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

In the Matter of

4

## 5 MILTON TURNPIKE SOLAR FARM

10 CONTINUED PUBLIC HEARING

11 Date: April 1, 2019  
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  
16                             JOEL TRUNCALI  
16                             BEN TRAPANI  
17                             CINDY LANZETTA  
17                             JOSEPH LOFARO  
18                             MANNY CAUCHI  
18                             STEVE CLARKE

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

21 APPLICANT'S REPRESENTATIVES: MICHAEL CUCCHIARA  
22 NICHOLAS VAMVAS

MICHELLE L. CONERO

PMB #276

56 North Plank Road, Suite 1  
Newburgh, New York 12550  
(845)541-4163

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

5 (Pledge of Allegiance.)

6 MR. TRUNCALI: Agenda, Town of  
7 Marlborough Planning Board, April 1, 2019.  
8 Regular meeting 7:30 p.m. Approval of  
9 stenographic minutes for 3/4. Milton Turnpike  
10 Solar Farm, public hearing, site plan; Michael  
11 and Josephine Rhodes, sketch, site plan; Brooklyn  
12 Bottling, sketch, site plan. Next deadline:  
13 Friday, April 5th. Next scheduled meeting:  
14 Monday, April 15th.

15 CHAIRMAN BRAND: I'd like to have a  
16 motion for the approval of stenographic minutes  
17 for 3/4.

18 MR. CAUCHI: I'll make that motion.

19 CHAIRMAN BRAND: Is there a second?

20 MR. TRUNCALI: I'll second.

21 CHAIRMAN BRAND: Any discussion?  
22 (No response.)

23 CHAIRMAN BRAND: All those in favor?

24 MR. CLARKE: Aye.

25 MR. TRAPANI: Aye.

2 MS. LANZETTA: Aye.

3 MR. TRUNCALI: Aye.

4 MR. CAUCHI: Aye.

5 MR. LOFARO: Aye.

6 CHAIRMAN BRAND: Aye.

7 Any opposed?

8 (No response.)

9 CHAIRMAN BRAND: So carried.

10 First up, Milton Turnpike Solar Farm.

11 I'd like to have a motion to reopen the  
12 public here.13 MR. LOFARO: I'll make that motion to  
14 reopen the public hearing.

15 CHAIRMAN BRAND: Is there a second?

16 MR. CLARKE: I'll second it.

17 CHAIRMAN BRAND: Any discussion?

18 (No response.)

19 CHAIRMAN BRAND: All those in favor?

20 MR. CLARKE: Aye.

21 MR. TRAPANI: Aye.

22 MS. LANZETTA: Aye.

23 MR. TRUNCALI: Aye.

24 MR. CAUCHI: Aye.

25 MR. LOFARO: Aye.

2 CHAIRMAN BRAND: Aye.

3 This is a public hearing. Most of the  
4 people in the audience are well versed with this  
5 project.

6 Any comments, Mr. Garofalo?

7 MR. GAROFALO: James Garofalo. First  
8 I'd like to say that I'm in favor of the project.  
9 Renewable resource, decentralizing the power  
10 grid. Those are both good.11 That being said, I have two pages of  
12 comments that I hope you will consider. If I go  
13 too long, I'm more than happy to wait until all  
14 the people have finished.15 I think it would be good if the  
16 Planning Board always required at least a map  
17 showing the full property. The maps online show  
18 part of the property that's being developed, but  
19 it really would be nice to show the rest of the  
20 property in case someone comes in who is a  
21 neighbor, they can see where their property is.22 Second, there's a stonewall being  
23 removed by the entrance. I think it would be  
24 nice, since the Town wants to have more  
25 stonewalls, if those stones could be moved from

2 where the new driveway is going to be to a little  
3 further down the road and extend or put a  
4 stonewall on the other side. I think that would  
5 be good. They're also removing stonewalls within  
6 the fence area. There's a note on that. If  
7 those stones could be placed at the entrance, or,  
8 if they prefer, a new -- on the other side of the  
9 new road along the road, I think that would also  
10 be good. It would add something to the  
11 community.

12 There is no place for a vehicle to turn  
13 around if one were to drive up the gravel road  
14 and get to the gate where the gates lock. I  
15 think it would be a good idea to have some kind  
16 of sign out there telling people private  
17 property, gated private property, no turn around,  
18 something so that somebody doesn't wander up  
19 there, get to the locked gate and then have a  
20 great difficulty turning around, because it's  
21 only fifteen feet wide. They may want to put  
22 some advertisement for their property on there.  
23 Whatever, that's fine with me.

24 There is a large gravel area marked for  
25 layout. I'm not sure exactly what they mean by

2 layout. Maybe it's to unload the equipment as  
3 they construct it. For some reason there doesn't  
4 seem to be a connection between that and the  
5 gravel road, if that's the intended purpose. So  
6 it seems that there should be some connection  
7 between those two.

