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

----- X

In the Matter of

TWIN POND

Project No. 16-9013
155 Mahoney Road, Milton
Section 103.1; Block 1; Lot 1.3

----- X

PUBLIC HEARING - SITE PLAN

Date: June 3, 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
BEN TRAPANI
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

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

----- X

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

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TWIN POND

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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, June 3, 2019. Regular meeting 7:30 p.m. Approval of stenographic minutes for 5/6. Twin Pond, public hearing, site plan; Buttermilk Spa Expansion, sketch, site plan; Royal Energy, sketch, site plan; Brooklyn Bottling, sketch, site plan. Next deadline: Friday, June 7th. Next scheduled meeting: Monday, June 17th.

CHAIRMAN BRAND: I'd like to have a motion for the approval of the stenographic minutes for 5/6, please.

MR. CLARKE: I'll so move.

MR. TRAPANI: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

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TWIN POND

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MR. LOFARO: Aye. Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So carried.

I have for the record a certificate of attendance from the Board of Assessment Review training for Joel Truncali. It doesn't say how long.

Do you know how long you were there?

Two hours?

MR. TRUNCALI: Three hours.

CHAIRMAN BRAND: Three hours for the certificate. I'll give that to Jen to enter into the minutes.

First up on the agenda was Twin Pond, a public hearing. I'd like to have a motion to move the public hearing to the July 1st meeting.

MR. CAUCHI: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. CLARKE: Second.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor?

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TWIN POND

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Any opposed?

(No response.)

CHAIRMAN BRAND: So carried.

(Time noted: 7:33 p.m.)

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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 record 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 12th day of June 2019.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

BUTTERMILK SPA EXPANSION

Project No. 18-2012
220 North Road, Milton
Section 103.1; Block 2; Lot 13

----- X

SKETCH - SITE PLAN

Date: June 3, 2019
Time: 7:33 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: BARRY MEDENBACH
CJ HARTWELL-KELLY

----- X

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CHAIRMAN BRAND: First up,
Buttermilk Spa Expansion, sketch, site plan.

MR. MEDENBACH: Good evening. We were here last in January. If you remember, this plan was originally approved in 2013. It's for an expansion of the existing spa, Buttermilk Falls. It included some parking and some lighting. It was a relatively large addition to the spa.

We put the improvements in for the parking, lighting, but did not do the addition for the spa.

Since the approval expired we reapplied in January to renew the site plan approval. We had a comment letter back then from your consultant, Patrick, and we have now responded to all of those issues. We're back before the Board hopefully to renew the site plan approval.

CHAIRMAN BRAND: Pat, do you want to run through your comments on this?

MR. HINES: Sure. We received the narrative report detailing the use and function of the facilities on the site. We're suggesting that be incorporated into any approval resolution.

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The comment last time was the spa building was impacting the existing subsurface sanitary sewer disposal system. There's a modification to that. That will need approval from the Ulster County Health Department for that modification.

The plan needs to go to Ulster County Planning because it's on the Marlborough/Town of Lloyd town line.

We're looking to show accessible parking at the spa location. It doesn't look like there's any accessible parking in that area immediately in the vicinity of the spa.

The existing lighting is going to be utilized. It was put in previously.

There's a sewer line, I believe a remnant either of the septic system or of some of the sewer lines that were put in that go to municipal sewer. Just show that to be removed.

MR. MEDENBACH: Originally the main building's sewer ran down here but it did pick up the one building --

MR. HINES: The one-bedroom house?

MR. MEDENBACH: -- on it's way down.

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The smaller -- the cottage type building.

MR. HINES: Right in the spa area where the sewer line is going?

MR. MEDENBACH: That's still an active line from that cottage.

MR. HINES: This one is --

MR. MEDENBACH: There's another one that comes down that was capped.

MR. HINES: That's capped. The spa is going right over it where I'm talking.

MR. MEDENBACH: Oh, that.

MR. HINES: That needs to be shown to be removed.

MR. MEDENBACH: Okay. Got it. I wasn't sure which pipe you were talking about.

MR. HINES: Comments from the jurisdictional fire department haven't been received.

Jeff and I were just looking at the file and we need the short form E.A.F. filled out as well.

MR. MEDENBACH: I think we did that in January.

MR. HINES: I have a series of blanks.

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MR. BATTISTONI: The one we had was signed but it was blank.

