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STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF MARLBOROUGH PLANNING BOARD
----- X
In the Matter of

YOUNG'S 9W PLYMOUTH

Project No. 18-2002
1871 Route 9W, Milton
Section 103.1; Block 1; Lot 28

----- X

SKETCH - SITE PLAN

Date: February 4, 2019
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
JOEL TRUNCALI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI

ALSO PRESENT: JEFFREY S. BATTISTONI, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

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

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CHAIRMAN BRAND: I'd like to call
the meeting to order with the Pledge of
Allegiance to the flag of our country.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of
Marlborough Planning Board, February 4, 2019.
Regular meeting 7:30 p.m. Approval of
stenographic minutes for 1/7. Young's 9W
Plymouth, sketch, site plan. Next deadline:
Friday, February 8th. Next scheduled
meeting: Tuesday, February 19th upstairs.

CHAIRMAN BRAND: I'd like to have a
motion to approve the stenographic minutes
for January 7th.

MR. CAUCHI: I'll make that motion
to approve the stenographic minutes for
January --

MR. TRUNCALI: 7.

CHAIRMAN BRAND: 7. Do I have a
second?

MR. TRUNCALI: I'll second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor?

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MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So carried.

First up, Young's 9W Plymouth.

Just in time. We were concerned.

MS. BROOKS: Sorry about that.

CHAIRMAN BRAND: Pat, do you want to
just run through your comments for us?

MR. HINES: It's been a while since
this has been here. There are a couple
issues here are. DOT and the County Public
Works' comments on the intersection are
outstanding. I know we did circulate lead
agency to them back in March of 2018, almost
a year ago. We did hear back from County
Planning. We have some comments from them
regarding landscaping and stormwater. I
don't think we responded back to those yet
either. I think the property transfer may

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have slowed this --

MS. BROOKS: Right. I was waiting for DOT and Ulster County Planning Board so that we could address all the comments at one time. I don't know what to do at this point, when they haven't responded to -- they haven't responded to the Planning Board, they haven't responded to me. So what is the next step? That's kind of where I don't know what to do now.

MR. HINES: We could resubmit it saying this project has been reactivated and back before the Board.

CHAIRMAN BRAND: Yeah.

MS. LANZETTA: I think, in going over the old minutes, there seemed to be kind of like we were using interchangeably Ulster County Planning and Ulster County DPW. They are two very different things. Ulster County Planning has given us their recommendations.

There were a few things that I think, looking at the old minutes, you were talking about, that you had full cut-off lights and you had LED. That's the kind of

1 thing that you could provide. If you answer
2 some of their concerns now, it might
3 eliminate those concerns, but --

4 MS. BROOKS: So you want to
5 recirculate it to the Ulster County Planning
6 Board?

7 MS. LANZETTA: Well I'm just saying
8 that those were some of the things that had
9 come up that were mandatory requirements that
10 we would have to address.

11 MS. BROOKS: Right. My last minutes
12 from April were that it was a continued
13 public hearing. We reviewed the comments
14 from the Ulster County Planning Board.
15 Brooks & Brooks to provide a point-by-point
16 Ulster County Planning Board comment
17 response. Mr. Garofalo talks about DOT, the
18 better defined aspects. Signage to restrict
19 customers from accessing the new parts
20 inventory area, which we did add to the map.
21 Mr. Clarke talked about trying to landscape
22 between the pole area in the front.
23 Waiting to hear back from DOT and Ulster
24 County Planning Board.
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So again, before I make a
resubmission, I generally --

MS. LANZETTA: But that's --

MS. BROOKS: -- try to be more
complete

MS. LANZETTA: Right. And I don't
think it's really the Planning Board that
we're so concerned about. It's DPW, isn't
it?

MS. BROOKS: No. We have not gotten
any comments whatsoever --

MS. LANZETTA: But I mean that's
what we're waiting on.

MR. HINES: Right.

MS. BROOKS: We are waiting for DPW
and DOT.

MS. LANZETTA: Yeah. So it's not as
important to respond -- to resubmit to County
Planning because nothing really has changed
other than a couple of those minor things.

MS. BROOKS: Right. And I think the
reason for me responding to Ulster County
Planning Board was so that when this Board
made a decision, they would be able to

1 incorporate that into the reply to the Ulster
2 County Planning Board to say yes, we did look
3 at each of these items --

4 MS. LANZETTA: Yes.

5 MS. BROOKS: -- and this is why we
6 felt comfortable approving the project.

7 MS. LANZETTA: Yes.

8 MS. BROOKS: But I, before -- one of
9 the things was sidewalks. I wanted to hear
10 back from DOT --

11 MS. LANZETTA: Yes.

12 MS. BROOKS: -- because all of that
13 hinges on one another. So I didn't --

14 MS. LANZETTA: Right.

15 MS. BROOKS: -- feel that I was in a
16 position yet to respond totally to the Ulster
17 County Planning Board's comments until we
18 hear from DOT.