8                   Also, I would suggest that perhaps they  
9 might want to think about not using gravel which  
10 has to be trucked in but rather use mulch.  
11 You're going to be chopping down all these trees  
12 and you're going to have all these wood chips to  
13 cover that over, which if they are doing the  
14 construction there it would probably be a much  
15 softer surface in case they drop something.  
16 Also, years after that mulch will decay, they can  
17 grass it over and kind of return it to a nice  
18 pleasant look rather than just having this gravel  
19 there. So perhaps it could save them money in  
20 two ways; one, by not having to truck the gravel  
21 in; and two, having a close place to dump all  
22 these wood chips from all these trees they are  
23 going to cut down.

24                   It specifically says they're going to  
25 remove the trees and stumps and that they're

2 going to leave the stumps in the area to the east  
3 of the fence, but there probably should be a  
4 note, even though I think it's pretty obvious,  
5 they're going to remove all the trees within the  
6 fence also.

7 There is a note on the west part  
8 noticing that there is a minimum amount of  
9 vegetation. I'm sorry, this map is a little bit  
10 small but it's kind of in the middle. That note  
11 seems to be referring to a distance beyond the  
12 property line. I think that's just a mistake  
13 that should be corrected on the note.

14 On the north side there's a note that  
15 says security fence/personnel gate. I'm not sure  
16 if that was just a copy of one of the other notes  
17 or there's really going to be a gate on the north  
18 side. If there is, they might want to move it a  
19 little further east. Where they are showing it  
20 looks like it's fairly steep. If they move it a  
21 little bit further to the east it may not be  
22 quite so steep. I understand why you would want  
23 to have two accesses, even if it's not a full  
24 vehicle access, in case you have to run a fire  
25 hose or something through that area. Having a

2 separate small gate would probably be a good  
3 idea.

4 They show the sight distances here. I  
5 know they are going to need Ulster County  
6 approval but I still think you should require  
7 that they put at least the posted speed limit on  
8 the plan if nothing else. Hopefully they will  
9 provide you with the full documentation for what  
10 that sight distance really means.

11 The last thing is hopefully -- they're  
12 trenching the electrical line. It's going under  
13 the fence, it's going under the solar panels. If  
14 I were them I would be putting -- wouldn't be  
15 putting it under the solar panels, I would be  
16 putting it next to it just in case they have to  
17 come and do something some other day in the  
18 future. That will be a headache for them. I  
19 just want to note that it seems to me that if  
20 you're going to be running these things  
21 underground, you want to, A, make sure it's very  
22 clearly marked so when you put in the solar  
23 panels, when you put in the fence you don't  
24 actually accidentally hit it, but also it might  
25 make sense for them to move it a little closer to

2 the road. That's just something for them to  
3 consider.

4 The most important thing I would like  
5 them, again, to consider is in that layout area  
6 consider not using gravel but using the mulch.

7 Thank you.

8 CHAIRMAN BRAND: Thank you, Mr.  
9 Garofalo.

10 Did you want to address any of those  
11 items?

12 MR. CUCCHIARA: Sure.

13 Thank you for your comments. I believe  
14 the majority of these things we've maybe  
15 discussed. The stonewalls are new to me. As far  
16 as I know I don't see a requirement for us to  
17 replace stonewalls or rebuild them. I could find  
18 out exactly what we did with stonewalls  
19 afterwards, and if that material is -- I mean  
20 that material is owned by our landowner. To the  
21 extent he wants to reuse them or place them on  
22 his property, I would leave that up to him.

23 As far as the gate and the entrance,  
24 someone taking a right turn into or a left turn  
25 onto the property, one idea could be potentially

2 moving that gate slightly farther up where there  
3 would be some room to possibly turn around if  
4 someone made the wrong turn, although I don't  
5 think that is a big issue. If that's not  
6 allowable, I guess a sign could be easily posted  
7 if that's an easier pathway.

8 The gravel road is something that we  
9 build with typically. I don't see it being an  
10 impact to the community or anyone that's going to  
11 really be able to see it except for our owners, a  
12 gravel road onto private property. So I'll leave  
13 that to the Planning Board's opinion or comments.

14 The personnel gate on the north is  
15 really just for access in the future. It's not  
16 really meant to be the main point of access.  
17 That's the way our designers designed it. If the  
18 Planning Board has strong feelings on that, we're  
19 open for any comments, although I don't think --  
20 it's more of a way to just get around, get out  
21 the back side if we have people working on the  
22 site. I'm not too concerned about the steepness  
23 after it, although that is something we could  
24 address if we get out there and we start  
25 building, we want to move the gate slightly to

2 the left or right. That's a minor modification  
3 that can be done when we're on the ground.

4 Finally, sight distance. I would let  
5 Nick speak to that. We can certainly maybe  
6 include those on the plans, Nick. I know we have  
7 submitted our Ulster County DPW work permit,  
8 they've reviewed all the plans and it is approved  
9 by them. As far as documenting any sight  
10 distances, I'm sure we could do that if the Board  
11 requests that.

