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

----- X

In the Matter of

EMPIRE LANDSCAPING

Project No. 15-8006
1609-1611 Route 9W
Section 103.3; Block 4; Lot 20

----- X

FINAL - SITE PLAN

Date: October 17, 2016
Time: 7:30 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

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

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

(Pledge of Allegiance.)

MR. CAUCHI: Agenda, Town of Marlborough Planning Board, October 17, 2016. Regular meeting 7:30 p.m. Approval of stenographic minutes for 9/6, 9/19. Empire Landscaping, 1609-1611 Route 9W, 15-8006, final, 103.3-4-20, site plan; Chestnut Petroleum, 1417 9W, 15-8001, preliminary, 109.1-4-14, site plan. Next deadline: Friday, October 21, 2016. Next scheduled meeting: Monday, November 7, 2016.

CHAIRMAN BRAND: I believe we received the minutes for 9/6 and 9/19. Do I have a motion for approval of the stenographic minutes for those dates?

MR. CLARKE: So moved.

CHAIRMAN BRAND: Is there a second?

MR. CAUCHI: I'll second it.

CHAIRMAN BRAND: All those in favor, say aye.

MR. CLARKE: Aye.

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MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Motion carried.

First on the agenda is Empire
Landscaping.

MR. BROWN: I'm Charlie Brown, the
engineer for the applicant. We were here five
weeks ago at which time we closed the public
hearing. We were waiting for comments back from
the County, which it's my understanding the Town
got it, although I haven't received a copy of it.
Hopefully we're here for conditional final
tonight.

CHAIRMAN BRAND: Pat?

MR. HINES: The County came back with a
comment, and I concur with it, regarding the
width of the access drive. It's shown as sixteen
feet. The New York State Fire Code, Appendix D,
identifies the maximum access drive is twenty
feet. I've discussed it with the applicant's
representative and I believe he's in agreement
they can enlarge the width of the driveway to the

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twenty feet which would address the County's comments and provide that fire access road in compliance with the code.

MR. BROWN: We have no problem with that.

Pat, we should provide the turnaround, too, up by the parking area?

MR. HINES: It's fine.

MR. BROWN: Okay.

MR. HINES: You have the driveway.

MR. BROWN: Okay.

MS. LANZETTA: Pat, you don't think that makes any significant change to the site plan -- I mean the site if they widen the roads -- the driveway?

MR. HINES: I'm having trouble hearing you.

MS. LANZETTA: You don't think that that's a significant change to the site plan?

MR. HINES: No. It's adding a four-foot width.

MR. BROWN: We have plenty of room to do that on our property. Just go to -- we add four foot onto the south side of the driveway.

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It doesn't present any problem regarding grading or anything else. Thank you.

MS. LANZETTA: Thank you.

CHAIRMAN BRAND: Anything else from any Members of the Board?

(No response.)

CHAIRMAN BRAND: Ron, did you want to --

MR. BLASS: The Board has a couple of documents in front of it. The first is a negative declaration under SEQRA. The second is a draft resolution of conditional approval. This is the Town's first business corridor overlay district matter, and any decision of this Board with respect to site plan approval is subject to the Town Board later amending the zoning map to drop down that particular floating zone. One of the conditions attached to the resolution of site plan approval in front of you is Town Board approval at a subsequent occasion.

I think the Board has two matters before it tonight. One is whether or not to issue a negative declaration, and the second is whether or not to issue a resolution of

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conditional approval. If you look at the resolution of conditional approval, at page 7 there are a couple of alternatives for you there. The first alternate is paragraph 2-C of the conditions, which I think the consensus as developing would become a condition as opposed to just an alternate if the width of twenty feet were inserted in that underscored blank as the increased width. If the Board goes along with imposing that as a condition, then it will be in compliance with the Ulster County Planning Board's recommendations and we can strike paragraph 3 which is an alternative override.

CHAIRMAN BRAND: Are the Members of the Board in agreement we should go ahead and agree to the County's recommendation to widen the driveway?

MR. CLARKE: Yes.

MS. LANZETTA: Yes.

MR. CAUCHI: Yes.

MR. LOFARO: Yes.

CHAIRMAN BRAND: So I think that would go to 2C as part of the condition.

MR. BLASS: 2C and strike 3.

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MS. LANZETTA: Yes.

MR. BLASS: So the first order of business would be the negative declaration and the second would be the resolution of approval.

