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

----- X

In the Matter of

GRAND SLAM AUTO

Project No. 17-1018
1924 Route 9W, Milton
Section 103.1; Block 2; Lot 61

----- X

PUBLIC HEARING - SITE PLAN

Date: December 18, 2017
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
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

APPLICANT'S REPRESENTATIVE: TOMMY CORCORAN

----- X

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

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GRAND SLAM AUTO

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MR. BRAND: Stand for the Pledge,
please.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of
Marlborough Planning Board, December 18, 2017.
Regular meeting 7:30 p.m. Approval of
stenographic minutes for 11/20. Grand Slam
Auto, public hearing, site plan; Little Brick
House, sketch, lot line; Marlboro
Distributor Route 9W, LLC, sketch, site plan.
Next deadline: Friday, December 22nd. Next
scheduled meeting: Tuesday, January 2nd.

CHAIRMAN BRAND: First I'd like to have
a motion for the approval of the stenographic
minutes for November the 20th.

MS. LANZETTA: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. LOFARO: I'll second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor,
say aye.

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

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MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

All those opposed?

MR. TRUNCALI: I wasn't at that meeting
so I'll abstain.

CHAIRMAN BRAND: Okay. It passes.

I would like to also enter into the
record that Cindy Lanzetta had received two hours
of required training credit for her attendance
and participation in the Dutchess County Planning
Federation for The Ongoing Relationship Between
the Comprehensive Plan and Zoning Code. So I'll
enter that as well.

First up on the agenda this evening is
Grand Slam Auto, public hearing, site plan.

MR. TRUNCALI: "Legal notice,
commercial site plan application. Please take
notice a public hearing will be held by the
Marlborough Planning Board pursuant to the Town
of Marlborough Town Code 155-31 and 155-32 for
the site plan and special use approval on Monday,
December 18, 2017 for the following application:

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GRAND SLAM AUTO

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Grand Slam Auto, 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 a commercial site plan and special use permit on lands located at 1924 Route 9W, Milton, Section 103.1, Block 2, Lot 61. 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: How many did you send out and how many did you get back?

MR. CORCORAN: Twenty-one out, sixteen in.

CHAIRMAN BRAND: Would you like to give a brief overview maybe for anyone in the public that's here for that, Tom?

MR. CORCORAN: Estimated one acre lot, vacant land on Route 9W just north of Kirky's Deli. It's a proposed automotive sale and repair building to be located on that property.

CHAIRMAN BRAND: If there's anyone here from the public that would like to speak either for or against this project, please stand, state

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GRAND SLAM AUTO

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your name for the Stenographer and be heard at
this time.

MS. SNYDER: My name is Lisa Snyder, we
live at 1934 Route 9W. That's the property
directly behind the proposed site. We are here
because we saw some stuff online of the site and
what it would look like. We're just concerned
because our driveway is right up next to it. We
share a driveway with the property next to us.
We have two small boys, we obviously use the
driveway a lot, walk to get our mail every day.
We're concerned about increased traffic, how
you're going to prevent individuals from using
our driveway since there's already been
additional traffic on our driveway from the site
being cleared, the electric pole going up, that
kind of stuff. We're here to kind of get more
information about it and see. I know we're not
going to stop you from putting it up there or
anything like that. I've never done anything
like this. We just wanted to kind of get more
information about it.

MR. CORCORAN: Absolutely. Come on up.

CHAIRMAN BRAND: He's got a map he can

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show you.

MR. CORCORAN: Anything to do with Central Hudson wouldn't have been with us. We didn't have anything to do with that. I apologize if they went on when they cleared the lot. They shouldn't have.

MR. SNYDER: That was Jimmy Noto.

MR. CORCORAN: Okay. This is where that telephone pole is. The road is proposed to go right over here, which was approved by the DOT based on the sight distance. Here's your common driveway. This is north, this is south. This is you.

MS. SNYDER: Yes.

MR. SNYDER: Yes.

MR. CORCORAN: Here's your driveway here. The road cut is here.

MS. SNYDER: And then our concern is --

MR. SNYDER: It would be a grass divider?