12 As far as the trenching, that is our  
13 solar designer's design. I think typically -- I  
14 don't have the map in front of me. For the most  
15 part it usually runs right alongside the road. To  
16 the extent it crosses some areas of the array, we  
17 are familiar with that. That is done first.  
18 It's put in. It's clearly marked when we're  
19 building so we're not going to break through. We  
20 lay down the conduit, pull the wire away after,  
21 the racks are installed and any other  
22 penetrations would go down. We know where that  
23 is. It also includes on top -- after the conduit  
24 is laid down, there is a certain amount of dirt,  
25 and there is also tracer tape there for future

2 removal, any potential digging. If someone was  
3 to be in that area they would hit that first  
4 before hitting that conduit.

5 I think I hit most of those points.

6 Nick, I don't know if you have any  
7 other comments.

8 MR. VAMVAS: No.

9 MR. HINES: The gravel way down there,  
10 it's my understanding the gravel is going to be  
11 removed after construction.

12 MR. CUCCHIARA: It is being removed,  
13 correct. That's the one I missed. That strictly  
14 is a lay down area -- temporary lay down area.  
15 The gravel will be removed, it will be re-seeded  
16 and be part of the rod and metal that is going to  
17 be created.

18 MS. LANZETTA: I have a question. I'm  
19 just curious. When you cut down trees do you  
20 typically take them out whole or do you chip them  
21 on site?

22 MR. CUCCHIARA: So two ways. Both as  
23 you described. So larger trees that would have  
24 value would be trucked off and used. Typically  
25 that helps offset our tree clearing costs for the

2 amount of lumber that they can bring off.  
3 Smaller trees, ones that are not used or not  
4 needed in a harvest for the timber, would be  
5 chipped on site. Many times those chips,  
6 depending on the volume, could be used in a  
7 bio-fuel or basically burnt for electricity at  
8 some point. It could be used in one or two ways.  
9 We could spread them as well. Either way, those  
10 are the two options that we have. Typically the  
11 tree removal folks, they deal with all that and  
12 use it as a way to offset costs.

13 CHAIRMAN BRAND: Any other comments  
14 from the Board?

15 MR. CLARKE: If you're going to do this  
16 tree removal, you have a neighbor within a couple  
17 hundred yards that is doing mulching. You may  
18 want to give it to him and let him take care of  
19 it. It's pretty close right there.

20 MR. CUCCHIARA: Right. Close  
21 transport. Good idea. Thank you.

22 CHAIRMAN BRAND: Anything else from the  
23 Board?

24 (No response.)

25 CHAIRMAN BRAND: Mr. Garofalo.

2 MR. GAROFALO: Could you add on the  
3 plan that that gravel in the layout area will be  
4 removed after, because it's not -- it's not  
5 written on the plan that way? That's why I  
6 presumed it was staying there. Thank you.

7 CHAIRMAN BRAND: Anything else from the  
8 public?

9 (No response.)

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

12 MR. CLARKE: I'll make that motion.

13 CHAIRMAN BRAND: Is there a second?

14 MR. TRAPANI: Second.

15 CHAIRMAN BRAND: Any discussion?

16 (No response.)

17 CHAIRMAN BRAND: All those in favor?

18 MR. CLARKE: Aye.

19 MR. TRAPANI: Aye.

20 MS. LANZETTA: Aye.

21 MR. TRUNCALI: Aye.

22 MR. CAUCHI: Aye.

23 MR. LOFARO: Aye.

24 CHAIRMAN BRAND:

25 The public hearing is closed.

2 You have before you a SEQRA negative  
3 declaration, notice of determination of non-  
4 significance for the application of Jeffrey  
5 Aldrich as owner and Marlboro Solar, LLC as the  
6 developer/applicant for approval of a special  
7 permit site plan approval.

8 Jen, would you poll the Board?

9 MS. FLYNN: Chairman Brand?

10 CHAIRMAN BRAND: Yes.

11 MS. FLYNN: Member Truncali?

12 MR. TRUNCALI: Yes.

13 MS. FLYNN: Member Trapani?

14 MR. TRAPANI: Yes.

15 MS. FLYNN: Member Lanzetta?

16 MS. LANZETTA: Yes.

17 MS. FLYNN: Member Lofaro?

18 MR. LOFARO: Yes.

19 MS. FLYNN: Member Cauchi?

20 MR. CAUCHI: Yes.

21 MS. FLYNN: Member Clarke?

22 MR. CLARKE: Yes.

23 CHAIRMAN BRAND: So carried.

24 You also have before you a resolution  
25 for the application of Jeffrey Aldrich as owner

2 and Marlboro Solar, LLC as developer/applicant  
3 for approval of a special permit site plan  
4 approval.

