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2 STATE OF NEW YORK : COUNTY OF ULSTER
3 TOWN OF MARLBOROUGH PLANNING BOARD
4

X

In the Matter of

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5

6 NICHOLAS GALELLA

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7 Project No. 14-7001
8 Ridge Road
Section 102.4; Block 2; Lots 32.1/2/3-8

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X

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SKETCH - LOT LINE REVISION

11

Date: January 21, 2014
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
1650 Route 9W
Milton, NY 12547

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BOARD MEMBERS: JOSEPH PORCO, Chairman
CHRISTOPHER BRAND
BEN TRAPANI
FRANK RICCIARDONE

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ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
KATHY WILKLOW

20

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APPLICANT'S REPRESENTATIVE: NICHOLAS GALELLA

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MICHELLE L. CONERO

10 Westview Drive

24

Wallkill, New York 12589
(845) 895-3018

25

1 NICHOLAS GALELLA

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2 CHAIRMAN PORCO: Let's rise for the
3 Pledge to the flag.

4 (Pledge of Allegiance.)

5 CHAIRMAN PORCO: Agenda, Town of
6 Marlborough Planning Board, January 21, 2014.
7 Regular meeting 7:30 p.m. Approval of
8 stenographic minutes for December 2nd,
9 December 16th, it should be 2013, and January 6,
10 2014. Nicholas Galella, sketch on a lot line
11 revision; Youngs Motors, sketch on a site plan.
12 The next deadline is Friday, January 24th. The
13 next scheduled meeting is Monday, February 3rd.

14 The minutes from December 2nd, we
15 should have had a chance to review them. Any
16 corrections, changes to those?

17 (No response.)

18 CHAIRMAN PORCO: If there are none, a
19 motion to approve.

20 MR. RICCIARDONE: I'll make that
21 motion.

22 CHAIRMAN PORCO: Frank.

23 MR. TRAPANI: I'll second it.

24 CHAIRMAN PORCO: Ben. All those in
25 favor, say aye.

2 MR. BRAND: Aye.

3 MR. TRAPANI: Aye.

4 MR. RICCIARDONE: Aye.

5 CHAIRMAN PORCO: Aye.

6 Any opposed?

7 (No response.)

8 CHAIRMAN PORCO: The motion is carried.

9 You may or may not have had a chance to
10 review the minutes from December 16th and January
11 6th, so I would like to table those for the next
12 meeting.13 Nicholas Galella, sketch, lot line
14 revision.15 MR. GALELLA: This is more of a lot
16 consolidation.17 MR. HINES: It's a lot consolidation.
18 This was an eight-lot subdivision that was before
19 you probably six or seven years ago. The
20 applicant now wants to take the balance parcel
21 and three of the residential lots and recombine
22 them into one individual fifteen-acre lot.23 The County used to let you do this by
24 filling out a consolidation form but they want a
25 stamped map that the Town is, I guess, okay or

2 approving it. It's really extinguishing these
3 three lot lines and making the balance parcel one
4 again.

5 They won't file any map without the
6 Planning Board's signature on there. I don't know
7 if there needs to be a whole lot of procedure or
8 circumstance here. I'll defer to Ron on that I
9 think.

10 MR. BLASS: Is this any different than
11 a lot line realignment? Is this a variety of lot
12 line realignment?

13 MR. HINES: I guess it is. It's a
14 consolidation. There's only one party involved.

15 MR. GALELLA: The boundary is the same.
16 We're eliminating the three core lots.

17 MR. BLASS: I think that all -- just an
18 observation. I haven't thought about it. All
19 lot line realignments need a public hearing. So
20 logically if it was a lot line realignment, it
21 would require a public hearing.

22 MR. GALELLA: I know certain counties,
23 what Pat was saying --

24 MR. HINES: They want it stamped.

25 MR. GALELLA: I'm trying to get this

2 filed before March 1st for tax purposes. I don't
3 know if I have enough time.

