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

In the Matter of

4

5 GRAND SLAM AUTO

10 PUBLIC HEARING - SITE PLAN

11 Date: December 18, 2017
12 Time: 7:30 p.m.
13 Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

21 APPLICANT'S REPRESENTATIVE: TOMMY CORCORAN

23

MICHELLE L. CONFRO

3 Francis Street

Newburgh, New York 12550

(845)541-4163

2 MR. BRAND: Stand for the Pledge,
3 please.

4 (Pledge of Allegiance.)

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

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

17 MS. LANZETTA: I'll make that motion.

18 CHAIRMAN BRAND: Is there a second?

19 MR. LOFARO: I'll second.

20 CHAIRMAN BRAND: Any discussion?

21 (No response.)

22 CHAIRMAN BRAND: All those in favor,
23 say aye.

24 MR. CLARKE: Aye.

25 MR. TRAPANI: Aye.

2 MS. LANZETTA: Aye.

3 MR. CAUCHI: Aye.

4 MR. LOFARO: Aye.

5 CHAIRMAN BRAND: Aye.

6 All those opposed?

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

9 CHAIRMAN BRAND: Okay. It passes.

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

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

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

2 Grand Slam Auto, at the Town Hall, 21 Milton
3 Turnpike, Milton, New York at 7:30 p.m. or as
4 soon thereafter as may be heard. The applicant
5 is asking for a commercial site plan and special
6 use permit on lands located at 1924 Route 9W,
7 Milton, Section 103.1, Block 2, Lot 61. Any
8 interested parties either for or against this
9 proposal will have an opportunity to be heard at
10 this time. Chris Brand, Chairman, Town of
11 Marlborough Planning Board."

12 CHAIRMAN BRAND: How many did you send
13 out and how many did you get back?

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

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

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

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

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

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

24 MR. CORCORAN: Absolutely. Come on up.

25 CHAIRMAN BRAND: He's got a map he can

2 show you.

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

8 MR. SNYDER: That was Jimmy Noto.

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

15 MS. SNYDER: Yes.

16 MR. SNYDER: Yes.

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

19 MS. SNYDER: And then our concern is --

20 MR. SNYDER: It would be a grass
21 divider?

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

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

4 MR. SNYDER: Okay.

5 MS. SNYDER: That was a concern of
6 ours.

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

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

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

22 MS. SNYDER: All right.

23 MR. CORCORAN: Not big on repairs.

24 MS. SNYDER: You already have a Grand
25 Slam?

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

6 MS. SNYDER: Okay.

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

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

15 MS. SNYDER: All right.

16 MR. SNYDER: That was helpful.

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

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

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

2 afford new cars.

3 However, there are a few things that
4 I'd like to bring to your attention. One is I'd
5 like to thank the engineer for actually putting
6 on the plans the sight distance. I hope you'll
7 require that in the future as well as something
8 else very important. You don't know what those
9 sight distances really mean in relationship to
10 the speeds on the road. That's the other piece
11 that hopefully on future projects you will ask
12 people for. The police department here has a
13 machine that will record speeds, so they can get
14 85th percentile speeds on the roads, which would
15 be something that should be done anyway. It
16 would be a lower cost to developers so they
17 wouldn't have to hire somebody like me to go out
18 and do that.

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

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

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

25 One of the questions that I came to

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

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

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

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

25 MR. GAROFALO: So this line going down

2 the middle is --

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

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

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

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

9 Thank you very much.

10 CHAIRMAN BRAND: Thank you, Mr.
11 Garofalo.

12 Anything else from the public?
13 (No response.)

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

16 MR. CLARKE: Could I make --

17 CHAIRMAN BRAND: Yes.

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

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

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

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

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

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

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

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

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

18 MR. CORCORAN: The customer parking
19 area will be.

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

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

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

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

6 MS. LANZETTA: On the north side?

7 MR. CORCORAN: Yes.

8 MR. HINES: Yeah.

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

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

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

17 MR. CORCORAN: I agree.

18 MR. GAROFALO: Sheet 4.

19 MR. CORCORAN: Is that where it is?

20 MR. GAROFALO: Yes.

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

23 MS. LANZETTA: It doesn't show where.

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

2 better. It's within the paved area.

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

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

10 CHAIRMAN BRAND: Any other questions
11 from the Board?

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

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

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

25 MR. CORCORAN: They weren't in the

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

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

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

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

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

14 MR. CORCORAN: You'd think he would.

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

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

20 MS. LANZETTA: Great.

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

24 MS. LANZETTA: That would be great.

25 MR. CORCORAN: Okay. Agreed.

2 CHAIRMAN BRAND: Anything else from the
3 Board?

4 (No response.)