5 Jen, would you poll the Board?

6 MS. FLYNN: Chairman Brand?

7 CHAIRMAN BRAND: Yes.

8 MS. FLYNN: Member Truncali?

9 MR. TRUNCALI: Yes.

10 MS. FLYNN: Member Trapani?

11 MR. TRAPANI: Yes.

12 MS. FLYNN: Member Lanzetta?

13 MS. LANZETTA: Yes.

14 MS. FLYNN: Member Lofaro?

15 MR. LOFARO: Yes.

16 MS. FLYNN: Member Clarke?

17 MR. CLARKE: Yes.

18 MS. FLYNN: Member Cauchi?

19 MR. CAUCHI: Yes.

20 CHAIRMAN BRAND: Okay. You guys are  
21 all set.

22 MR. CUCCHIARA: Great. Thank you very  
23 much.

24 MR. VAMVAS: Thank you.

25 (Time noted: 7:44 p.m.)

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## 4 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 18th day of April 2019.

18

19

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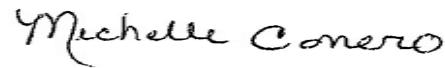
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MICHELLE CONERO

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

In the Matter of

4

5 MICHAEL & JOSEPHINE RHODES

## 10 SKETCH - SITE PLAN

11 Date: April 1, 2019  
12 Time: 7:45 p.m.  
13 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

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

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

21

22

— — — — — MIGUEL E. J. CONIERSO

23 MICHELLE L. G.  
DNR #276

24 PMB #276  
56 North Plank Road, Suite 1  
Mahwah, New Jersey 12550

Newburgh, New York (845) 541-4162

2 CHAIRMAN BRAND: Next up, Rhodes,  
3 Michael and Josephine, 557 Route 44-55.

4 Do you want to give us a synopsis,  
5 Patti?

6 MS. BROOKS: Absolutely. This property  
7 actually was before this Board a few years ago.  
8 They received site plan approval to construct a  
9 5,000 square foot new building for custom vehicle  
10 storage. At that point in time they had received  
11 a DEC disturbance permit, DOT approval. The  
12 applicant never went forward with that project  
13 and so the property basically has been sitting  
14 vacant for the last ten years.

15 The owner, last year, gave the existing  
16 building a facelift, put new exterior overhead  
17 doors on it and has been trying to market it that  
18 way.

19 He now has found a tenant. Highland  
20 Glass is proposing to go in there with their  
21 business that they currently have down at Green  
22 Groves across from Orchard. It's not Green  
23 Groves any more. I forget what the name of the  
24 business is.

25 So we're back before the Board. We

2 have been renewing the DEC permit. I advised DEC  
3 that they were changing the application and they  
4 suggested that we renew the permit the way it was  
5 since we didn't have a tenant at that point in  
6 time, and then we will be going back to them as  
7 part of this site plan for a revision to that  
8 existing DEC permit.

21 CHAIRMAN BRAND: Is this where the open  
22 air showroom is, right across the street?

23 MS. BROOKS: Open air showroom? I  
24 don't think -- there was nothing open air about  
25 it. It's right across the street from the Mobil.

2 So yes, this is right across the street from the  
3 Mobil station with the convenience store.

4 The 30x60 storage shed in the back, the  
5 applicant currently has storage containers that  
6 he wanted to move onto the site. I advised him  
7 that storage containers were not permitted in the  
8 Town. He consulted with the building inspector  
9 and the building inspector said they would either  
10 need over 600 square feet, the shed needs to be  
11 on piers or on a foundation or on a slab. The  
12 applicant actually has to build a storage  
13 building that the storage containers would be  
14 fully enclosed by. So that's what's going on in  
15 there.

16 We have the entrance to that on the  
17 northerly side of space number 13. That actually  
18 is just a driveway to get back into the gravel  
19 area. We'll have to put up some sort of a  
20 barrier or something because the goal is not to  
21 have people drive from spaces 11, 12 and 13 into  
22 that gravel area. There's really just one  
23 driveway on the north end for them to get into  
24 that storage shed.

25 The required parking spaces were six

2 but given the nature of the fact that we're  
3 asking for approval for a retail business, we  
4 wanted to make sure that if this particular  
5 tenant didn't stay there, that there would be  
6 enough parking for whatever future use.

7 I have to embarrassingly apologize for  
8 the lack of spelling corrections on this map  
9 because that is supposed to say accessory use  
10 appurtenant to, not apartment. There's no  
11 apartment proposed.

12 MR. HINES: That helps.

13 MS. BROOKS: There's no apartment  
14 proposed as part of this application. That was  
15 taken right out of the code, that the proposed  
16 uses are retail business or professional service  
17 business. Business and professional office, it  
18 goes along with the retail business, and then the  
19 accessory use which is appurtenant to the  
20 permitted use is the workshop where they put the  
21 frames on the glass and screening. So that's  
22 what gets done in that workshop area. I do  
23 apologize for that.