4 MR. BLASS: Well, the next public
5 hearing date is --

6 CHAIRMAN PORCO: February 3rd.

7 MR. BLASS: -- February 3rd.

8 MR. HINES: You've got time.

9 CHAIRMAN PORCO: You have time to
10 advertise. Chances are we should be able to do
11 it all at that meeting.

12 MR. GALELLA: Does that have --

13 CHAIRMAN PORCO: Coupart had to do it.

14 MR. HINES: We did a public hearing.

15 CHAIRMAN PORCO: He did a lot
16 consolidation.

17 MR. GALELLA: I was hoping the Board
18 would be able to --

19 CHAIRMAN PORCO: We wouldn't mind
20 either but we don't write the rules. As long as
21 you get with Kathi to make sure --

22 MR. HINES: It would have to be like
23 tomorrow. Today is Tuesday.

24 CHAIRMAN PORCO: You may have to get
25 the ad in tomorrow.

2 MR. BLASS: Yeah.

3 MR. GALELLA: Does she place the ad?

4 MS. WILKLOW: I think Kathi does.

5 MR. HINES: You have to get the public
6 notices out. You have time for that.

7 CHAIRMAN PORCO: Right. But to get it
8 into the paper, you want to make sure it gets in
9 tomorrow.

10 MR. GALELLA: Is there a deadline for
11 notices also?

12 MR. HINES: It's ten days. You have
13 four days to get that done.

14 MR. GALELLA: It's a 500 foot --

15 MR. HINES: Yes.

16 MR. RICCIARDONE: If you go to Kathi --

17 CHAIRMAN PORCO: Subdivision --

18 MR. HINES: Subdivision is adjoining.

19 MR. RICCIARDONE: Adjoining. If you go
20 to Kathi she'll give you all the names. If you go
21 tomorrow and get that done, get it all together
22 by February, you'll be able to get this done,
23 hopefully.

24 CHAIRMAN PORCO: A good part of the
25 adjoining is probably still you.

2 MR. GALELLA: It is. Okay.

3 CHAIRMAN PORCO: All right.

4 We're scheduling for a public hearing.

5 MR. RICCIARDONE: Let's schedule the
6 public hearing.

7 CHAIRMAN PORCO: Frank makes a motion.

8 Do I have a second?

9 MR. BRAND: I'll second it.

10 CHAIRMAN PORCO: Chris seconds. All
11 those in, favor say aye.

12 MR. BRAND: Aye.

13 MR. TRAPANI: Aye.

14 MR. RICCIARDONE: Aye.

15 CHAIRMAN PORCO: Aye.

16 MR. RICCIARDONE: You have a public
17 hearing in February, the first Monday.

18 MR. HINES: Which is the 3rd.

19

20 (Time noted: 7:35 p.m.)

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: January 29, 2014

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

In the Matter of

YOUNG'S MOTORS

Project No. 14-7002
Route 9W and Milton Turnpike
Section 103.1; Block 1; Lot 28

SKETCH - SITE PLAN

11 Date: January 21, 2014
12 Time: 7:36 p.m.
13 Place: Town of Marlborough
Town Hall
1650 Route 9W
Milton, NY 12547

15 BOARD MEMBERS: JOSEPH PORCO, Chairman
16 CHRISTOPHER BRAND
16 BEN TRAPANI
16 FRANK RICCIARDONE

18 ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
19 KATHY WILKLOW

21 APPLICANT'S REPRESENTATIVE: STEVEN PAULIE, JEFFREY
ALDRICH & KEN SYVERTSEN

MICHÉLLE T. CONERO

10 Westview Drive

10 WESTVIEW DRIVE
Wallkill, New York 12589
(845) 895-3018

2 CHAIRMAN PORCO: Next is Young's
3 Motors for an amended site plan.

4 Can you just give your name to the
5 Stenographer.

6 MR. PAULIE: Steve Paulie from Brooks &
7 Brooks Land Surveyors.

8 MR. ALDRICH: Jeff Aldrich.

9 CHAIRMAN PORCO: You're going to be
10 expanding the building. Pat has reviewed the
11 maps we're looking at.

12 Why don't you start off, Pat.

13 MR. HINES: They're proposing two
14 additions, one 4,250 square foot to the rear
15 along the Milton Turnpike frontage of the
16 existing structure, then a just under 3,400
17 square foot to the north of the existing
18 structure towards a residential lot that seems to
19 be part of the whole Young's Motors facility
20 there.