MR. CORCORAN: This will all be grass up in here. There's blacktop in this area right here where we propose to sell vehicles here. The building is here. This would be grass all

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GRAND SLAM AUTO

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around. Once this is cleaned up we plan on putting pine trees in here.

MR. SNYDER: Okay.

MS. SNYDER: That was a concern of ours.

MR. CORCORAN: That's why originally I didn't want to clear everything. It took six months to get going. We wanted to leave you privacy. Once it gets cleaned up we will plant the buffers in here. It would have been easier to take it down now but I wanted to leave you privacy as it was being built. Once it's done we'll put green pine trees in there so it stays green all year. They don't lose leaves. Here's the entrance, here's the blacktop area.

MS. SNYDER: This is like a repair shop and a --

MR. CORCORAN: Repairs will be done. It's more of the cars being sold, so they come in and get detailed.

MS. SNYDER: All right.

MR. CORCORAN: Not big on repairs.

MS. SNYDER: You already have a Grand Slam?

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MR. CORCORAN: That's mine. This is my son's. It's proposed to look something like this. It will look a lot better. It's two garage bays.

MS. SNYDER: Okay.

MR. SNYDER: The evergreens will help. We were concerned about noise pollution, light pollution, odor. You know, whatever.

MR. CORCORAN: Absolutely. Like I said, at this point we left this up to keep the buffer during construction. It will be cleaned up with evergreen trees during the construction after it gets done.

MS. SNYDER: All right.

MR. SNYDER: That was helpful.

MR. CORCORAN: Anything else, let me know. Anything you guys need, no problem.

CHAIRMAN BRAND: Anyone else for or against the project? Mr. Garofalo.

MR. GAROFALO: James Garofalo, 3 Young Avenue. I'm for the project. I think it's good to have businesses that recycle, put things back into the hands of people as well as make some cars affordable for people may not be able to

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afford new cars.

 However, there are a few things that I'd like to bring to your attention. One is I'd like to thank the engineer for actually putting on the plans the sight distance. I hope you'll require that in the future as well as something else very important. You don't know what those sight distances really mean in relationship to the speeds on the road. That's the other piece that hopefully on future projects you will ask people for. The police department here has a machine that will record speeds, so they can get 85th percentile speeds on the roads, which would be something that should be done anyway. It would be a lower cost to developers so they wouldn't have to hire somebody like me to go out and do that.

 On plan 6 there are three employee parking spaces in the back. I believe that the Town Code requires parking spaces to be paved. It doesn't say anything about the aisles or getting to them necessarily, but I believe in the code those need to be paved. Unfortunately it probably also should be in the code that aisles

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should be paved and should be of a certain width, but I didn't find that in the code. Maybe it is there, maybe it isn't. If it's not in there I hope that you will talk to the Town Board about fixing an aisle width and that those be paved also. I think these three spaces, where the spaces are would need to be -- would need to be paved.

The size of the spaces is not shown on the plans. According to Town Code they need to be 200 square feet. Looking at the building being 44 feet and there being five spaces, or about five spaces, that may make a width of maybe nine feet, which is fine as long as they're long enough to make the 200 square feet. I think, and I've complained about this to the Board before, that you should ask the engineers to put down what the typical size of the spaces are. And if there's a nontypical size, that they show what that is, too. I certainly believe that within the way he's got it laid out he should be able to have no problem, I think the 200 square feet. I think the Board should know that it's being met.

One of the questions that I came to

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looking at this is when you look at the parking spaces for the vehicles that are being sold, are these parking spaces or are these spaces for merchandise? I hope the Board will consider whether or not these types of spaces should also be required to be paved. He has them as paved. That's not a problem. In the future you may have someone coming in with a car dealership. To think about whether or not these are considered to be parking spaces and should be paved or not. I think it's good the way he has it, they're paved. There's also pavement so somebody who has accessibility problems can actually get to those cars without a problem.

The plan isn't clear whether or not there is access to this paved drive that's on the side of the property. It looks like the property line goes through the middle. The Board's supposed to look at --

CHAIRMAN BRAND: Where are you seeing that, Mr. Garofalo?

MR. CORCORAN: Point A, point B. Here's the property line right here.

MR. GAROFALO: So this line going down

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the middle is --

MR. CORCORAN: The two properties are the two owners in the back that had the shared driveway. There's no access to that at all from this property.