24 There's no water supply in the shed.

25 The existing septic had been reviewed

2 previously and was approved for the expanded  
3 building. At this point they're not going to, so  
4 the one bathroom that is in that 1,700 square  
5 foot, which actually is the little bump out you  
6 see at the northeast corner, that's where the  
7 restroom is.

8 CHAIRMAN BRAND: Is that the work area  
9 that you're referring to? That's in the  
10 building?

11 MS. BROOKS: The workshop, yes.

12 CHAIRMAN BRAND: Okay.

13 MS. BROOKS: So everything will be  
14 contained inside that 1,700 square feet. There  
15 will be a small office, which is all the way on  
16 the left-hand side, the most westerly side. They  
17 don't do a lot in the way of retail sales but I  
18 added that in there for two reasons. Number one,  
19 I wanted them to be able to do the retail sales;  
20 and number two, I wanted to make the site plan  
21 approval generic enough that another retail  
22 tenant potentially could go in there in the  
23 future.

24 CHAIRMAN BRAND: Pat, do you want to  
25 run through your comments?

2 MR. HINES: Sure. I pulled the old  
3 plans. In looking at this, it used to be called  
4 the Carriage House, the site plan that was  
5 approved back in 2011. This plan changes  
6 significantly from that.

7 I do concur that the DEC approval  
8 that's valid on the site right now will need to  
9 be either reissued or modified. That's my first  
10 comment.

11 DOT for the access drive.

12 We're looking for site development  
13 details for parking, pavement, curbing, the DOT  
14 details that will be on the plan.

15 I looked at the site. I didn't go out  
16 to the site but on the GIS system we have in our  
17 office I looked at some photos. It looked like  
18 there was ground disturbance and piles of rock.

19 MS. BROOKS: At one point in time  
20 inside the fenced in area there were multiple  
21 piles of material that was part of the original  
22 site plan. I believe -- I know that those were  
23 trucked off site.

24 MR. HINES: This was along the back  
25 wall.

2 MS. BROOKS: That has always been  
3 flatter than a pancake. If you look at our  
4 original topographic maps, it's identical. That  
5 did not change. They did build a retaining wall  
6 there. They didn't fill to do it.

7 MR. HINES: Okay.

8 MS. BROOKS: That has always been flat.

9 MR. HINES: My fifth comment is we  
10 should declare lead agency and recirculate to  
11 DOT, County and DEC.

12 I did comment on spaces 11, 12 and 13.  
13 If that only access is going to be -- somehow  
14 they need to stop and delineate that parking,  
15 either through bumper blocks or curbing in that  
16 area.

17 The parking lot is not proposed to be  
18 curbed; is that correct?

19 MS. BROOKS: Correct.

20 MR. HINES: Only the DOT curbing will  
21 be there. Sometimes this Board requires curbing.  
22 It will significantly change the drainage pattern  
23 on the site. The fact it's in an adjacent  
24 wetland area, it will probably be more  
25 appropriate to keep that runoff in a sheet flow

2 type pattern than curbing it and putting it in  
3 solid pipes which the DEC may frown on.

4 The accessory apartment we just talked  
5 about is not there, so the septic system impacts  
6 are not there.

7 Water supply for the shed. The  
8 sanitary system goes back to that apartment  
9 reference.

10 Site lighting on the plan should be  
11 addressed. It needs to be addressed prior to the  
12 County approval.

13 The only action the Board can take  
14 tonight is to declare lead agency and circulate  
15 this plan to those other outside agencies.

16 MS. LANZETTA: Do we also need to know  
17 the height of the accessory building to make sure  
18 it meets the proper setbacks?

19 CHAIRMAN BRAND: That was a comment  
20 from Tom.

21 MS. BROOKS: There's no problem with  
22 setbacks. If you look at the map, all the way  
23 down to the right is where the easterly boundary  
24 line is. You can't even see it. It's so far  
25 it's off map that's up there. It should be on

2 your full-size map, the blue line.

3 MS. LANZETTA: I'm looking at the other  
4 one.

5 MS. BROOKS: You can't even see it on  
6 here.

7 MR. HINES: That's the wetland  
8 boundary, not the property line.

9 MS. BROOKS: Wetland along bottom of  
10 bank. That purple line is the wetland, not the  
11 boundary line?

12 MR. HINES: You can barely see the  
13 property line now.

14 MS. BROOKS: This is the retaining  
15 wall. If you look at this, the property, it's  
16 several hundred feet to the north, the boundary,  
17 and about 200 feet to the east. Setbacks are not  
18 an issue at all.

19 MS. LANZETTA: As far as if there's a  
20 fire or anything, is there any way to get around  
21 to the back of that accessory building, if there  
22 was some kind of a fire, the retaining wall being  
23 so close there?

24 MS. BROOKS: It drops off and there's a  
25 very wet wetland there. Basically to get around

2 the back of that building would be with a hose.

3 You're not going to drive apparatus around the  
4 back of that building, nor would I think that the  
5 fire department would.