MR. MEDENBACH: Okay.

MR. HINES: It's signed by Robert Pollock.

MR. MEDENBACH: I thought I resubmitted a signed one. Maybe I didn't. That's not a problem.

MR. HINES: The amended site plan does require a public hearing. I'm not sure if we had one for this yet on the amended spa. I know it was here before. I don't think it ever reached that point.

MR. MEDENBACH: No.

MR. HINES: I think the Board could send it to County Planning. It has to go to public hearing at this point.

CHAIRMAN BRAND: Comments from the Board?

MS. LANZETTA: Yes. I just would suggest that before we send it up to County, if you could give us an inventory of the present existing lighting. Primarily they're going to be interested to see if you have full cutoff or LED,

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or what type of lighting is in existence there.

MR. MEDENBACH: It's the same lighting that was previously approved by the County. We built it. It was part of the site plan that had approval. They built the parking, installed the lighting. That had gone to the County. I could resubmit the details but it was already approved and then constructed and completed, that's why we don't need to do it now. It had already been done.

MS. LANZETTA: I still --

MR. MEDENBACH: It is fully shielded.

MS. LANZETTA: The whole thing is just so you don't -- I'll guarantee you they'll send it back and say they want to see information on what the existing lighting is. If you don't want to hold up the review, if you could just provide us with that to send up, that would be very helpful.

CHAIRMAN BRAND: They said all existing lighting should be noted on there, even if it was pre-approved.

MR. MEDENBACH: I'm sorry?

CHAIRMAN BRAND: All existing lighting

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should be noted even if it was pre-approved. We just met with members of the Ulster County Planning Board earlier.

MR. MEDENBACH: Right. We do show all the lighting on --

MR. HINES: The pictures are shown, it's just the detail of the light itself isn't. If you can provide that.

MR. MEDENBACH: The lamp detail --

MS. LANZETTA: Yes.

MR. MEDENBACH: -- with the photometrics probably?

MS. LANZETTA: Yes.

CHAIRMAN BRAND: Any other comments from the Board?

MR. MEDENBACH: We already have that, so it's not a problem.

CHAIRMAN BRAND: Any other comments from the Board?

(No response.)

CHAIRMAN BRAND: Jeffrey?

MR. BATTISTONI: My only comment is if we're going to make a referral to Ulster County Planning, I'd like to get the E.A.F. ahead of

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time.

MR. MEDENBACH: Absolutely. I can get you that tomorrow.

MR. BATTISTONI: Good.

MS. FLYNN: I will need a copy also.

MR. HINES: Send it to Jen.

MS. FLYNN: A full packet of everything that needs to go to Ulster.

MR. TRUNCALI: Pat, last time they were here there was some discrepancy in the plans that they provided, they were different than the original.

MR. HINES: This new set of plans is consistent throughout.

MR. CAUCHI: It's consistent from what they submitted before?

MR. HINES: What's shown on the plans matches the details and the buildings and such. Last time Mr. Medenbach I don't think was involved.

MR. MEDENBACH: What happened, they made some slight modifications to the building from what was previously approved and then they submitted the old site plan with the new

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building. The old site plan didn't reflect the changes to the building.

MR. HINES: The building sizes were different. That's all been coordinated on the plan sheets.

MR. TRUNCALI: Okay.

MR. CAUCHI: Do we need to go to another public hearing?

MR. HINES: The building is different.

MR. CAUCHI: The building is different.

CHAIRMAN BRAND: This expansion of the spa is a significant change from what was there which would require the public hearing.

MR. HINES: You have time because you have the County Planning requirement.

CHAIRMAN BRAND: Do we want to wait until we hear back from the County to schedule the public hearing?

MR. HINES: No. I think you can schedule it.

MS. LANZETTA: I'll make a motion to schedule the public hearing. With the couple things that we asked for, we'll submit that to County.

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CHAIRMAN BRAND: For the second meeting
in July?

MS. FLYNN: It has to be the second
meeting in July. The first one is not --

CHAIRMAN BRAND: July 15th. Do I have
a motion to have a public hearing on July 15th?

MS. LANZETTA: I'll make that motion.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: I'll second it.

CHAIRMAN BRAND: Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

You need a submittal to the County.

We'll see you on the 15th.

MR. MEDENBACH: Thank you very much.