MR. GAROFALO: Okay. Normally the Board is supposed to look at access to adjoining parcels. This may be a case where you may or you may not want to have that. It should be clear that there is or there isn't that access. I don't think from the plans it's necessarily specifically clear. I think you want it to be clear so that you don't have people coming in their driveway and driving into the property.

The last thing, I think it's very nice he's putting bushes in front, there's going to be curbing there. What's not a hundred percent clear from the plans, because they're not all on the same plan, is whether any of that curbing or bushes are in that ten-foot right-of-way that's being saved for the sidewalk. Obviously you would not want them there. It's hard to tell when they're not all on the same -- shown on the same plan. As long as they're not there, I think that

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that's fine. Hopefully the bushes aren't going to be like the front of my house, because if somebody ran into them that would be a problem. Hopefully you'll keep them nice and low and small because you want people to be able to see your cars. I would expect that's the way they would be kept.

Thank you very much.

CHAIRMAN BRAND: Thank you, Mr. Garofalo.

Anything else from the public?

(No response.)

CHAIRMAN BRAND: No. Okay. I'd like to have a motion to close the public hearing.

MR. CLARKE: Could I make --

CHAIRMAN BRAND: Yes.

MR. CLARKE: -- a couple comments? It looks like you have space for nine cars for sale?

MR. CORCORAN: Yeah, it looks like that. That looks correct.

MR. CLARKE: There's about an equal amount of space between the end of that and your lot line to the south. Are you planning on expanding that if things go well?

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MR. CORCORAN: The proposed area for sales, no. At this time there's no plan at all. The existing lot doesn't sell more than five or six cars.

MR. CLARKE: Are any other businesses going to be operated other than the car sales?

MR. CORCORAN: No. We'll have a tow truck but it won't be a tow business. At this time, no.

MR. HINES: The paving for the site is limited to the area of nine spaces.

MR. CLARKE: Expand it at some point, if you have plans on doing that if things go well.

CHAIRMAN BRAND: The customer part of the parking lot is not going to be paved?

MR. CORCORAN: The customer parking area will be.

MR. HINES: There's three in the back for employees that are shown.

CHAIRMAN BRAND: How do you get to those spots? I missed that, I wasn't here at the last meeting. How do you get to those employee parking spots?

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GRAND SLAM AUTO

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MR. HINES: On the left side of the driveway.

CHAIRMAN BRAND: Just drive around. That's going to be gravel?

MS. LANZETTA: On the north side?

MR. CORCORAN: Yes.

MR. HINES: Yeah.

CHAIRMAN BRAND: I don't know if I missed it or not. Also does it say on this map -- I saw your sign, the sign specs. Does it say where the sign is going to be?

MR. CORCORAN: It's there. It's very small.

CHAIRMAN BRAND: You have to tell Lou to kick up the font a couple notches.

MR. CORCORAN: I agree.

MR. GAROFALO: Sheet 4.

MR. CORCORAN: Is that where it is?

MR. GAROFALO: Yes.

MR. CORCORAN: Thank you. Sheet 4 is the sign detail.

MS. LANZETTA: It doesn't show where.

MR. CORCORAN: The location is on 6. It actually should be depicted a little bit

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GRAND SLAM AUTO

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better. It's within the paved area.

CHAIRMAN BRAND: Is that little thing next to where it says --

MR. CORCORAN: 174. Right. Right on the side of the existing -- where the proposed shoulder is going to be for the curbing. That is a little weak. I apologize. I should have picked up on that.

CHAIRMAN BRAND: Any other questions from the Board?

MS. LANZETTA: Yeah. I see your reference to the evergreen plantings. On the landscaping map, I don't see the evergreens on that map.

MR. CORCORAN: I think under the landscape schedule we have the six Burning Bushes and the fourteen Spruces with the smaller ones in the front. I think the evergreens -- I think that detail might have been just generic. If the Board requests evergreens I can put them on the landscaping schedule and adjust that.

MS. LANZETTA: They're not listed on the details.

MR. CORCORAN: They weren't in the

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detail. I think what he used was a generic picture and under the landscaping schedule he used the bushes and the spruce.

MR. HINES: Cindy is saying the evergreen trees are not on this landscaping schedule.