6 CHAIRMAN BRAND: Any other questions or  
7 comments from the Board?

8 (No response.)

9 CHAIRMAN BRAND: So I guess at this  
10 time I'd like to have a motion for the Planning  
11 Board to act -- to issue a notice for lead agency  
12 for DOT, DEC and County Planning.

13 MR. TRUNCALI: I'll make the motion.

14 CHAIRMAN BRAND: To do that.

15 Excellent. Is there a second?

16 MR. CAUCHI: I'll second it.

17 CHAIRMAN BRAND: Any discussion?

18 (No response.)

19 CHAIRMAN BRAND: All those in favor?

20 MR. CLARKE: Aye.

21 MR. TRAPANI: Aye.

22 MS. LANZETTA: Aye.

23 MR. TRUNCALI: Aye.

24 MR. CAUCHI: Aye.

25 MR. LOFARO: Aye.

2 CHAIRMAN BRAND: Aye.

3 Any opposed?

4 (No response.)

5 CHAIRMAN BRAND: All right.

6 MS. BROOKS: What additional details do  
7 you want before it goes up to Ulster County  
8 Planning?

9 MR. HINES: I think the lighting.

10 They're going to ask to see the lighting.

11 MS. BROOKS: The only lighting they  
12 have right now -- I guess I can take photographs  
13 of it. There's a very wide soffit, it's about  
14 three feet wide. It's all under soffit direct  
15 down lighting. That's the only lighting --16 MR. HINES: There's not going to be any  
17 parking lot lighting?18 MS. BROOKS: No. They're not proposing  
19 it. Again, they're not a retail store that's  
20 open at night. Most of the work they do is at  
21 people's sites. They were not proposing any  
22 parking lot lighting.23 MR. HINES: The only other thing would  
24 be signage. I don't know if there are signs  
25 proposed or not.

2 MS. BROOKS: Okay. There is existing  
3 signage there. They're planning on using that  
4 same location but I don't have a design for the  
5 sign yet. I can find out about that.

6 I was just wondering if I put together  
7 a package for Jen and it was a complete package,  
8 if that could be circulated. Obviously they meet  
9 this Wednesday so I know they're not going to be  
10 looking at it this month.

11 MS. LANZETTA: I would show the  
12 existing lighting. If you don't put any lighting  
13 details it's going to come back.

14 MS. BROOKS: Okay. And signage as  
15 well.

16 CHAIRMAN BRAND: Thank you.

17 MS. BROOKS: Thank you.

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19 (Time noted: 7:58 p.m.)

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

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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 18th day of April 2019.

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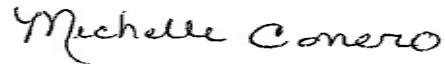
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MICHELLE CONERO

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

In the Matter of

5 BROOKLYN BOTTLING

## 10 SKETCH - SITE PLAN

11 Date: April 1, 2019  
12 Time: 8:00 p.m.  
13 Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

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

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

21

23 - - - - - MICHELLE L. CONERO  
24 PMB #276  
25 56 North Plank Road, Suite 1  
Newburgh, New York 12550  
(845)541-4163

2 CHAIRMAN BRAND: Next up, Brooklyn  
3 Bottling, sketch, site plan.

4 Brooklyn Bottling is you as well,  
5 Patti?

6 MS. BROOKS: Yes.

7 CHAIRMAN BRAND: Give us a synopsis  
8 again.

9 MS. BROOKS: This is the previous  
10 Chelsea Homes manufacturing facility. Brooklyn  
11 Bottling purchased it under the name of Ham  
12 Realty back in January of 2013, so they've been  
13 using the site for six years now.

14 They need additional space for storage  
15 of both empty containers and of product because  
16 for a lot of their contracts now they need to  
17 store the finished product for a period of time  
18 before they can ship it to the end user.

19 They're proposing to put in a 52,300  
20 square foot addition solely for storage, added on  
21 to the existing 118,000 square foot building.

22 It's existing blacktop that they will  
23 be putting the new building on.

24 Right now when you enter into the  
25 facility there's a gate on the right-hand side

2 that is labeled "Truck entrance." All the truck  
3 traffic goes into the right, goes around the  
4 building. It is one-way circulation totally  
5 around the site. In fact, the gate on the  
6 left-hand side says "Do not enter."

7 Pat was kind enough to send me his  
8 comments so far in advance, it gave me the  
9 opportunity to research a little bit some of the  
10 issues. I knew that a lot of people had worked  
11 at Chelsea Homes but I wasn't exactly sure how  
12 many. I called up the housing, not the  
13 salespeople and there were upwards of 150 people  
14 working there at one point in time, which was  
15 actually confirmed by Andy Willingham who is  
16 doing the engineering. When I sent him the  
17 engineered sewage drawings he said how come you  
18 only have 20 people for employees and it's sized  
19 for 140. So that is one issue we hopefully will  
20 not have a problem with.