21 They've gone to the ZBA and gotten the
22 variances that they requested.

23 I would have interpreted Milton
24 Turnpike and 9W as a corner lot. The ZBA is
25 treating one of them as a side yard. I'll defer

2 to them on that. Section 125-15(a) states lots on
3 a corner have two front yards. We're going to
4 look for similar uses. It kind of spans what
5 looks like three lots. I think now is the
6 opportunity to tie them all together.

7 You have this car dealership building
8 -- service building on a lot that's before you
9 today. There is a twenty-acre lot that surrounds
10 it that's not part of this application but
11 appears to be part of the entire site. There are
12 vehicles parked, associated with the dealership,
13 on the adjoining lot. I'm not sure how the
14 residential structure functions on the site but
15 apparently the access between the two lots is
16 across this residential lot. This may be similar
17 to the Buttermilk Falls. We have a lot of lots
18 with different things happening and need to tie
19 them all together with this approval. As we move
20 forward with that we're going to be looking to
21 see how that functions.

22 We do have a response from Patti Brooks
23 to my comments that I got today. I know there are
24 answers to some of these questions. They are
25 stating that it is just as I described, the three

2 lots are part of the dealership. They kind of
3 function as one unified site plan but are three
4 lots. Any approval that comes forth should recite
5 that because actually the parking of the vehicles
6 in and of themselves not associated with the car
7 dealership probably is not an allowable use in
8 the zoning, just parking as an accessory use. It
9 has to be accessory to something.

10 MR. RICCIARDONE: You're talking on the
11 twenty acres?

12 MR. HINES: The twenty-acre parcel,
13 yeah.

14 MR. BRAND: That wraps all the way
15 around here to the north?

16 MR. HINES: Yeah. It goes all the way
17 up to I guess the baseball fields. I don't recall
18 the name. Up that way. It fronts on the State and
19 County highways. That needs to go to each of
20 those agencies.

21 I would recommend tonight we declare
22 our intent for lead agency and circulate these
23 plans, or the revised plans would probably be
24 best, to those agencies.

25 Existing utilities that service the

2 site need to be shown on the plans.

3 Patti's response letter states it is in
4 the water district but has a septic system. That
5 will need to be analyzed to make sure the septic
6 system can handle the increased capacity,
7 hydraulic loading from these buildings, and
8 actually show on the site where that septic
9 system actually is. We don't have that
10 information. She stated that they're hiring an
11 engineer to get us that information.

12 MR. RICCIARDONE: The septic, do they
13 have one septic for the house and the building?

14 MR. HINES: I don't know the answer to
15 that. I don't know if anyone knows the answer to
16 that.

17 MR. ALDRICH: I do. It's separate. The
18 house has its own septic, actually.

19 MR. RICCIARDONE: Does the house have
20 Town water, too?

21 MR. ALDRICH: Yes. We don't have sewage
22 so we have to have the septic.

23 MR. RICCIARDONE: Obviously.

24 MR. HINES: There's a wash basin
25 depicted on the architectural plan and the site

2 plan. The discharge from that should be
3 addressed. Patti states there's a tank on the
4 site that's pumped. That's been added to the
5 plans I guess because there's not a tank there
6 now. Those details are added on the plans which
7 are being submitted tonight.