MS. LANZETTA: You want to put evergreens in there.

MR. CORCORAN: The very spot where I intend to put them. Absolutely.

MR. CLARKE: You'd think the building inspector would take care of that.

MR. CORCORAN: You'd think he would.

MS. LANZETTA: I want to make sure it gets done.

MR. CORCORAN: Got it. It will be included on the new schedule, the evergreens on the east side.

MS. LANZETTA: Great.

MR. CORCORAN: Yeah. In the line of non-disturbance, at this point we'll plant the trees along that backside.

MS. LANZETTA: That would be great.

MR. CORCORAN: Okay. Agreed.

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CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: Okay. I'd like a motion to close the public hearing.

MR. CLARKE: So moved.

CHAIRMAN BRAND: Is there a second?

MR. LOFARO: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

We did not receive any information back from the Ulster County Planning Board. We could, if someone would make the motion, grant a negative declaration for this project at this time. I believe that's as far as we can go tonight without hearing back.

MS. LANZETTA: I would make a motion for the Planning Board, who has had an

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opportunity to look at the negative declaration
and notice of determination of non-significance
to -- I'd like to make a motion to move that.

CHAIRMAN BRAND: Cindy made a motion.
Is there a second?

MR. LOFARO: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye. Negative
declaration.

Okay, Tom. Unfortunately you'll have
to come back when we hear back from the County.

MR. CORCORAN: Not a problem.

CHAIRMAN BRAND: Thank you.

MR. CORCORAN: Thank you.

(Time noted: 7:46 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 28th day of December 2017.

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

LITTLE BRICK HOUSE

Project No. 17-1026
1435 Route 9W, Marlboro
Section 109.1; Block 4; Lots 8 & 9

----- X

SKETCH - LOT LINE

Date: December 18, 2017
Time: 7:46 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: WILLIAM EGGERS

----- X

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

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CHAIRMAN BRAND: Next on the agenda,
Little Brick House, Route 9W, Marlboro.

MR. EGGERS: I'm Bill Eggers, a land
surveyor from Medenbach & Eggers from Stone
Ridge.

I'm representing for a requested lot
line change between the lands of Little Brick
House property, which is Mike Pomarico sitting
back here, and the McGloughlins.

What we've got here is, you'll see the
house -- we've got Route 9W in the front. This
is the corner of 9W and Warren Street. The house
out towards Route 9W is actually on a very small
parcel of land, almost triangular there, with
driveways on two sides of it.

What we're proposing here is just to
expand the size of that, convey lands from the
rear parcel to bring this up to a standard size
in here, in the zoning here. In the HD zone it's
two acres. We'll provide that with the size it's
supposed to have.

Rather than having one common driveway
into both properties, we're proposing a new
driveway to the house off of Warren Street.

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

MR. HINES: Our first comment is the bulk table shows what's required. We're just looking for it to show existing and proposed changes. The highway superintendent's comments for the new driveway serving tax map 8, the property to the rear on Warren Street. They should weigh in on where that's going to be.

I believe there's Town water supplying these lots. If you can just show where that is. I'm not sure if the lot has Town water. We just need to show it has water.

MR. EGGERS: I know that there's a water valve which apparently is serving tax map lot 8.

MR. HINES: I see that.

MR. EGGERS: I'm not sure about a water valve.

Do you know if there's a water valve on the property?

MR. POMARICO: Water is supplied from Warren Street.

MR. EGGERS: I'm looking to see where

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the water valve is on 9W.

MR. HINES: This lot line is a drastic improvement for the conditions that are out there. The septic will actually be on the lot now. It will have access to a public street, so it doesn't have a 280-A issue anymore. It has an existing rear yard setback issue but that doesn't change under this. It's a much improved condition.

CHAIRMAN BRAND: Will this qualify for our expedited process that we have?

MR. HINES: It does. I don't know if we're ready to do that tonight. It's the first appearance.

CHAIRMAN BRAND: I'm just curious.
Thank you.

MR. HINES: It's two lots. It's in the HD Zone. It's pre-existing nonconforming.

MR. BLASS: I don't think an HD Zone qualifies.

CHAIRMAN BRAND: It's only the R-1.