21 We are still trying to investigate what  
22 exactly is going on with the drainage. I don't  
23 know whether there was original drainage put in  
24 that was abandoned and then they put in the  
25 exterior catch basins that you see in there now.

2 Certainly a lot of them are collapsed structures,  
3 which we noted on the map, or are filled. Andy  
4 Willingham is working on the engineering for the  
5 SWPPP and trying to investigate what we're going  
6 to do with the drainage facilities on here.

7 Do you want to just go through Pat's  
8 comments?

9 CHAIRMAN BRAND: Sure.

10 MR. HINES: Our first comment is it's  
11 going to disturb greater than an acre, although  
12 that acre is probably currently impervious. DEC  
13 regulations have provisions for redevelopment  
14 sites. Those will be the standards that you need  
15 to design to. It gives them some relief to the  
16 size of the best management practices that need  
17 to be installed. They do need those. The green  
18 infrastructure and runoff reduction are reduced  
19 as well. We'll be looking for that stormwater  
20 pollution prevention plan.

21 Right now there's trucks and tractor  
22 trailers kind of all over the site. There  
23 doesn't seem to be any rhyme or reason to them.  
24 I think this is an opportunity where they can  
25 develop the site so that they're parked in an

2 orderly manner. Back by the small garage building  
3 there's multiple vehicles just, I don't know,  
4 parked there. There's no delineated parking.  
5 It's not a typical warehouse where you see the  
6 tractor trailers lined up. I think that could be  
7 added to the map so that will be more organized  
8 and function better for both the applicant and  
9 any emergency services.

10 We are suggesting the jurisdictional  
11 fire department review the plans early on. I do  
12 see the drive aisles are only 25 feet to the  
13 rear. I know under the Fire Code for aerial  
14 access they need to be 26 foot minimum if the  
15 building is higher than 30 feet, which it most  
16 certainly is. Appendix D of the New York State  
17 Fire Code will dictate the drive lane around the  
18 building. I believe one side of the building  
19 needs to be a hundred percent accessible to the  
20 fire department for aerial access.

21 CHAIRMAN BRAND: Just to interrupt.  
22 That was one of Tommy's comments as well, about  
23 the setbacks. He wanted to know is there a fire  
24 access road around the building, is there room  
25 for truck access. He thinks it might need to be

2 increased, like you said, based on topography.

3 MS. BROOKS: Could I get a copy of  
4 those too, Chris?

5 CHAIRMAN BRAND: Sure.

6 MR. HINES: We were looking for the  
7 plans to show the existing utility lines, water,  
8 the sewer lines, the drainage.

9 Finished floor elevations on both  
10 structures should be shown so we can review  
11 those, as well as any topography in the graded  
12 out area.

13 MS. BROOKS: As well as any what? I'm  
14 sorry.

15 MR. HINES: Topography.

16 MS. BROOKS: The topo is on there.

17 MR. HINES: The finished floor  
18 elevations of both buildings.

19 Accessible parking areas should be  
20 identified. Right now there is no accessible  
21 parking depicted on the site. With the gates  
22 there we can take a look at those access routes.

23 The site entrance drive is identified  
24 as gravel right now. Riverview Drive was  
25 recently taken over by the Town and paved. I

2 think with the upgrading of this facility it  
3 would be a good time to have that access drive be  
4 a paved industrial surface. Right now it's kind  
5 of a dirt road. I haven't been in there in a  
6 long time. Last time I was in there it looked  
7 like where they tested the missiles.

8 MS. BROOKS: Full of potholes.

9 MR. HINES: I think that's the Board's  
10 opportunity to clean up that access drive at this  
11 point.

12 We're looking to address all the  
13 collapsed drainage structures on the plans.

14 Site development details for any  
15 additional drainage, paving, parking, directional  
16 signage should be added.

17 The engineer should review the facility  
18 to determine whether or not there's a stormwater  
19 hotspot. There's a chapter in the design  
20 guidelines for facilities such as this that are  
21 trucking-based facilities or things like. Gas  
22 stations and such are considered. There's a list  
23 of those types of items. There are stormwater  
24 hotspots and it dictates which drainage practices  
25 can be used on site. The amount of trucks on the

2 site may dictate this as a stormwater hotspot and  
3 require additional drainage design.

4 We're looking for the existing -- I  
5 didn't have information on the septic. Patti  
6 clarified that. We're looking for that detail,  
7 as well as the number of employees so we can  
8 determine the capacity of the existing septic  
9 system with regard to the intensity of use.

10 Water lines on the site look like they  
11 dead end. I was looking to have those water  
12 lines depicted. You actually only have the  
13 hydrants. I am aware of conversations that those  
14 hydrants on either side of the building don't  
15 loop around. We're looking to show where that  
16 water comes across the site, how it exists on the  
17 site so the jurisdictional fire department can  
18 take a look at that as well as Tommy. Also it  
19 would probably provide better fire access and  
20 fire flow if they can loop the fire system around  
21 the building. I think there's two existing fire  
22 sprinkler systems and this may cause a third  
23 based on the construction. That fire protection  
24 issue needs to be looked at globally on the site  
25 so that it works out for emergency services.