I'll have Cindy get everything over to
you.

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MS. FLYNN: Thank you.

(Time noted: 7:40 p.m.)

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 record 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 12th day of June 2019.

Michelle Conero

MICHELLE CONERO

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

----- X

In the Matter of

ROYAL ENERGY PROP

Project No. 19-3002
1666 Route 9W, Milton
Section 103.3; Block 3; Lot 68

----- X

SKETCH - SITE PLAN

Date: June 3, 2019
Time: 7:40 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

MICHELLE L. CONERO
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Newburgh, New York 12550
(845)541-4163

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CHAIRMAN BRAND: Next up, Royal Energy, sketch, site plan

MR. BROWN: I'm Charles Brown, the engineer for the applicant.

Since our last presentation before the Board we widened out the fire lane all the way around the building to 26 feet and provided a 16 foot offset from the fire lane to the building. I did research on this and that's the standard. The 15 foot offset matches the 50. We had the ability to do that. We're now at 37,000 square feet and change. Based upon the fire lane around the building and now the sides of the building, it doesn't have to be sprinklered as storage.

We're here to hopefully get the fire lane and the building size signed off on so we can proceed with the engineering.

The other thing is we're requesting a waiver on the curbs. The site is not curbed right now. Since we're only working on roughly half the site -- first of all, it would interfere with the current drainage on the existing areas to remain if we had to curb the whole site, and to curb a portion of the site doesn't really make

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sense. The DOT, we've been in communication with them. They're allowing us a 30 foot wide driveway entrance. That's now shown on the plans. They're not requiring curbs. We can provide the comments.

Is an e-mail okay, Pat?

MR. HINES: From DOT?

MR. BROWN: Yes.

MR. HINES: Yes.

MR. BROWN: That's it.

MR. HINES: That's not a yes on the curbs. Curbs are up to the Planning Board. Yes to the DOT approval would be fine in an e-mail.

CHAIRMAN BRAND: You did receive DOT approval?

MR. HINES: He's going to send an e-mail from DOT.

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

MR. BROWN: We've been in discussion with them via e-mail and they okayed the 30 foot width and the radius. We forwarded the plan over to them. Again, they're not requiring curbs. We forwarded the plan over to them. Again, he's

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doing everything via e-mail.

CHAIRMAN BRAND: Pat.

MR. HINES: My first comment is just that the information from the DOT should be provided. DOT does typically require commercial driveways to be curbed. If they are not, that's under their jurisdiction.

We're looking for additional design details for the stormwater. A couple of my comments are regarding that.

Comment number 3 is that the applicant is requesting a waiver from the Board's policy requiring concrete curbs on commercial sites. Curbs do control the traffic and drainage patterns and provide for a more aesthetic site plan. I'll leave that as a policy decision to the Board. We have required other commercial site plans to provide curbing on the site to control traffic, drainage, and it just makes for a more controlled site.

CHAIRMAN BRAND: There's no curbing there currently?

MR. BROWN: None.

MR. HINES: No.

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CHAIRMAN BRAND: Riverview Drive?

MR. BROWN: None.

MR. HINES: No.

MR. TRUNCALI: Is that guardrail
existing now?

MR. BROWN: Yes.

MR. HINES: Along 9W.

MR. BROWN: Along 9W, correct.

MR. HINES: Do you want to talk about
the curbs or keep going?

CHAIRMAN BRAND: Keep going.

MR. HINES: Jurisdictional fire
department comments should be received. I know
they received copies of the plans.

There's an existing encroachment, a
concrete pad in the vicinity of the propane tanks
to the rear. We're looking for the volume of
that propane tank to be identified. I know
they're existing but depending on the volume
there's a certain distance from the property
line.

MR. BROWN: They're 5,000 gallon tanks.
They are too close to the property line. I
discussed it with my client. He only needs two

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of them. He will eliminate two and relocate the two. I think it's a 10 foot setback to the property line based upon the volume of the tank. Based upon the tank volumes, they're in the category of, I'm pretty sure it's 10 foot.

MR. HINES: They're going to move the tank --

MR. BROWN: Yes.

MR. HINES: -- and they're going to eliminate the encroachment?

MR. BROWN: Yes. The tanks you mean?

MR. HINES: The tanks are going to be moved but there's then a concrete pad encroaching the driveway.