MR. BLASS: I'll take a look at it. If it does qualify you will not need a public hearing.

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CHAIRMAN BRAND: Correct. So we'll get back to you as to whether or not it does qualify specifically, otherwise I think you have some homework to do.

Are there any questions or comments from the Board?

(No response.)

MR. EGGERS: And then you'd possibly schedule a public hearing at that time?

MR. HINES: It may not need one.

MR. EGGERS: If it turns out to need one?

CHAIRMAN BRAND: We could go ahead and put you on the agenda for the first meeting in January, and then we could --

MR. HINES: I don't know if you have time to publish it.

CHAIRMAN BRAND: The second meeting in January?

MR. HINES: The first meeting is actually going to be January 1st. I don't think you'll be meeting that night.

MS. FLYNN: January 2nd we're meeting.

MR. HINES: I don't think we can with

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LITTLE BRICK HOUSE

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the holidays.

CHAIRMAN BRAND: We can put you for the second meeting in January.

MR. HINES: It seems to be a holiday as well.

MS. FLYNN: It would be Tuesday, the 16th.

CHAIRMAN BRAND: Tuesday the 16th would be the next meeting.

MS. FLYNN: We'll be upstairs because we can't be in here.

CHAIRMAN BRAND: I don't foresee this bringing a large crowd. I could be wrong. You never know.

MS. FLYNN: So January 16th for a public hearing?

CHAIRMAN BRAND: January 16th. We'll put it tentatively as a public hearing for now. If it turns out it doesn't require one we'll change it.

MR. EGGERS: Sure. Okay. Very good. Thank you.

CHAIRMAN BRAND: Thank you.

(Time noted: 7:51 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 28th day of December 2017.

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 DISTR ROUTE 9W, LLC

Project No. 17-1021
1100 Route 9W, Marlboro
Section 108.4; Block 5; Lot 27

----- X

SKETCH - SITE PLAN

Date: December 18, 2017
Time: 7:52 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

----- X

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

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CHAIRMAN BRAND: Marlboro Distribution
Route 9W, LLC.

How are you this evening?

MS. BROOKS: You have not seen us since
August on this proposal because we've been
working with the Town on trying to get a water
supply to the site that will be suitable for the
Pods construction requirements. Unfortunately we
have been unsuccessful in achieving that at this
point in time. The applicant would like to
proceed with the review of the proposal.

The plan at this point is to add a
water storage tank on the site to accommodate the
needs. I don't think we've given up on the hope
of getting the water down there at some point in
time, but in order to proceed with the
application at this point that is what the
proposal is.

We did submit revised plans addressing,
to the greatest extent possible, the comments we
had received at the last meeting. We do realize
that there are some items that are outstanding.

I guess, you know, if you want to
review Pat's comments or review the changes we

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made to the plan. Whatever.

CHAIRMAN BRAND: I'll go to Pat first and then I'll come back to you.

MS. BROOKS: Sure.

MR. HINES: Our first comment, this Board approved this site as a contractor's yard. Patti sent back a comment saying they no longer want to do that. I want to get something definitive from the owner of the property saying that that use has been abandoned.

CHAIRMAN BRAND: When was that?

MR. HINES: It was going to be used to store pipes for the aqueduct.

MS. BROOKS: If after two years they haven't acted on it it's null and void anyway. I think we can get a letter from the owner.

MR. HINES: So we don't have too many uses on the site.

Our second comment is they supplied a short form EAF. I had originally asked for a long form EAF due to the proximity of the Gomez Mill House. It's not substantially contiguous so I'm going to defer to the Planning Board. If you feel a short form EAF is okay or if you want the

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additional information in the EAF, you certainly have the ability to ask for it. It is an unlisted action under SEQRA. It is not a type 1 action. It doesn't meet those thresholds.

CHAIRMAN BRAND: Your main concern was the proximity of the --

MR. HINES: The Mill House. If we were going to get comments. We did measure it out. It's probably 1,500 feet or more from the property line.

MS. LANZETTA: We didn't ask the previous applicant for anything more. Their project could have been significantly higher.

MR. HINES: As long as the Board is comfortable, that's fine.

We do recommend, along with that, that you make your notice of intent for lead agency. DOT is the only other agency involved. That is currently on the property so you have to circulate to them.

