DIVIDE HIS PROPERTY INTO FOUR LOTS AS STATED BELOW:

LOT #1 - 2.99 ACRES                      LOT #2 - 3.06 ACRES  
LOT #3 - 3.11 ACRES                      LOT #4 - 6.25 ACRES

MR HINES STATED THAT THE BOARD HAD CONCERNS ABOUT THE PROPOSED DRIVEWAYS. MR HINES ALSO STATED THAT THE APPLICANT HAS TAKEN ADVANTAGE OF THE TOPOGRAPHY AND HAS MADE THE DRIVEWAYS LONGER.

MR HINES STATED THAT HEALTH DEPT HAS NOT BEEN RECEIVED AND THE BUILDING ON LOT #4 HAS TO BE REMOVED.

MR HINES ALSO STATED THAT A SHARED DRIVEWAY EASEMENT MUST BE RECEIVED AND APPROVED BY ATTY BLASS.

MR HINES STATED THAT IF BOARD-OF-HEALTH PERMITS ARE RECEIVED PRIOR TO DEADLINE OF SEPTEMBER 19, THIS APPLICATION CAN BE SCHEDULED FOR PUBLIC HEARING.

AS THERE WERE NO FURTHER QUESTIONS FROM THE BOARD MR RICCIARDONE MADE A MOTION FOR SKETCH APPROVAL. THIS MOTION WAS SECONDED BY MR ROZA.

AYES - 6 -

NOES - 0 -

JOANNE CUTRONE

SITE PLAN

THE PROPERTY IN QUESTION IS LOCATED ON MILL POND ROAD, MARLBORO, NY AND IN THE RAG-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY KEN LYTLE OF ZEN CONSULTANTS, FISHKILL, NY.

THE APPLICANT IS PROPOSING TO OPEN A DAYCARE FACILITY ON A PRIVATE ROAD AND IN A RESIDENTIAL DISTRICT.

MR HINES STATED THAT NEW PLANS WERE RECEIVED BUT THAT THE TOPOGRAPHIC SURVEY DATA, THE EXISTING ROAD PROFILE AND THE WATER LINES SHOULD BE DEPICTED ON FUTURE PLANS.

MR HINES ADDED THAT THERE IS CONFLICTING INFORMATION IN THE TWO SETS OF DESIGN REPORTS THAT THE BOARD HAS RECEIVED. A RECENT REPORT PREPARED BY LOUIS S. DUBOIS STATES THAT THE SEPTIC SYSTEM CONSISTS OF FOUR LATERALS OF 58 FEET LONG, WHILE THE PREVIOUS PLANS DEPICTS FOUR LATERALS AT 55 FEET LONG. THE RECOMMENDATION OF ADDITIONAL SEPTIC LATERAL OF 51 FEET WOULD NOT BE IN COMPLIANCE WITH DEC DESIGN MANUAL AS SUCH FIELDS SHOULD BE OF EQUAL LENGTH TO ASSURE EQUAL DISTRIBUTION, THE ADDITIONAL LATERAL MAY TAKE UP A PORTION OF THE SEPTIC EXPANSION AREA.

MR HINES FURTHER STATED THAT A SKETCH ATTACHED TO THE REPORT IDENTIFIES 28 CHILDREN AND 3 STAFF MEMBERS, WHILE THE PREVIOUS PLANS SHOW 20 CHILDREN AND 2 STAFF MEMBERS. IN ADDITION THE PLANS SHOW A FOOD PREP AREA WHICH, IN ACCORDANCE WITH DEC DESIGN MANUAL, WOULD REQUIRE AN ADDITIONAL FIVE GALLON PER DAY.

MR HINES ADDED THAT A REVIEW OF THE SEPTEMBER 5, 2003 ENGINEERS REPORT SHOW A 3 BEDROOM HOUSE, WHICH HAS BEEN MODIFIED TO CHANGE ONE OF THE BEDROOMS TO A FUTURE OFFICE. BEING THAT THIS BEDROOM HAS A CLOSET A REPLY FROM THE BUILDING INSPECTOR, GEORGE SALINOVICH, WOULD BE NEED TO SEE IF THIS CAN BE APPROVED.

MR LYTEL STATED THAT THE FOOD PREP AREA WOULD NOT BE UTILIZED THE WAY THE PLANS DEPICT IT, THAT IT WOULD BE RAN LIKE THE SUMMER TIME HOURS. (THE STUDENTS WILL BRING LUNCH FROM HOME) MRS CUTRONE STATED THAT ANY PREPARED FOOD WOULD BE COOKED AT HER OTHER FACILITY.

MR HINES QUESTIONED THE OUTDOOR PLAY AREA, MRS CUTRONE STATED THAT THIS AREA WOULD BE SHARED WITH HER OTHER FACILITY AND HAS STATE APPROVAL FOR BOTH FACILITIES.

MR HINES WANTED TO KNOW IF A ROAD MAINTENANCE AGREEMENT HAS BEEN DRAWN UP. MRS CUTRONE QUESTIONED WHY THIS WAS NEEDED SEEING THAT THI PRIVATE ROAD?