MR. BROWN: The concrete pad and the driveway are being used by both my client and the Hepworths. We'll have to provide a cross use agreement.

MR. HINES: Easement.

MR. BROWN: Easement.

MR. HINES: I think we're looking for an easement.

MR. BROWN: Easement and agreement.
Yes.

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MR. HINES: The septic system for the new structure. The new plans you sent us have three restrooms in the facility.

MR. BROWN: Correct.

MR. HINES: We just don't know where that -- there's nothing shown on the plan where that's going.

MR. BROWN: We're still trying to get the soil testing done. First it was the weather, now the machine is sitting there and they can't get it started. They're working on it right now.

MR. HINES: You've addressed the fire sprinkler system?

MR. BROWN: I'll provide that.

MR. HINES: We're looking for the drainage plan, site lighting.

A County Planning referral is required but we'll need the stormwater and the lighting, grading, those details.

The use of the proposed existing building, we're looking for details on that in a narrative report identifying the processing and the storage of material, the intensity of use, trucks, vehicle traffic, waste product, hours of

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operation. I think the Board asked for a majority of that information earlier. There apparently is going to be or is processing of agricultural products on the site. They're looking for some detail on that.

MR. BROWN: Okay.

MR. HINES: And then we've got Jeff's comments on the encroachment. You're going to eliminate that, you said, by providing the easement.

MR. BROWN: We did get the survey data from the surveyor for the pipe inverts. I have that information also.

CHAIRMAN BRAND: Jeff, did that comment answer or address the letter that you sent out?

MR. BATTISTONI: I think so. In my letter I said the applicant has to get an easement for the encroachment -- it's the gravel driveway and the concrete pad that encroach on a neighbor's property -- for you to approve a site plan with an encroachment. If they get an easement from that property owner, that would be satisfactory.

CHAIRMAN BRAND: Questions or comments

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from the Board?

MR. CLARKE: I have a question. On the northwest corner of this proposed building, what's the elevation from the ground up to the floor level of the building?

MR. BROWN: It's about 6 to 8 feet difference.

MR. CLARKE: 6 feet from the ground up?

MR. BROWN: No. The ground is 6 feet higher. On the north -- oh, northwest?

MR. HINES: The northwest. I think it's about 12 feet.

MR. BROWN: Again we have a large machine out there. We're going to do not only the testing for the septic system but also dig the ground so that we can determine the final floor elevation of the building without getting into the rock. Over there it's -- there's a gully through there. I'd have to look.

MR. CLARKE: It's going to require a substantial amount of fill to bring that up to grade.

MR. BROWN: Yeah. Or a retaining wall. Essentially we can use the foundation wall as a

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retaining wall. It will be designed as a retaining wall.

MR. CLARKE: This is going to be a bigger building than the existing building; correct?

MR. BROWN: I haven't calculated up the square footage of the buildings there. There's actually three warehouses plus two houses. We're larger but by how much I don't know right now off the top of my head.

MR. CLARKE: I know the site. I know as you go north on the site it pulls away from the existing building. You're going to be adding substantially more -- maybe 4, 5, 6 feet more in height from where you get out to where you're going to have your north wall.

MR. BROWN: Yeah. 9W is quite a bit higher at that point elevation wise. That's why the guardrail is there, because there's quite a bit of elevation there.

MR. HINES: I don't have the new grading plan but the previous grading plan I believe showed almost a 12 foot what would be a foundation/retaining wall on the west side of

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that building.

MR. CLARKE: As you get higher do you happen to hit the wall?

MR. BROWN: Yes.

MR. CLARKE: That's my concern, the wall is built to be appropriate for the height.

MR. BROWN: I design retaining walls all the time.

CHAIRMAN BRAND: Questions or comments from the Board?

MS. LANZETTA: Where is the proposed septic? Where are you looking at putting the proposed septic?

MR. BROWN: That's going to be based upon the soil testing. It obviously would have to be downhill. We could pump it if we had to.. Again, it's subject to testing. We're going to be testing all over the site. We have a very large machine out there and we're going to be testing for stormwater design, we're going to be testing for the septic design and we're going to be testing for any conditions that will affect the elevation of the building.

MR. HINES: I think the machine was

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there when I drove by today.

MR. BROWN: They're working on it.

Yeah.