19 MS. LANZETTA: That's the main
20 thing. But I do -- it seems to me that at
21 our last meeting on the 16th of April we did
22 close the public hearing because there was a
23 discussion about waiving the 62-day, you
24 know, timeframe.
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2 MS. BROOKS: I actually did not note
3 that we closed it, and I did not check the
4 minutes. If we did close it and you need me
5 to reaffirm again tonight that the 62 days is
6 waived -- I mean one of the other things that
7 happened in the interim, as I'm sure all the
8 Board Members know, is that the dealership
9 has been sold. So it took a while for me to
10 engage the current owner -- I'm not sure I
11 still have him fully engaged -- in proceeding
12 with the site plan. I did get him to sign a
13 letter of agent so that I could be here this
14 evening. We'll see where he goes from there.
15 But that again was another issue that we had
16 to deal with.

17 MS. LANZETTA: Do you have the file?
18 Could you just look quickly in Michelle's --

19 MS. FLYNN: I did see that it was
20 closed.

21 MS. LANZETTA: Okay.

22 MS. FLYNN: And they did waive the
23 62 days.

24 MS. LANZETTA: Okay. We just wanted
25 to be sure.

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CHAIRMAN BRAND: Do we know the status of that overseas -- I remember Jeff saying it was going to be removed within 30 days or something, the storage containers. That was one of the things on Pat's report.

MS. BROOKS: I though Jeff told me he had removed the storage containers.

MR. HINES: I can see where it says storage area. It look suspiciously like containers.

MS. BROOKS: I'll have to go out to the site and check. I thought he told me -- I think that the storage area was where not the storage containers needed to be removed, that the storage area, they've got a roof structure over it and that that was considered to be acceptable. I can check with Tommy. Maybe we need him to do another --

MR. HINES: Two of them are like a canopy. There's three there that look like they might be overseas containers.

MS. BROOKS: I see exactly where you're talking about.

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MR. HINES: I haven't been out there to look at it.

MS. BROOKS: I haven't been out there in quite some time either.

MR. HINES: So I guess I'll write a letter to DOT and the County saying I represent the Planning Board and here are these plans and please respond. We'll see what we get.

CHAIRMAN BRAND: Okay.

MR. HINES: They may come back and say file a perm 33 streamlined application, and that's going to fall back to you then.

MS. BROOKS: Correct. Absolutely. But I feel like I can't move forward until I get some direction from those agencies.

MS. LANZETTA: Would you contact also Ulster County DPW?

MR. HINES: Yeah.

CHAIRMAN BRAND: And then I guess the -- my one outstanding question is with regards to the cars being stored on the upper lot. Without this going through, technically they're not supposed to have those cars up on

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the upper lot. Correct?

MR. HINES: I think that's why
they're back. I think Tommy wrote a letter.

MS. BROOKS: My understanding is he
was going to. I don't know that he did. I
have not heard that from the owner.

CHAIRMAN BRAND: Going to what?

MS. BROOKS: Send a letter. That
Tommy was going to send a letter to the new
owner saying you're not allowed to have those
cars up there.

CHAIRMAN BRAND: Yeah. Did --

MS. FLYNN: I think he spoke with
the owner. I don't know if he sent a letter.
I sent Patti a letter stating to send it to
him.

I don't know if you sent the letter
I sent you to him or not.

MS. BROOKS: I don't remember a
letter. I just remember the e-mail saying if
you are not back on the agenda this month,
and I called him and said listen --

MS. FLYNN: I called you but I sent
you an e-mail stating can you please forward

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this to the new owner.

MS. BROOKS: Oh, yes. Yes. I did.

Yeah.

MS. FLYNN: Okay.

MR. HINES: That's why we're back here. I mean it's just getting this back on track --

CHAIRMAN BRAND: Right.

MR. HINES: -- otherwise the code enforcement office is going to send a violation.

CHAIRMAN BRAND: And you received the comments from the Ulster County Planning Board, I'm assuming, as well?

MS. BROOKS: Yes. And we did review them at great length, in fact, last April.

CHAIRMAN BRAND: Right.

MS. BROOKS: Hard to believe it was almost a year ago.

CHAIRMAN BRAND: Did you have some other questions, Cindy?

MS. LANZETTA: No.

CHAIRMAN BRAND: Anything else?

MS. LANZETTA: That's it.

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CHAIRMAN BRAND: Anything else from
anyone here on the Board?

(No response.)

CHAIRMAN BRAND: So basically we're
just in a holding pattern until we hear from
DOT or UC DPW; right?

MR. HINES: Yeah. The code
enforcement office will know that the
applicant's representative was here tonight
and it's back before the Board.

CHAIRMAN BRAND: Okay. Great. I
think that's it.

MS. BROOKS: And in the meantime
I've also told him at the very least there
needs to be signage that that's for employees
only, and that in the interim that can be
done while you're going through this process.
Right now it's open and they look like cars
for sale. That was one of the conditions of
this approval, if and when we are granted
this approval. I'm assuming that that's okay
that I told him to get the signs up sooner
rather than later.

CHAIRMAN BRAND: Sure.

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MS. BROOKS: Okay.

CHAIRMAN BRAND: Anything else?

(No response.)

CHAIRMAN BRAND: All right. So
we'll wait to hear on that. Pat's going to
notify and hopefully --

MR. HINES: I will recirculate.

CHAIRMAN BRAND: -- get this ball
rolling again.

All right. Good luck heading back
to Plattekill.

Anything else from the Board?

(No response.)

CHAIRMAN BRAND: No. All right.
A motion to adjourn.

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

CHAIRMAN BRAND: All those in favor?

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

CHAIRMAN BRAND: Aye.

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 transcription 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 13th day of February 2019.

Michelle Conero

MICHELLE CONERO