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

7 MR. CLARKE: So moved.

8 CHAIRMAN BRAND: Is there a second?

9 MR. LOFARO: I'll second.

10 CHAIRMAN BRAND: All those in favor?

11 MR. CLARKE: Aye.

12 MR. TRAPANI: Aye.

13 MS. LANZETTA: Aye.

14 MR. TRUNCALI: Aye.

15 MR. CAUCHI: Aye.

16 MR. LOFARO: Aye.

17 CHAIRMAN BRAND: Aye.

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

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

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

5 CHAIRMAN BRAND: Cindy made a motion.

6 Is there a second?

7 MR. LOFARO: I'll second.

8 CHAIRMAN BRAND: All those in favor?

9 MR. CLARKE: Aye.

10 MR. TRAPANI: Aye.

11 MS. LANZETTA: Aye.

12 MR. TRUNCALI: Aye.

13 MR. CAUCHI: Aye.

14 MR. LOFARO: Aye.

15 CHAIRMAN BRAND: Aye. Negative
16 declaration.

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

19 MR. CORCORAN: Not a problem.

20 CHAIRMAN BRAND: Thank you.

21 MR. CORCORAN: Thank you.

22

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

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

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6

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

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

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

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

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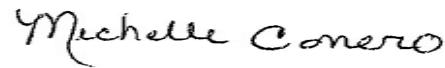
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MICHELLE CONERO

2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
----- X

4 In the Matter of
5

6 LITTLE BRICK HOUSE
7

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

11 SKETCH - LOT LINE
12

13 Date: December 18, 2017
14 Time: 7:46 p.m.
15 Place: Town of Marlborough
16 Town Hall
17 21 Milton Turnpike
18 Milton, NY 12547
19

20 BOARD MEMBERS: CHRIS BRAND, Chairman
21 JOEL TRUNCALI
22 BEN TRAPANI
23 CINDY LANZETTA
24 JOSEPH LOFARO
25 MANNY CAUCHI
STEVE CLARKE

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

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

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

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

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

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

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

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

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

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

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

18 MR. HINES: I see that.

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

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

23 MR. POMARICO: Water is supplied from
24 Warren Street.

25 MR. EGGERS: I'm looking to see where

2 the water valve is on 9W.

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

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

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

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

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

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

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

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

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

6 Are there any questions or comments
7 from the Board?

8 (No response.)

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

11 MR. HINES: It may not need one.

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

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

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

19 CHAIRMAN BRAND: The second meeting in
20 January?

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

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

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

2 the holidays.

3 CHAIRMAN BRAND: We can put you for the
4 second meeting in January.5 MR. HINES: It seems to be a holiday as
6 well.7 MS. FLYNN: It would be Tuesday, the
8 16th.9 CHAIRMAN BRAND: Tuesday the 16th would
10 be the next meeting.11 MS. FLYNN: We'll be upstairs because
12 we can't be in here.13 CHAIRMAN BRAND: I don't foresee this
14 bringing a large crowd. I could be wrong. You
15 never know.16 MS. FLYNN: So January 16th for a
17 public hearing?18 CHAIRMAN BRAND: January 16th. We'll
19 put it tentatively as a public hearing for now.
20 If it turns out it doesn't require one we'll
21 change it.22 MR. EGGERS: Sure. Okay. Very good.
23 Thank you.

24 CHAIRMAN BRAND: Thank you.

25 (Time noted: 7:51 p.m.)

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

5

6

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

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

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

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

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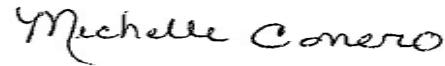
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MICHELLE CONERO

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

In the Matter of

5 MARLBORO DISTR ROUTE 9W, LLC

10 SKETCH - SITE PLAN

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

15 BOARD MEMBERS: CHRIS BRAND, Chairman
16 JOEL TRUNCALI
17 BEN TRAPANI
18 CINDY LANZETTA
19 JOSEPH LOFARO
20 MANNY CAUCHI
21 STEVE CLARKE

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

21 APPENDIX B: REPRESENTATIVE: PATRICK BROOKS

2 CHAIRMAN BRAND: Marlboro Distribution
3 Route 9W, LLC.

4 How are you this evening?

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

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

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

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

2 made to the plan. Whatever.

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

5 MS. BROOKS: Sure.

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

12 CHAIRMAN BRAND: When was that?

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

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

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

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

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

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

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

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

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

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

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

2 privacy fence along a substantial portion of the
3 frontage where it ties into the vegetation along
4 9W. The Board will just have to take a look at
5 that moving forward, that that vegetation is
6 adequate to provide the screening. It says
7 there's a row of spruce trees. They're actually
8 on the adjoining property, not on this property.
9 As the plans move forward the Board needs to take
10 a look and make sure that meets the intent of the
11 screening in the code.

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

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

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

2 MR. KRUPNICK: Exterior, below grade.

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

10 CHAIRMAN BRAND: Where did you say the
11 well was?

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

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

16 CHAIRMAN BRAND: Okay.

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

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

2 they're not tapped out again.