CHAIRMAN BRAND: I know in the past it has been the practice of the Board, we have required all the other parcels on 9W to include some curbing. What's the Board's opinion on the curbing at this site?

MR. CLARKE: I think you have to be consistent.

CHAIRMAN BRAND: I agree.

MR. LOFARO: I agree as well.

CHAIRMAN BRAND: I think we'd definitely like to see curbing at the entranceway onto the site.

MR. BROWN: The DOT entrance?

CHAIRMAN BRAND: Correct.

MR. BROWN: Okay. We're not going to have to curb the existing areas that are to remain; correct?

CHAIRMAN BRAND: Can you repeat that?

MR. BROWN: We're not going to be required to curb the existing portion of the buildings on the site or parking areas on the

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site? The driveway will not be affected by the site plan.

CHAIRMAN BRAND: I think in my opinion just the DOT entrance from the highway. That will give definition to where the entrance really is.

MR. BROWN: Okay.

MR. LOFARO: I agree.

CHAIRMAN BRAND: Any other thoughts or comments?

MS. LANZETTA: We haven't received anything from the firehouse yet in regards to --

MR. HINES: We got one comment but they haven't seen -- they have the new plan but we haven't received back on this revised one.

MR. BROWN: They do have a copy?

MS. FLYNN: Al dropped a copy off to them last week.

MR. BROWN: Thank you.

MR. LANZETTA: You're welcome.

MS. LANZETTA: If we're requiring 26 feet around the new building, is that required around the old building that's currently in use?

MR. HINES: No. It's not typically --

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you don't have to revise existing buildings. That is because this building is going to be higher than 30 feet. Fire lanes are only 20 feet until the building exceeds 30 feet in height and then they go to 26 feet.

MR. CLARKE: For a fire truck -- I know on the north side it gets fairly wet over there. The surface on this area is going to be good enough so the fire truck can get to all sides?

MR. BROWN: Yes. We have to design it for a 26,000 pound fire truck.

MR. HINES: 78.

MR. BROWN: 26 per axle. Something like that. Okay.

MR. HINES: That's now identified as being paved too. It shows kind of a gravel surface on the details but it's labeled as to be paved.

CHAIRMAN BRAND: You'll pave it?

MR. BROWN: We have a gravel way around that. It wasn't intended for fire trucks, it was for access. We were proposing gravel.

CHAIRMAN BRAND: Okay.

MR. TRUNCALI: Are these buildings

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going to be refrigerated or dry storage?

MR. BROWN: Refrigerated for frozen foods.

MR. TRUNCALI: Freezer.

MR. CAUCHI: How does that work with the sprinkler system?

MR. HINES: It doesn't have to be sprinklered now that the size shrunk.

MR. BROWN: Plus the fire lane all the way around, you get a 75 percent increase in the area of the building before you have to sprinkler. Those two things worked in our favor.

CHAIRMAN BRAND: Anything else?

(No response.)

CHAIRMAN BRAND: So it sounds as though you have some work to do to come back to us before we submit to County, get back with DOT and the jurisdictional fire department.

MR. BROWN: Thank you.

MS. LANZETTA: I just want to -- before it goes to the County, even though you're not changing some of the existing lighting on the older building, they're going to be asking what kind of lighting is there right now. You need to

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provide the type of lighting that is currently in existence so they have an idea.

CHAIRMAN BRAND: I think Pat's comment number 12 is really important as well. We asked for that a couple of times, the hours of operation and all that kind of stuff.

MR. BROWN: Okay. I'll put that in a narrative, Pat?

MR. HINES: Yes.

MR. BROWN: Thank you very much.

(Time noted: 7:54 p.m.)

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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 record 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 12th day of June 2019.

Michelle Conero

MICHELLE CONERO

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

----- X
In the Matter of

BROOKLYN BOTTLING

Project No. 19-3006
9 Riverview Drive, Marlboro
Section 109.1; Block 2; Lot 5.111

----- X

SKETCH - SITE PLAN

Date: June 3, 2019
Time: 7:54 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

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

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

APPLICANT'S REPRESENTATIVE: PATTI BROOKS
ANDREW WILLINGHAM

----- X

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

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CHAIRMAN BRAND: Next up, Brooklyn Bottling.

MS. BROOKS: Good evening.

CHAIRMAN BRAND: Do you want to bring us up to speed?

