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

- - - - - X

In the Matter of

NICHOLAS GALELLA

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

- - - - - X

SKETCH - LOT LINE REVISION

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

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

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

APPLICANT'S REPRESENTATIVE: NICHOLAS GALELLA

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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NICHOLAS GALELLA

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

(Pledge of Allegiance.)

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

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

(No response.)

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

MR. RICCIARDONE: I'll make that
motion.

CHAIRMAN PORCO: Frank.

MR. TRAPANI: I'll second it.

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

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NICHOLAS GALELLA

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MR. BRAND: Aye.

MR. TRAPANI: Aye.

MR. RICCIARDONE: Aye.

CHAIRMAN PORCO: Aye.

Any opposed?

(No response.)

CHAIRMAN PORCO: The motion is carried.

You may or may not have had a chance to review the minutes from December 16th and January 6th, so I would like to table those for the next meeting.

Nicholas Galella, sketch, lot line revision.

MR. GALELLA: This is more of a lot consolidation.

MR. HINES: It's a lot consolidation. This was an eight-lot subdivision that was before you probably six or seven years ago. The applicant now wants to take the balance parcel and three of the residential lots and recombine them into one individual fifteen-acre lot.

The County used to let you do this by filling out a consolidation form but they want a stamped map that the Town is, I guess, okay or

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NICHOLAS GALELLA

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

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

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

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

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

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

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

MR. HINES: They want it stamped.

MR. GALELLA: I'm trying to get this

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NICHOLAS GALELLA

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

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

CHAIRMAN PORCO: February 3rd.

MR. BLASS: -- February 3rd.

MR. HINES: You've got time.

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

MR. GALELLA: Does that have --

CHAIRMAN PORCO: Coupert had to do it.

MR. HINES: We did a public hearing.

CHAIRMAN PORCO: He did a lot consolidation.

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

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

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

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

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NICHOLAS GALELLA

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MR. BLASS: Yeah.

MR. GALELLA: Does she place the ad?

MS. WILKLOW: I think Kathi does.

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

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

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

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

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

MR. HINES: Yes.

MR. RICCIARDONE: If you go to Kathi --

CHAIRMAN PORCO: Subdivision --

MR. HINES: Subdivision is adjoining.

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

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

1 NICHOLAS GALELLA 7

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

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

DATED: January 29, 2014

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

YOUNG'S MOTORS

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

- - - - - X

SKETCH - SITE PLAN

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

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

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

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

- - - - - X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

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YOUNG'S MOTORS

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

Can you just give your name to the
Stenographer.

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

MR. ALDRICH: Jeff Aldrich.

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

Why don't you start off, Pat.

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

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

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

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

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

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

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YOUNG'S MOTORS

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

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

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

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

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

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

Existing utilities that service the

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site need to be shown on the plans.

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

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

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

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

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

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

MR. RICCIARDONE: Obviously.

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

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

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

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YOUNG'S MOTORS

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some sort of rendering.

MR. HINES: They have that.

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

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

MR. SYVERTSEN: Do you want to see it?

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

MR. ALDRICH: I have more at the
dealership.

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

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

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

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

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YOUNG'S MOTORS

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

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

MR. HINES: We have that.

MR. PAULIE: Very good.

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

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

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

We're looking to see where a dumpster

enclosure can be added to the site.

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

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

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

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

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

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

MR. RICCIARDONE: You want to combine that?

MR. HINES: I want to do a Buttermilk

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YOUNG'S MOTORS

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

MR. RICCIARDONE: Correct. Okay.

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

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

MR. ALDRICH: Mm'hm'.

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

MR. ALDRICH: Yeah.

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

MR. ALDRICH: A lot of times what

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YOUNG'S MOTORS

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

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

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

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

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

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

MR. ALDRICH: That's another thing.

MR. RICCIARDONE: -- will be set up

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YOUNG'S MOTORS

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

MR. ALDRICH: Yes.

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

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

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that, --

MR. TRAPANI: No.

MR. ALDRICH: -- what time they're
showing up.

MR. RICCIARDONE: What happens if you
make a staging area?

MR. HINES: If you put a sign that says
deliveries.

MR. RICCIARDONE: Tractor trailer area
where it says you guys need to park here with
signage saying that's where we've got to park, to
give them direction.

MR. ALDRICH: Once this addition is
done, then we'll have that access, then they can
come in the back. We'll be able to put the sign
there.

MR. PAULIE: You'll have the space for
it.

MR. HINES: When you say they can come
in the back, there's plans on putting another
driveway?

MR. ALDRICH: Back here where it says
gravel and proposed paved area. The trucks
usually come to the left side of the storage

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YOUNG'S MOTORS

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

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

MR. RICCIARDONE: They want to see curb
cuts.

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

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

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

MR. ALDRICH: The County uses my

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

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

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

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

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

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

CHAIRMAN PORCO: That's their call, obviously.

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

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YOUNG'S MOTORS

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

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

(No response.)

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

MR. RICCIARDONE: I'll make that
motion.

CHAIRMAN PORCO: Frank. A second?

MR. TRAPANI: I'll second it.

CHAIRMAN PORCO: Ben. Everybody say
aye.

MR. BRAND: Aye.

MR. TRAPANI: Aye.

MR. RICCIARDONE: Aye.

CHAIRMAN PORCO: Aye.

Any opposed?

(No response.)

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

MR. PAULIE: Thank you for your

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YOUNG'S MOTORS

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

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

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

MR. HINES: Yes. We received that
tonight.

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

MR. HINES: That's fine.

MR. PAULIE: We'll follow through.

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

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

MR. SYVERTSEN: You need five sets?

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

MR. PAULIE: Okay. Sounds good.

MR. ALDRICH: Thank you very much.

CHAIRMAN PORCO: Is there anything else

1 YOUNG'S MOTORS 26

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.

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

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

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

DATED: January 29, 2014