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

5 MR. KRUPNICK: Right.

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

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

18 We just talked about the future
19 building addition.

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

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

25 MR. HINES: Were those last time?

2 MS. BROOKS: Yes.

3 MR. HINES: I didn't open that packet.

4 As long as the Board moving forward will review
5 those.6 As far as the sketch plan goes, I think
7 it's okay for sketch and the Board can declare
8 it's intent for lead agency and do their detailed
9 designs. There will be stormwater and sewer
10 details. DOT seems to be okay with the location
11 of the access road but we'll need an official
12 response from them during the SEQRA process.13 CHAIRMAN BRAND: So the map that I'm
14 looking at, the building and the container and
15 the pad, all of that is going to stay?16 MS. BROOKS: You should have several
17 plans. Sheet number 1 would be EC, which is
18 existing conditions.

19 CHAIRMAN BRAND: EC-1.

20 MS. BROOKS: The next page is SP-1
21 which actually shows what the proposed site plan
22 is.23 MR. HINES: The existing trailer
24 they're proposing to be removed.

25 MS. BROOKS: To be removed.

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

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

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

23 MR. KRUPNICK: The interior of the
24 building will be about 40,000 square foot with
25 1,000 square feet of office. The additional room

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

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

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

20 CHAIRMAN BRAND: You said the Town
21 Board request?

22 MS. BROOKS: Planning Board.

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

2 CHAIRMAN BRAND: Okay.

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

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

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

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

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

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

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

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

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

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

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

25 MR. KRUPNICK: I'm sorry?

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

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

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

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

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

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

14 MS. BROOKS: It's 35 feet high.

15 MR. KRUPNICK: 30.

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

18 MR. KRUPNICK: Right.

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

21 MR. KRUPNICK: Excuse me?

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

24 MR. KRUPNICK: 29' 11" is doable.

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

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

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

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

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

22 MR. KRUPNICK: The septic as well?

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

2

MR. KRUPNICK: Just additional

3

facility.

4

MS. BROOKS: Again, it's all very

5 doable but it needs to be presented to the Board.

6 MR. KRUPNICK: We're able to -- the

7 company does not want to be in a position they

8 have to move again. If they have to move they're

9 going to move out of the area. They almost moved

10 out of the area at this point. They considered

11 Stewart. They're down in Valley Cottage and

12 they're up through Albany and the rest of the

13 state. This works well for them. They just

14 don't want to be in a position -- almost because

15 of the water situation here. They don't want to

16 be in a position to have to move again either

17 because of growth or because of any other

18 municipal rules. The research was done on this.

19 It's our understanding that the DOT is happy with

20 -- we saw comments -- the access point the way it

21 is. They said at some point if we want to tap it

22 to pull a simple permit. They have no further

23 review comments.

24

MS. BROOKS: That's why we need to do

25 the notice of intent tonight, so that it can be

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

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

6 MR. KRUPNICK: Excuse me?

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

9 MR. KRUPNICK: Yes.

10 MS. BROOKS: They've outgrown that
11 facility.

12 MR. KRUPNICK: Long outgrown that.

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

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

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

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

25 CHAIRMAN BRAND: Like a little shipping

2 container?

3 MR. KRUPNICK: Similar to a seatainer.

4 CHAIRMAN BRAND: I'm sorry?

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

11 CHAIRMAN BRAND: Anything else, Pat?

12 MR. HINES: No.

13 CHAIRMAN BRAND: Ron?

14 MR. BLASS: No.

15 CHAIRMAN BRAND: Anything from the
16 Board?

17 (No response.)

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

21 Do I have a motion to do that?

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

25 CHAIRMAN BRAND: A second?

2 MR. TRAPANI: I'll second it.

3 CHAIRMAN BRAND: All those in favor,
4 say aye.

5 MR. CLARKE: Aye.

6 MR. TRAPANI: Aye.

7 MS. LANZETTA: Aye.

8 MR. TRUNCALI: Aye.

9 MR. CAUCHI: Aye.

10 MR. LOFARO: Aye.

11 CHAIRMAN BRAND: Aye.

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

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

18 MR. CLARKE: How about County Planning?

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

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

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

4 CHAIRMAN BRAND: Okay. Thank you.

5 MS. BROOKS: Thank you very much.

6 CHAIRMAN BRAND: Anything else from the
7 Board?

8 (No response.)

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

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

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

4 CHAIRMAN BRAND: Anything else?

5 (No response.)

6 CHAIRMAN BRAND: Motion to adjourn?

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

9 CHAIRMAN BRAND: Is there a second?

10 MR. LOFARO: Second.

11 CHAIRMAN BRAND: All those in favor?

12 MR. CLARKE: Aye.

13 MR. TRAPANI: Aye.

14 MS. LANZETTA: Aye.

15 MR. TRUNCALI: Aye.

16 MR. CAUCHI: Aye.

17 MR. LOFARO: Aye.

18 CHAIRMAN BRAND: Aye.

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

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

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6

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

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

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

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

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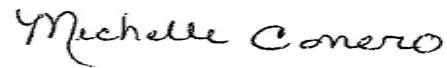
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MICHELLE CONERO