We talked last time about the requirements for screening. There is an outdoor storage component on this site on the north side of the building. They propose an eight-foot high

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privacy fence along a substantial portion of the frontage where it ties into the vegetation along 9W. The Board will just have to take a look at that moving forward, that that vegetation is adequate to provide the screening. It says there's a row of spruce trees. They're actually on the adjoining property, not on this property. As the plans move forward the Board needs to take a look and make sure that meets the intent of the screening in the code.

Sanitary sewer. There's an existing subsurface sanitary sewer disposal on the site from when it was an office trailer for the landscaping business. We'll need to have a design capacity and the hydraulic flow from this facility compared to the capacity of that system to make sure that it's adequate.

They're proposing to use the existing well on the site which is located in the roadway. We'll need details of that modification moving forward to protect that well.

Patti, did you say you're putting a tank on the site? In the building, in the basement of the building?

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MR. KRUPNICK: Exterior, below grade.

MR. HINES: We'll need to see the location of that in a future submission, where that's going. The issue is the size of the building requires that you sprinkler. Without Town water there's a need to put a substantial storage tank in there providing two hours of fire flow for the building.

CHAIRMAN BRAND: Where did you say the well was?

MR. HINES: The well is on the upper right-hand side of the driveway.

MS. BROOKS: If you look on SP-1 it says provided access cover for existing well.

CHAIRMAN BRAND: Okay.

MR. HINES: The plans also show a future 12,000 square foot addition. I don't know when or what the timing is on that, if we're approving it now. Just to let the Board know that.

MR. KRUPNICK: We have the right to get it approved now. Ownership wants to reserve their rights and get it approved now. That's the commitment to Pods, that they can expand here and

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they're not tapped out again.

MS. BROOKS: You're looking for that to be phase 2 but part of this approval?

MR. KRUPNICK: Right.

MR. HINES: Just so we know what improvements are there and code enforcement can issue a CO and they know what's supposed to be constructed. That can be depicted as a phase 2. I believe that two-year timing may kick in as well. If you don't do that in a certain timeframe you lose that portion of the site plan approval.

We're suggesting the plans be sent to the jurisdictional fire department during lead agency circulation so we get their comments early on to see if they have any issues with the site.

We just talked about the future building addition.

The Board will most likely want to see an architectural rendering of the building. It is proposed to be 35 feet high.

MS. BROOKS: We had submitted the -- were the elevations not acceptable?

MR. HINES: Were those last time?

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MS. BROOKS: Yes.

MR. HINES: I didn't open that packet. As long as the Board moving forward will review those.

As far as the sketch plan goes, I think it's okay for sketch and the Board can declare it's intent for lead agency and do their detailed designs. There will be stormwater and sewer details. DOT seems to be okay with the location of the access road but we'll need an official response from them during the SEQRA process.

CHAIRMAN BRAND: So the map that I'm looking at, the building and the container and the pad, all of that is going to stay?

MS. BROOKS: You should have several plans. Sheet number 1 would be EC, which is existing conditions.

CHAIRMAN BRAND: EC-1.

MS. BROOKS: The next page is SP-1 which actually shows what the proposed site plan is.

MR. HINES: The existing trailer they're proposing to be removed.

MS. BROOKS: To be removed.

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MR. HINES: There's an indication they want to use the existing septic system.

MS. BROOKS: I do have a copy of -- the original approval was for ten employees and the septic was based on that. We're proposing five employees. I do have for you copies of the original approval, and the approval from the Board of Health, and the approval of the well log. That was from the original 2006 approval when it was granted. I believe I have already submitted that to Jen but you can check the file. If I didn't I can get you a copy. It's part of the Planning Board record from the previous approval. I can put additional copies in. Willingham Engineering is also reviewing this information with the Board of Health to see if there's anything additional for that.

CHAIRMAN BRAND: It's been awhile. Can you give me a rundown of what's going on with this giant 40,000 square foot building? Are you storing pod units?

MR. KRUPNICK: The interior of the building will be about 40,000 square foot with 1,000 square feet of office. The additional room

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you see up front is a pump room, pump and electric. As far as the sprinkler system will require a pump. In this case it will probably be a diesel pump because there isn't two sources of electric. It will probably go to diesel.