MR LYTLE STATED THAT ALL OUTSTANDING CONCERNS WILL BE SENT TO M PRIOR TO SCHEDULING THE PUBLIC HEARING.

ALAN POLLOCK

SITE PLAN

THE PROPERTY IN QUESTION IS LOCATED ON NORTH ROAD, MILTON, NY AND IN THE R-1 DISTRICT.

THE APPLICANT IS BEING REPRESENTED BY DAN MARTUSCELLO ATTORNEY, MARLBORO, NY.

THE APPLICANT IS PROPOSING TO OPEN A BED AND BREAKFAST / RESORT / HOTEL / DAY SPA.

MR HINES STATED THAT THE TECHNICAL ISSUES OF THIS APPLICATION ROADWAYS, PARKING, VALET TYPE PARKING, SEPTIC AND BATHROOMS HAVE BEEN RESOLVED.

MR HINES ALSO STATED THAT THE ONLY 2 OUTSTANDING ISSUES LEFT FROM THE MEETING ON SEPTEMBER 2, 2003 WERE #1-THE NOISE ISSUE AND #2-THE HOURS OF OPERATION AND THE INTENSITY OF THE ACTIVITY. MR HINES HAS RECEIVED IN-PUT FROM THE APPLICANT AND THE BOARD.

A LARGE DISCUSSION TOOK PLACE PERTAINING TO THE SOUND PROBLEM AND IT WAS DETERMINED THAT THE SOUND SHOULD NOT BE IN EXCESS OF 6 dBS OVER NORMAL EVERYDAY SOUNDS.

MR HINES QUESTIONED THE MAXIMUM CAPACITY THIS FACILITY WOULD HAVE DURING AN EVENT. AFTER FURTHER DISCUSSION IT WAS DETERMINED THAT THE MAXIMUM CAPACITY WOULD BE A STIPULATION ON THE APPROVAL.

DR MCGUIRE AND MR RICCIARDONE BOTH QUESTIONED THE HOURS FOR SEASONAL OPERATION AT THIS FACILITY. MR HINES ALSO ADDED THAT THERE WOULD BE WEEKDAY AND WEEKEND HOURS AND THIS ALSO WOULD BE A STIPULATION ON THE APPROVAL.

MR HINES STATED THAT THERE ARE SOME CONCERNS ABOUT THE FIREWORKS AT NIGHT, THE NOISE LEVELS AND HOURS OF OPERATION. MR RICCIARDONE STATED THAT THESE FIREWORKS SHOULD NOT BE STARTED ANY LATER THAN DUSK.

MR PORCO STATED THAT IN ORDER TO DISPLAY FIREWORKS A PERMIT IS REQUIRED.

ATTY MARTUSCELLO QUESTIONED THAT IF ANY PROPERTY OWNER COMES IN TO APPLY FOR A FIREWORKS PERMIT AND IT IS ALLOWED, WHY ARE THERE STIPULATIONS ON THIS SITE AND NO OTHER SITE.

MR PORCO RESPONSE WAS THAT THE LIMITATIONS SHOULD BE, IF THERE IS A PERMIT ALLOWED BY THE TOWN THAT THE COMPANY ISSUED THE PERMIT IS RESPONSIBLE TO ABIDE BY THE STIPULATIONS THE TOWN PLACES ON THE PERMIT.

MR PORCO QUESTIONED THE FREQUENCY AND STARTING POINT OF A FIREWORKS DISPLAY, EVERY WEEKEND, ONCE A MONTH?

ATTY MARTUSCELLO STATED THAT MOST LIKELY THE FIREWORKS WOULD START NO LATER THAN DUSK, GIVING A 4 HOUR PERIOD TO PERFORM THE DISPLAY AND AS FAR AS FREQUENCY IT DEPENDS ON THE PACKAGE THAT THE CLIENT REQUESTS.

MR PORCO STATED THAT CONDITIONS TO ACQUIRE A FIREWORKS PERMIT ARE AS STATED:

- 1 - THAT THE APPLICANT WOULD HAVE TO APPLY FOR A PERMIT ON FROM THE BUILDING DEPT.
- 2 - THAT THE APPLICANT WOULD HAVE TO COME BACK BEFORE THE BOARD FOR REVIEW OF SAID SITE PLAN IF THE SOUND OF THE FIREWORKS EXCEEDED THE 6db
- 3 - THAT THE FIREWORKS PERMIT COULD BE INCLUDED INTO THE SOUND ISSUE, BEING IN FUTURE EVENTS IF THE SOUND CREATES MORE THEN THE 6db IT WOULD BE CAUSE FOR REVIEW.
- 4 - THAT AN ANNUAL INSPECTION IS TO BE PERFORMED BY THE TOWN BUILDING INSPECTOR.

MR POLLOCK STATED THAT THE FACILITY WOULD USE SOUNDLESS FIREWORKS FOR DISPLAYS IF A BAND WAS PERFORMING.