8 We're looking for finished floor
9 elevations as it relates to the on-site grading.
10 There are some issues with the way the existing
11 topography and these buildings function. The
12 topography will drain all the water to the corner
13 of the existing and proposed building right now,
14 so they're going to need to have a grading plan
15 and do what looks like some substantial grading
16 to get the drainage to work around the building.
17 Their comment was they're going to hire an
18 engineer to take a look at that.

19 Site development details, obviously,
20 before this can get sent to County Planning.
21 They're going to want to see the lighting, the
22 drainage, landscaping, soil erosion control and
23 the details of any paving and other site
24 development items they're going to need.

25 CHAIRMAN PORCO: We should also see

2 some sort of rendering.

3 MR. HINES: They have that.

4 CHAIRMAN PORCO: I saw the one down at
5 Sawyer but I don't think --

6 MR. HINES: Their architect prepared a
7 quite extensive --

8 MR. SYVERTSEN: Do you want to see it?

9 CHAIRMAN PORCO: Sure. The more
10 information that the County Planning Board has,
11 the less questions or issues they'll come back
12 with.

13 MR. ALDRICH: I have more at the
14 dealership.

15 MR. RICCIARDONE: The new proposed
16 building and the setback to the house?

17 MR. HINES: The house is on a separate
18 lot. It's not actually part of this application.
19 I bring it up because the driveway is the access
20 across these two commercial lots. I believe they
21 drive vehicles between the two.

22 MR. SYVERTSEN: The proximity of the
23 dwelling was a ZBA line item, too.

24 MR. RICCIARDONE: Did the ZBA grant
25 them setbacks from the proposed building?

2 MR. SYVERTSEN: Yes. It was in their
3 approval.

4 MR. PAULIE: I'll be able to submit a
5 copy of the ZBA's approvals.

6 MR. HINES: We have that.

7 MR. PAULIE: Very good.

8 MR. HINES: The ZBA variance has to do
9 with the new setbacks for the proposed addition
10 towards the residential structure. The
11 residential structure is a pre-existing
12 nonconforming use in that zone. Residential
13 structures are not allowed in the HD Zone but
14 it's there now so it can stay, which is why they
15 probably can't dissolve the lot lines and have it
16 stay there but create another variance or
17 nonconforming use.

18 Comment number 8 I was talking about
19 has to do with the site drainage and the fact
20 that the drainage now is directed to the corner
21 of the building.

22 Number 9 identified Greene County in
23 the references. That apparently has been
24 clarified.

25 We're looking to see where a dumpster

2 enclosure can be added to the site.

3 Similarly, the conversation we had
4 earlier looking for tying in the site plan as a
5 unified site plan.

6 Comment 11 kind of defers to Ron, if we
7 can create an approval that takes that existing
8 multi-lot use and approve it all at once and all
9 together, which we've done for other parcels kind
10 of creatively I think. I think that's what we
11 need to do here.

12 Then the jurisdictional fire department
13 would be interested in seeing the plans also as
14 there are more details developed.

15 I think the only action the Board can
16 take tonight would be to declare its intent for
17 lead agency and circulate to those other
18 agencies.

19 MR. RICCIARDONE: Are you talking about
20 getting rid of the lot line between --

21 MR. HINES: I don't want to get rid of
22 the lot line.

23 MR. RICCIARDONE: You want to combine
24 that?

25 MR. HINES: I want to do a Buttermilk

2 kind of approval that puts it all together and
3 makes it one allowable umbrella so someone
4 doesn't come in in the future and say you can't
5 store cars on the 28.8 acre parcel because it's
6 an accessory use, accessory to nothing.

7 MR. RICCIARDONE: Correct. Okay.

8 CHAIRMAN PORCO: Any other questions
9 from the Board so far yet?

10 MR. TRAPANI: One question. Jeff, for
11 deliveries, like for parts and stuff, --

12 MR. ALDRICH: Mm'hm'.

13 MR. TRAPANI: -- are they still going
14 to deliver on the south side of the building, on
15 the Milton Turnpike side there where they usually
16 do?