The inside of the building carries customer container goods that are in for storage. They're stacked three high. Each container is about 8 feet. You've got 24 feet. That's climatized space.

What you see outside on the north side, that's shielded from traffic north and south on 9 are the empty containers that go back out to customers to be built. The backside of the building, at the Board's request, was set up so that it's a circulating road, 360 degrees around the building. It would not have any obstructions caused by the overnight storage of the trucks.

CHAIRMAN BRAND: You said the Town Board request?

MS. BROOKS: Planning Board.

MR. HINES: Previously the trucks were proposed in that loop road just over the designated parking locations for the trucks.

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CHAIRMAN BRAND: Okay.

MR. KRUPNICK: The additional footprint that's back there characterizes it as phase 2.

MR. HINES: That will also be 35 feet high?

MR. KRUPNICK: When it's built as an extension -- actually, the building itself has been reduced to 30 feet high to meet the NFPA requirements. So we dropped the on-site required gallonage to about 60,000 to 70,000 gallons in storage.

CHAIRMAN BRAND: How tall was the Verizon pole when we made them do the long form? The cell node that was just up the road from this.

MR. HINES: That was because it was immediately adjacent to the Gomez Mill House. That's a National Historic Registry site.

CHAIRMAN BRAND: Right. Nothing to do with the height?

MR. HINES: It wasn't to do with the height. It was the proximity.

MR. CAUCHI: Roughly how many employees will you have working there?

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MR. KRUPNICK: They presently employ approximately six and it will grow in two ways. It's projected to be what's called a mini-hub, so they'll do some light repairs here and there will be some assembly, light manufacturing. They're KD units. That will pick up some additional employees. It will grow to around ten or so. They pick up about ten percent a year in the way of employees.

MR. CAUCHI: Are you going to have enough parking spaces for all of them?

MR. KRUPNICK: Yes. There's about -- the site itself -- from an NAR standpoint, the boundaries are a little over seven acres, seven-and-a-half acres. We're losing about seven acres to grade differential. You have about a 40-foot drop on the southeast side of it where you see the topo lines. Even with that we can easily expand the parking another twenty cars in the back of the building. There's no issue at all.

CHAIRMAN BRAND: The proposed one-story future building addition, that's going to be a similar use?

MR. KRUPNICK: I'm sorry?

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CHAIRMAN BRAND: It's going to be used similarly?

MR. KRUPNICK: We'll punch a hole in the back of the existing building and it will feed through that building. It will be the exact same use.

MS. BROOKS: That's only proposed as one story.

MR. KRUPNICK: This is one story, too. This is one story.

MS. BROOKS: Because it's a free --

MR. HINES: It's still 30 feet high.

MS. BROOKS: It's 35 feet high.

MR. KRUPNICK: 30.

MS. BROOKS: So that's going to have to be revised. We provided it at 35.

MR. KRUPNICK: Right.

MR. HINES: If you go 29' 11" you can get away with 24 foot wide access.

MR. KRUPNICK: Excuse me?

MR. HINES: If you go 29' 11" you can get away with 24-foot wide access roads.

MR. KRUPNICK: 29' 11" is doable.

MR. HINES: It's for you to consider.

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MR. KRUPNICK: I think it drops to just under the 30.

MR. HINES: I don't mind the 26 either.

MR. KRUPNICK: The NFPA was driving it. They use the driveways on the north side to load and unload the pod containers. There's always bypass there. This is not unusual. 30 foot is a standard for them to be able to operate the forklifts. The forklifts are 17,000 pounds. It's got a big tail on it for counterbalance. That's why you see the big lift.

MS. BROOKS: I guess one of the things that we -- that I would like to address is when the future building addition is added at that point in time, because right now we're proposing ten to twelve employees, as far as size of the septic and making sure we show adequate parking. You were talking about expanding. If we're going to expand from the ten to twelve we kind of need to have a phase 1, phase 2 --

MR. KRUPNICK: The septic as well?

MS. BROOKS: -- for building, parking, septic. We'll need to address that before we circulate this.

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MR. KRUPNICK: Just additional facility.

MS. BROOKS: Again, it's all very doable but it needs to be presented to the Board.