MS. BROOKS: Sure. We had received the comments from the last Board meeting which had been substantially addressed.

We did receive the technical comments from McGoey, Hauser & Edsall for this particular application.

We have not received any comments in writing from the jurisdictional fire department. Have you, Pat?

MR. HINES: No.

MS. BROOKS: We've had offline conversations and a meeting with them. I guess we would just -- we'll request their comments in writing so that we can make sure we properly address them.

We have been supplied some water flow and pressure information but we're not exactly sure which location that information was gathered at. We need to do a little bit more

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investigation as far as that goes, and then try to analyze what works best as far as extending the hydrant line on the westerly side of the building or trying to do a loop and finding out what the benefits could be if we do that. So we do need a little bit more information that we're continuing to gather on the water flow and pressures.

MR. TRUNCALI: Patti, I had spoken with Bob Troncillito and he was adamant about the loop and another hydrant in the back of the building.

MS. BROOKS: Yeah. Again, adamant about it. It all has to do with public safety, health and welfare. So what we need to do is analyze it from an engineering standpoint and find out what is the best protection system for the building. So if it can be achieved through another means, and it can be proven that it can be achieved through another means, in speaking with the water department supervisor, Mr. Muggeo, he didn't necessarily -- he didn't feel we had enough information yet to determine whether or not the loop was the best way to go. I think that's going to be an engineering decision, not

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necessarily a personal decision. We have to do what's best for the water supply for the site. I do understand that the fire department at this point is saying that they want a loop, but we need to make sure that we have substantive engineering support to say that that is the best system for the site.

MR. WILLINGHAM: At first look, there's three hydrants on the site. The pressure is pretty good, 125 psi. I just got it today. It looks like there's good pressure in the fire flow.

The question is -- looping is always good for shut off and different things, maintenance, but it does not necessarily provide better fire flow. We just want to get all the data and figure out really what benefit that provides.

I know there is some shallow -- I'm hearing there's some shallow bedrock out there, so to try to put a water line in --

CHAIRMAN BRAND: Okay.

MS. BROOKS: That could be challenging.

As long as you're speaking why don't

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you hit items 2 and 3.

MR. WILLINGHAM: So 2 and 3 are no problem. We'll provide more details on the planter, how it will be built. We're getting a landscape architect to do a typical planting plan. We'll make sure we protect the building. We'll take care of all that.

MR. HINES: It's a pretty unique design.

MR. WILLINGHAM: It's in the mangrove, so --

MR. HINES: What we're talking about there is for water quality they're putting, I think there's three large planters. I know they weren't labeled but you can kind of see on the plan where they are. The roof drains are going to come down into these large concrete planters. They're using almost the building wall on one side and then they'll come out. I didn't have any depth or length or width. They're going to have a planting medium in there that the stormwater is going to filter through. That's going to be the treatment method for water quality control. The existing detention ponds on

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the site are huge. They were part of the original development. They function adequately for quantity control. They have implemented this kind of planter/vegetative landscaping feature that they're going to put against the building.

CHAIRMAN BRAND: What's the medium?

MR. WILLINGHAM: Soil. Basically it goes through the plant and the soil and filters out the bottom and goes out. It's right out of the DEC book.

CHAIRMAN BRAND: Do you want to go through the rest of your comments?

MR. HINES: Site lighting, similarly the County is going to look for that.

It does need to go to County Planning. It will eventually need a public hearing as well.

MS. BROOKS: I just wanted to hand out -- I was looking for some input from the Planning Board. Right now the building is white. The question is we have two alternatives. Right now polar white -- I want to have these details when we send it to the Ulster County Planning Board. Obviously right now you can't see that building

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from 9W, or I guess if you go down Riverview Drive and you look down you can see part of it. It's visible very infrequent times of the year. From a planning perspective, right now the building is polar white and it has some trim on it that is like the sage brushed tan, and then the little entry building when you first pull in, the guard shack or whatever we called it, is a sandstone. So the question is would the Board rather see it continue to be polar white so it has consistency or because it's such a large building would you rather see it colored like the sandstone which is a muted tone but would break the building up? I think that's a personal preference and the applicant doesn't care.

CHAIRMAN BRAND: You won't be repainting the portion that's there?

MS. BROOKS: Correct.

MR. CLARKE: The most visible part of it is the roof.