17 MR. ALDRICH: Yeah.

18 MR. TRAPANI: It's all according to the
19 drivers. I know they try to stay off the road.
20 You get some of those drivers early in the
21 morning, they'll park right on Milton Turnpike
22 going north. Most of the time they're okay. I'm
23 used to it, but you get crazy people that go
24 flying around there and --

25 MR. ALDRICH: A lot of times what

2 happens is I'll get trucks that pull in the
3 front, trucks that pull in the side and trucks
4 that pull back here. The problem is it's not us,
5 it's corporate. They keep hiring other companies
6 and they don't know where they're going. Most of
7 the time when I get the car deliveries they're
8 all in the back. Parts in the back. Yeah, because
9 they keep changing.

10 MR. TRAPANI: Early in the morning,
11 5:00, 5:30 in the morning. Most of the time
12 they're off towards the building.

13 MR. ALDRICH: I've had vehicle
14 deliveries park on 9W. Where are you going?

15 MR. RICCIARDONE: When you have the
16 vehicle deliveries, you're saying they go to the
17 back of the building?

18 MR. ALDRICH: Right. That's where they
19 should be going. The parts deliveries are the
20 biggest problem.

21 MR. RICCIARDONE: Maybe there's a way
22 of doing signage and directing them that a
23 staging area --

24 MR. ALDRICH: That's another thing.

25 MR. RICCIARDONE: -- will be set up

2 where they get them off from Milton Turnpike,
3 especially, you never know at 5:00 in the
4 morning, somebody whips around. We're lucky
5 nobody has done anything now, but I mean
6 obviously maybe you'll have the room.

7 MR. ALDRICH: Yes.

8 MR. RICCIARDONE: At max what, one or
9 two in at the same time, whether it be parts or
10 cars?

11 MR. ALDRICH: The parts usually come
12 before the dealership even opens. They're
13 supposed to come in the middle of the night.
14 Sometimes they come early in the morning. They're
15 supposed to come in the middle of the night. They
16 have access to the doors. So that's why they keep
17 coming to this side, because they do have access
18 to the overhead door for the key to get in. What
19 happens is if the driver doesn't come at the
20 specified time, which is supposed to be when
21 there's no traffic, and they wait until the
22 morning, then they're coming in over here where
23 they are supposed to be but they come at the
24 wrong time, and that's what happens. That is
25 something that we can't control. I can't control

2 that, --

3 MR. TRAPANI: No.

4 MR. ALDRICH: -- what time they're
5 showing up.6 MR. RICCIARDONE: What happens if you
7 make a staging area?8 MR. HINES: If you put a sign that says
9 deliveries.10 MR. RICCIARDONE: Tractor trailer area
11 where it says you guys need to park here with
12 signage saying that's where we've got to park, to
13 give them direction.14 MR. ALDRICH: Once this addition is
15 done, then we'll have that access, then they can
16 come in the back. We'll be able to put the sign
17 there.18 MR. PAULIE: You'll have the space for
19 it.20 MR. HINES: When you say they can come
21 in the back, there's plans on putting another
22 driveway?23 MR. ALDRICH: Back here where it says
24 gravel and proposed paved area. The trucks
25 usually come to the left side of the storage

2 building right out here because all this property
3 right here is open.

4 MR. HINES: That's one of my concerns
5 about this whole site plan is when the County DPW
6 and State DOT get a hold of this as a submission,
7 that they're going to want to see -- I would
8 imagine the State is going to want to close off
9 these entrances.

10 MR. RICCIARDONE: They want to see curb
11 cuts.

12 MR. HINES: They don't meet any kind of
13 access standard in relationship to that
14 intersection.

15 MR. ALDRICH: They don't want to see it
16 wide open.

17 MR. HINES: I think they may want that
18 one closed off because of it's proximity to an
19 intersection. This may become your main driveway
20 in. The same with the County. The County's not
21 going to allow you to continue to come off this
22 at the intersection. They may. I'll be amazed if
23 they do. If you were proposing it new, certainly
24 not.