2 Certainly the looped hydrant and the location of  
3 the sprinkler access should be addressed on the  
4 plans.

5 MS. BROOKS: I spoke with Charlie and  
6 he's going to get out there and try to mark where  
7 the lines are right now so we can locate them.  
8 I've also spoken with Chief Troncillito Regarding  
9 looping of the system, which I believe was a  
10 request early on.

11 MR. TRONCILLITO: The request that I  
12 made at the Town Board when the building was  
13 originally going to be built and the engineers  
14 that were representing Mr. Rosenberg at that time  
15 shot it down. So it's not looped which it should  
16 have been.

17 CHAIRMAN BRAND: What exactly does that  
18 mean?

19 MR. TRONCILLITO: The water line should  
20 have went all the way around the building.  
21 You've got two dead ends, one on the left side of  
22 the building, the west side, and one on the east  
23 side.

24 MS. BROOKS: If you look at the map,  
25 the water line comes in, goes to this hydrant and

2 somehow goes to this hydrant then dead ends here.  
3 There's a connection here for the fire service.  
4 The same thing on this side, it comes up to this  
5 hydrant and then into this hydrant. There's a  
6 connection on this side but they both end here.  
7 If you have a problem with the water system,  
8 there's a sprinkler system on this side and on  
9 this side. When we get done the goal is to loop  
10 everything around. We'll have a third, probably,  
11 sprinkler system here and then the water. It's a  
12 continuous flow.

13 Any questions or comments from the  
14 Board?

15 CHAIRMAN BRAND: No. So it looks like  
16 you have homework to do.

17 MS. BROOKS: Yes.

18 CHAIRMAN BRAND: Anything else from the  
19 Board?

20 (No response.)

21 CHAIRMAN BRAND: Jen, I wanted to ask  
22 before, were we able to set the date with Ulster  
23 County Planning?

24 MS. FLYNN: No. I called two or three  
25 times and Mr. --

2 MS. BROOKS: Rob Lebowitz?

3 MS. FLYNN: No. I talked to Robert --

4 MS. BROOKS: Dennis Doyle?

5 MS. FLYNN: Yes. He's never there. He  
6 never called me back. I left my name and my  
7 number. He never called me back. I think I  
8 e-mailed.

9 MS. LANZETTA: Can you send me those  
10 dates and when I go up Wednesday I'll discuss it  
11 with Dennis?

12 MS. FLYNN: I think I was looking for  
13 dates from you guys so we could put it on our  
14 calendar.

15 CHAIRMAN BRAND: On a Thursday in April  
16 or May.

17 MS. LANZETTA: I think we didn't know  
18 if it would work better for the ZBA to have it on  
19 a regular meeting date if they don't have  
20 something on their agenda since they would  
21 normally meet then anyway. I think we were going  
22 to take a look at that as an option.

23 MS. FLYNN: They wouldn't know if they  
24 had anything on the agenda even if there's  
25 nothing on it now. Just like we don't know

2 what's on our agenda next month. I have a  
3 deadline and they have a deadline. We have to  
4 pick a day and say either they have something and  
5 we do it after or before. Just pick a day and  
6 say this is it, don't put anything on that day.

7 MR. TRUNCALI: They meet once a month?

8 MS. FLYNN: Yes.

9 MR. TRUNCALI: If you do it on one of  
10 the off times --

11 CHAIRMAN BRAND: We'll try and  
12 negotiate it tomorrow.

13 Motion to adjourn?

14 MS. LANZETTA: I want to point out that  
15 Jen sent out design guidelines from the Town  
16 Board. They're for the Route 9W BC corridor.

17 CHAIRMAN BRAND: I think she included  
18 it in our packets.

19 MS. FLYNN: I made a copy for everybody  
20 also even though I sent it out. It is in your  
21 packet.

22 MS. LANZETTA: The board would like any  
23 input from the Planning Board, preferably within  
24 a month's time. If you could look it over. Even  
25 if you just want to write on your paper copies

2 your thoughts and hand it in to Jen. I think any  
3 input would be appreciated.

4 CHAIRMAN BRAND: Anything else?

5 (No response.)

6 CHAIRMAN BRAND: All right. Motion to  
7 adjourn?

8 MR. CAUCHI: I'll make that motion.

9 CHAIRMAN BRAND: Is there a second?

10 MR. TRUNCALI: 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.

19 So carried.

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21 (Time noted: 8:10 p.m.)

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## 4 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 18th day of April 2019.

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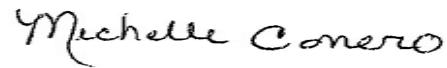
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MICHELLE CONERO