MS. BROOKS: The most visible part of it is the roof. It is going to be a metal roof. I just obtained some colors from them today as far as what the options are. I told them that it

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needed to be a darker, nonreflective because that is -- we need to make sure there's no glare. When you're coming down 9W, those are the issues that --

CHAIRMAN BRAND: Personally I think it should be the same so it doesn't look piecemealed.

MS. BROOKS: Consistency. Okay.

MS. LANZETTA: I would agree with that.

MR. LOFARO: It makes sense.

MR. CAUCHI: I would like to see it contrast so this way you see the new addition, something new. I like that sage brush tan personally.

CHAIRMAN BRAND: I think they are not going to paint the whole building that color. Half of it would be one color and half would be the other color.

MR. CAUCHI: The building over there is a two-tone building.

CHAIRMAN BRAND: It's two-tone but not two different colors for half of the building.

MS. BROOKS: Within my office we had this discussion and it was kind of split fifty/

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fifty, which is why I said I'll bring it to the Board tonight. It is a very personal preference.

MS. LANZETTA: It's really not visible.

CHAIRMAN BRAND: I would go personally to keep it the same.

MS. LANZETTA: If it was making a difference aesthetically, you know, but the color is not going to be seen anyway because it's in the rear of the building.

MR. CAUCHI: Again that's my personal opinion. You might not see it from the road but if you go up, instead of a big wall we're going to see something that's got some geometry, that shows a different geometry to it. You've got a -- whatever. That's my personal preference.

MS. BROOKS: Since it's not visible from the road and the Board doesn't seem to have a strong leaning one way or the other, I'll leave that up to the applicant if that's okay.

CHAIRMAN BRAND: I'm okay with that.

MS. BROOKS: We did reach out to the builder today to provide the lighting plan for the new lamps because I know we do need to have that before we can send it up to Ulster County

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Planning Board. We'll do the existing as well. I heard that earlier this evening, so I'll make sure I provide that as well.

I guess the question I do have this evening is we do want to get this up to the Ulster County Planning Board as quickly as possible so we can continue. We're hoping to have them review it at their July meeting. I'm trying to get everything together. Does the Board feel they have enough information this evening for a SEQRA determination? I know generally the Ulster County Planning Board prefers the SEQRA determination be made prior to --

MR. HINES: We usually do that after.

MS. LANZETTA: Patti is correct in that that is one way of making sure you ensure a complete application. We don't typically do that here in Marlborough.

The only thing that I would wonder is -- I know County will say of course to consult with your jurisdictional fire department but they don't comment on that typically.

MS. BROOKS: Correct.

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MS. LANZETTA: If that's the only thing outstanding and you can provide the lighting details and any of the additional details that Pat asked for, I think it seems like we have everything together.

MR. HINES: I'm okay. I think the lighting is the only County issue that they would look at.

CHAIRMAN BRAND: We've sent many applications up without the SEQRA.

MS. BROOKS: Okay.

MS. LANZETTA: We don't typically do that. You're correct that the County would prefer if we did that.

MR. HINES: I know this Board likes to wait until after the public hearing comments are received prior to doing their SEQRA determination.

CHAIRMAN BRAND: I think we could send it to County as is.

MS. LANZETTA: I don't see why not.

CHAIRMAN BRAND: So let's do that.

MS. BROOKS: Send it to County without a SEQRA determination because you prefer to wait

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for the public hearing comments?

MS. LANZETTA: Right.

CHAIRMAN BRAND: Then we'll schedule
the public hearing for --

MS. FLYNN: July 15th.

CHAIRMAN BRAND: -- July 15th.

MS. FLYNN: Patti, are you going to
give me packet?

MS. BROOKS: I will.

Part of the issue is that the IDA is
also reviewing this application, and the IDA will
not continue their review of the application
without a SEQRA determination. That was our
other issue with moving SEQRA along.

MS. LANZETTA: Part of the SEQRA would
be the information from the jurisdictional fire
department.

MS. BROOKS: Well we have already -- we
understand that we need to satisfy the concerns
of the jurisdictional fire department. At this
point in time we're saying that we don't want to
agree to a loop fire hydrant system until the
engineering proves out that that is what is in
the best interest of the project and the fire

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department. It's longstanding understood that we need to meet the concerns of the jurisdictional fire department before final approval is granted on the project. Whether or not that is a SEQRA issue, we're obviously committing. The Board will make sure that we meet the concerns of the jurisdictional fire department. How we meet it I think right now is the only issue at hand, whether it's through a loop, whether it's through additional fire hydrants. Whatever that ends up being, the jurisdictional fire department comments will be addressed.