25 MR. ALDRICH: The County uses my

2 property to leave gravel and things like that
3 there. They come in and out.

4 MR. HINES: That quid pro quo may not
5 work out for you. You can tell them that
6 yourself.

7 MR. RICCIARDONE: Usually when you come
8 in for a new site plan, they're going to look for
9 curbing along Milton Turnpike and 9W, they're
10 going to look for curb cuts and stuff like that.

11 MR. HINES: The State doesn't like
12 people crossing two lanes of traffic to go north.

13 MR. RICCIARDONE: Right now you have
14 the cars out there and the cars pull out straight
15 at the light, which doesn't happen but that's the
16 way they may look at it.

17 MR. TRAPANI: He may have a little pull
18 with the County because they park all of their
19 paving equipment, all their trucks, excavators,
20 everything else right on your property. They
21 don't have any other place to put it.

22 CHAIRMAN PORCO: That's their call,
23 obviously.

24 MR. HINES: I think it would be best to
25 get it to them sooner -- as soon as we can. Some

2 of those comments could change how the site plan
3 is going to function.

4 CHAIRMAN PORCO: Any other questions so
5 far from the Board?

6 (No response.)

7 CHAIRMAN PORCO: All right. We can make
8 a motion to declare our intent for lead agency
9 status and circulation.

10 MR. RICCIARDONE: I'll make that
11 motion.

12 CHAIRMAN PORCO: Frank. A second?

13 MR. TRAPANI: I'll second it.

14 CHAIRMAN PORCO: Ben. Everybody say
15 aye.

16 MR. BRAND: Aye.

17 MR. TRAPANI: Aye.

18 MR. RICCIARDONE: Aye.

19 CHAIRMAN PORCO: Aye.

20 Any opposed?

21 (No response.)

22 CHAIRMAN PORCO: All right. That's the
23 start. Well, you already started with the ZBA.
24 The start with our process.

25 MR. PAULIE: Thank you for your

2 comments, Mr. Hines. You got them to us right
3 away so we were able to address them tonight.

4 MR. HINES: Joe, when we do the
5 circulation, we'll send the revised --

6 MR. PAULIE: You have a copy of the
7 ZBA's approval?

8 MR. HINES: Yes. We received that
9 tonight.

10 MR. PAULIE: Good. I'll hand in five
11 copies of the revised site plan. Thank you.

12 MR. HINES: That's fine.

13 MR. PAULIE: We'll follow through.

14 MR. HINES: We're going to need copies
15 of architecturals, too. If we can send them to
16 the County, I think it will help.

17 MR. PAULIE: I have a set. There will
18 be some revisions to it. I don't know if you want
19 this copy.

20 MR. SYVERTSEN: You need five sets?

21 MR. HINES: We have to get them to the
22 County and DOT.

23 MR. PAULIE: Okay. Sounds good.

24 MR. ALDRICH: Thank you very much.

25 CHAIRMAN PORCO: Is there anything else

2 to bring before the Board?

3 (No response.)

4 CHAIRMAN PORCO: Then a motion to
5 adjourn.6 MR. RICCIARDONE: I'll make that
7 motion.

8 MR. BRAND: I'll second.

9 CHAIRMAN PORCO: All in favor?

10 MR. BRAND: Aye.

11 MR. TRAPANI: Aye.

12 MR. RICCIARDONE: Aye.

13 CHAIRMAN PORCO: Aye.

14

15 (Time noted: 7:52 p.m.)

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

7 I, Michelle Conero, a Shorthand
8 Reporter and Notary Public within and for
9 the State of New York, do hereby certify
10 that I recorded stenographically the
11 proceedings herein at the time and place
12 noted in the heading hereof, and that the
13 foregoing is an accurate and complete
14 transcript of same to the best of my
15 knowledge and belief.

23 DATED: January 29, 2014