MR HINES STATED ON THE PLANS THAT VEGETATED BUFFER AREAS WERE DEPICTED, THEY ARE REMAIN UNDISTURBED.

AT THIS TIME MR HINES REVIEWED THE ENVIRONMENTAL ASSESSMENT FORM AND STATED THAT THE BOARD NEEDS TO DETERMINE WHETHER THE PROJECT WILL HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT.

MR HINES STATED THAT THE ONLY SIGNIFICANT ISSUE WAS THE NOISE LEVEL



WHICH HAS BEEN MITIGATED. MR HINES ADDED THAT WATER AND SEWER ARE NON-ISSUES AS PORTA/POTTIES WILL BE UTILIZED. MR HINES ALSO ADDED THAT THE SEPTIC SYSTEMS ON THE PROPERTY ARE SUFFICIENT IN SIZE TO ACCOMMODATE THE HOTEL/RESORT THE BOARD AGREED WITH THIS STATEMENT.

DR MCGUIRE STILL HAD CONCERNS ABOUT THE NOISE LEVELS BUT STATED IF THE APPLICANT ABIDES BY THE STIPULATIONS SET FORTH HE WOULD HAVE NO PROBLEM WITH THE PROPOSAL.

DR MCGUIRE QUESTIONED IF FIREWORKS WILL BE HELD AT EVERY EVENT? MR POLLOCK ANSWERED NOT ALL FUNCTIONS BUT THAT THEY ARE PART OF A PACKAGE PROVIDED BY THE CATERER AT THE CUSTOMERS DISCRETION.

THE BOARD DETERMINED THAT THERE IS NO SIGNIFICANT IMPACT ON THIS PROPOSAL ALL ITEMS IN QUESTION HAVE BEEN MITIGATED TO THE SATISFACTION OF THE BOARD.

MR HINES WITH THE BOARD READ AND COMPLETED THE FULL ENVIRONMENTAL ASSESSMENT FORM AND FOUND THAT THE PROJECT WILL NOT RESULT IN ANY LARGE AND IMPORTANT IMPACTS THEREFORE WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT (THEREFORE)

MR ROZA MADE A MOTION FOR A NEGATIVE DECLARATION ON ENVIRONMENTAL IMPACT. THIS MOTION WAS SECONDED BY RICCIARDONE.

AYES - 6 - NOES - 0 - ABSTENTION - 1 -

AFTER A BRIEF DISCUSSION MR ROZA MADE A MOTION TO APPROVE THE LOT LINE REVISION THIS MOTION WAS SECONDED BY RICCIARDONE.

AYES - 6 - NOES - 0 -

AFTER FURTHER DISCUSSION MR PARKS MADE A MOTION TO APPROVE THE SPECIAL USE SITE PLAN WITH THE FOLLOWING CONDITIONS:

- 1 - SPECIAL EVENTS SHALL BE LIMITED TO A MAXIMUM OF 200 PEOPLE BASED ON AVAILABLE PARKING ON THE SITE.
  - 2 - HOURS OF OPERATION FOR OUTSIDE EVENTS:  
SUNDAY THRU THURSDAY NO LATER THAN 10:00 p.m.  
FRIDAY AND SATURDAY NO LATER THAN 11:00 p.m.
  - 3 - THE LEVEL SHOULD NOT AT ANY TIME BE IN EXCESS OF 6db ABOVE BACKGROUND LEVELS OF THE PROPERLY LINE. A BAND SHELL WILL BE ERRECTED AND UTILIZED AT ALL TIMES FOR ANY OUTDOOR EVENT. WETHER AMPLIFIED OR NOT.
  - 4 - EVENTS WILL BE SERVICED BY VALET TYPE PARKING.
  - 5 - PYROTECHNIC DEVICES AND DISPLAYS WILL BE PERMITTED ON THE SITE BUT NOT IN EXCESS OF 6db.
  - 6 - APPROVAL WAS GRANTED UNDER SPECIAL USE PERMIT AND ARE GRANTED IN ACCORDANCE WITH SECTION 155-32.
  - 7 - APPROVAL OF THE EXISTING ON SITE SUBSURFACE SANITARY SEWER DISPOSAL SYSTEMS FOR THE INTENDED COMMERCIAL USE BY ULSTER COUNTY HEALTH DEPARTMENT SHALL BE SECURED.
  - 8 - ALL VEGETATED BUFFER AREAS DEPICTED ON PLANS LAST REVISED SEPTEMBER 04, 2003 ARE TO REMAIN IN UNDISTURBED CONDITION.
- THIS MOTION WAS SECONDED BY MR RICCIARDONE.

AYES - 6 -

NOES - 0 -

THE BIMONTHLY MEETING OF THE TOWN OF MARLBORO WAS ADJOURNED AT 9:05 p.m.

RESPECTIVELY SUBMITTED

*Dr Francis McGuire*

DR FRANCIS MCGUIRE  
SECRETARY