CHAIRMAN BRAND: Jeff?

MR. BATTISTONI: I'm not familiar enough with the Board's practice. It sounds like you want to hold the public hearing before you finish SEQRA. Is that what I heard you say before?

CHAIRMAN BRAND: Generally that's been the practice of the Board.

MR. BATTISTONI: I would suggest you stay with your practice.

MS. BROOKS: Is that because something additional could come up at the public hearing

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that's environmental? If it does, obviously the
SEQRA can be reopened.

Correct, Jeff?

MR. BATTISTONI: Let me back up. Was
there any circulation required, do you know Pat,
for the application?

MR. HINES: There is not. There were
no other involved agencies.

MS. BROOKS: Just to be on the safe
side, when I found out that the IDA wanted the
SEQRA determination before they continued with
their review process, I asked them should we have
included you in a circulation because you don't
really have an approval process on the project,
just the financing portion of it. So just to be
on the safe side I forwarded them the SEQRA and
they responded back saying, as is typical of the
agency, the agency hereby consents to the Town of
Marlborough Planning Board acting as lead agency
under the -- I do have a copy of that for the
file as well. Again, I wanted to make sure that I
covered all the bases even though we did not
require a coordinated review.

CHAIRMAN BRAND: Jeff, at the July 1st

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meeting would we be able to have a SEQRA determination resolution that we could reopen in light of the public hearing so that they can send it up to the County?

MR. BATTISTONI: We could do that if you want to accommodate the applicant.

CHAIRMAN BRAND: Board, does that sound reasonable?

MS. LANZETTA: I have no problem with that.

CHAIRMAN BRAND: Let's try to do that. We'll set up a resolution for the July 1st meeting and then that will give you time to submit to the County for that.

MS. BROOKS: When is the next IDA meeting?

MICHAEL: The first week -- well, because of the holiday, the second week in July. So it would be in time.

Just to add, we were hoping to have that sooner. That was the reason for the request.

CHAIRMAN BRAND: I think that's the best we can do.

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MS. BROOKS: I appreciate that. I do understand.

CHAIRMAN BRAND: Okay. So let's move forward with that plan.

MR. HINES: The July 1st meeting is only for the SEQRA determination?

CHAIRMAN BRAND: Yes.

MR. HINES: I'm just wondering why you don't do it at the next meeting.

CHAIRMAN BRAND: Is that not the next meeting? Oh, no. I was thinking it was. My apologies.

MR. HINES: I'm okay if you want to do July 1st but we do have a meeting in between now and then.

MS. FLYNN: We do not have a meeting on the 17th.

CHAIRMAN BRAND: I was correct.

MS. BROOKS: Because you have no place to hold the meeting?

MS. FLYNN: Correct.

CHAIRMAN BRAND: On the agenda I was reading it says next scheduled meeting June 17th.

MS. FLYNN: That is the next scheduled

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meeting but we can not have it because we don't have a room. The school has every room available and won't give one up.

MS. LANZETTA: Is there any reason we couldn't have it down at the train station?

MS. FLYNN: There's no tables and chairs that are set up for it.

MS. LANZETTA: We can set up a table and chairs. There's tables and chairs there.

CHAIRMAN BRAND: I think we'll just wait until July 1st.

MR. HINES: That's fine. Sorry. I didn't know we had a logistics issue.

CHAIRMAN BRAND: July 1st SEQRA and then July 15th the public hearing.

MS. BROOKS: Thank you very much.

CHAIRMAN BRAND: You're welcome.
Anything else from the Board before we adjourn?

(No response.)

CHAIRMAN BRAND: No. I'll take a motion to adjourn.

MR. CAUCHI: I'll make that motion to adjourn.

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BROOKLYN BOTTLING

MR. LOFARO: I'll second.

CHAIRMAN BRAND: All those in favor?

MR. CLARKE: Aye.

MR. TRAPANI: Aye.

MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

(Time noted: 8:12 p.m.)

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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 record 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 12th day of June 2019.

Michelle Conero

MICHELLE CONERO