MR. KRUPNICK: We're able to -- the company does not want to be in a position they have to move again. If they have to move they're going to move out of the area. They almost moved out of the area at this point. They considered Stewart. They're down in Valley Cottage and they're up through Albany and the rest of the state. This works well for them. They just don't want to be in a position -- almost because of the water situation here. They don't want to be in a position to have to move again either because of growth or because of any other municipal rules. The research was done on this. It's our understanding that the DOT is happy with -- we saw comments -- the access point the way it is. They said at some point if we want to tap it to pull a simple permit. They have no further review comments.

MS. BROOKS: That's why we need to do the notice of intent tonight, so that it can be

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circulated, and then we'll be able to get their written comments in a formal nature.

MR. LOFARO: Are you the same pod company that's behind CVS?

MR. KRUPNICK: Excuse me?

MR. LOFARO: Are you the same pod company that's behind CVS? The same people?

MR. KRUPNICK: Yes.

MS. BROOKS: They've outgrown that facility.

MR. KRUPNICK: Long outgrown that.

MS. BROOKS: They're looking to expand in this location and stay in the community.

MR. KRUPNICK: That's also only a two high. That's a very small building and there's no height. They actually shouldn't have been in that building. There weren't any choices at the time.

MR. HINES: Do they sit on a rack or sit on each other?

MR. KRUPNICK: They've got a crush factor of four to five. They self stack. They're steel framed.

CHAIRMAN BRAND: Like a little shipping

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MARLBORO DISTR ROUTE 9W, LLC

44

container?

MR. KRUPNICK: Similar to a seatainer.

CHAIRMAN BRAND: I'm sorry?

MR. KRUPNICK: Similar to a seatainer
except the sides are made of a composite material
that they use in aircrafts. It won't flame or
noxious odor or anything like that. It's just
metals. Water just goes right into it if it has
to.

CHAIRMAN BRAND: Anything else, Pat?

MR. HINES: No.

CHAIRMAN BRAND: Ron?

MR. BLASS: No.

CHAIRMAN BRAND: Anything from the
Board?

(No response.)

CHAIRMAN BRAND: I guess what we should
do tonight is to provide the notice of intent to
be lead agency for environmental review.

Do I have a motion to do that?

MR. TRUNCALI: I'll make the motion to
circulate intent for the Planning Board to be the
lead agency.

CHAIRMAN BRAND: A second?

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MR. TRAPANI: I'll second it.

CHAIRMAN BRAND: All those in favor,
say aye.

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Do we need to make the decision now
regarding the long form, short form or is that
something we do later?

MR. HINES: You kind of just did by
declaring your intent. It's going to get
circulated with the short form.

MR. CLARKE: How about County Planning?

MR. HINES: We'll need a much higher
level detail before it goes there.

MS. BROOKS: We were fortunate enough
to be able to have a pre-meeting with them
already, with DOT, and the County, and Central
Hudson, the supervisor, fire chief. So thank you
to the Board for suggesting that gateway meeting.

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It was extremely helpful. We're certainly ready to go for that referral.

CHAIRMAN BRAND: Okay. Thank you.

MS. BROOKS: Thank you very much.

CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: Just for the record, I did receive notification from the Town Board regarding the resolution to authorize the SEQRA negative declaration and the adoption of the Town of Marlborough Comprehensive Plan. I believe you guys all received a copy of that as well. I just thought it should be added into the minutes that we received them. Ron is going to give us highlights of that at a later date.

MR. BLASS: The SEQRA regulation. I'll give you a short presentation. I think maybe two percent of the regulations will affect you. What's a type 2 action, what's a type 1 action. It's really playing around with the definition of actions, categories for action to supposedly make the statute more user friendly. Probably the opposite, like a taxpayer.

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MR. HINES: Just like user friendly the short form went from two pages to four.

CHAIRMAN BRAND: Anything else?

(No response.)

CHAIRMAN BRAND: Motion to adjourn?

MR. CAUCHI: I'll make a motion to adjourn.

CHAIRMAN BRAND: Is there a second?

MR. LOFARO: Second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

(Time noted: 8:11 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 28th day of December 2017.

Michelle Conero

MICHELLE CONERO