CHAIRMAN BRAND: Do I have that motion for a negative declaration?

MS. LANZETTA: Do we have to read it?

CHAIRMAN BRAND: I don't believe so.

MS. LANZETTA: I'll make that motion.

MR. CLARKE: I'll second that.

CHAIRMAN BRAND: All those in favor, say aye.

MR. CLARKE: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

Opposed?

(No response.)

CHAIRMAN BRAND: I believe, Jen, I think you have to poll the Board.

MS. FLYNN: Chairperson Brand?

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Truncali?

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(No response.)

MS. FLYNN: Member Trapani?

(No response.)

MR. BROWN: They're not here.

MS. FLYNN: Oh, sorry.

Member Lanzetta?

MS. LANZETTA: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

CHAIRMAN BRAND: So that carries.

And then I would like I believe a separate motion, Jen can poll the Board, for a resolution for the applicant, Empire Landscaping, as read, understanding it would make the change to include 2-C from sixteen to twenty feet and scratch number 3.

MR. CLARKE: I'll make that motion.

CHAIRMAN BRAND: Jen, would you poll the Board?

MS. FLYNN: Chairman Brand?

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EMPIRE LANDSCAPING

CHAIRMAN BRAND: Yes.

MS. FLYNN: Member Truncali. Member
Trapani.

Member Lanzetta?

MS. LANZETTA: Yes.

MS. FLYNN: Member Lofaro?

MR. LOFARO: Yes.

MS. FLYNN: Member Clarke?

MR. CLARKE: Yes.

MS. FLYNN: Member Cauchi?

MR. CAUCHI: Yes.

CHAIRMAN BRAND: Thank you.

MR. BROWN: Thank you.

(Time noted: 7:37 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 25th day of October 2016.

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

CHESTNUT PETROLEUM

Project No. 15-8001
1417 Route 9W
Section 109.1; Block 4; Lot 14

----- X

PRELIMINARY - SITE PLAN

Date: October 17, 2016
Time: 7:38 p.m.
Place: Town of Marlborough
Town Hall
21 Milton Turnpike
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman
CINDY LANZETTA
JOSEPH LOFARO
MANNY CAUCHI
STEVE CLARKE

ALSO PRESENT: RONALD BLASS, ESQ.
PATRICK HINES
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: LEO NAPIOR, ESQ.

----- X

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CHAIRMAN BRAND: Next on the agenda is Chestnut Petroleum.

MR. NAPIOR: Good evening. For the record, Leo Napior with the law firm Friedman, Harfenist & Kraut. Joining me is Scott Parker, a representative of the owner, as well as Rich Pearson who is our traffic engineer from JMC.

I believe most of you are familiar with the application. Just by way of reminder, this is to redevelop the subject property with a filling station, convenience store, as well as a Dunkin Donuts all in one building.

Since we were last before you you had adopted a negative declaration and had referred us to the Zoning Board. We did go to the Zoning Board. We received the necessary variances, area variances, to move forward with the project. Those were for a front yard variance that had an accessory structure between the building and the street line as well as the lot size.

There was a third variance that came up during the pendency of those proceedings which was with respect to the distance between the site and the closest intersection.

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Following our obtaining of the variances we've been engaged in dialogue with the DOT with respect to the highway improvement plan. As was indicated in our submission, the biggest change to the proposed site plan was the ingress and egress and traffic flow in and out of the site. If you recall, previously the southernmost curb cut was proposed to have a left turn in as well as a left turn out. The biggest change to the plan, based on the further communications with the DOT, was to separate those two, and so now the left turn out would be at the northernmost curb cut and the left turn in will be at the southernmost curb cut. The thought process there was the DOT was looking to separate the conflicting traffic patterns where you can have a car making a left in and a car making a left out. The net result will actually increase the level of service at both curb cuts with respect to the traffic cueing and wait times.

With that, I'm happy to address any questions or comments of the Board.

One precursor. We did receive McGoey, Hauser's plan review letter. Most of those

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comments are stuff we can pick up. They were civil engineering comments we can pick up on the next set of revisions.

CHAIRMAN BRAND: Did you want to review those, Pat?

MR. HINES: Our comments are technical in nature.

I think the Board should get a presentation from the applicant's traffic consultant who is here. We forwarded the information to the Planning Board's traffic consultant through my office, Creighton, Manning. They have not had the opportunity to review that. It is under review.

Then the next step in the process would be for the Board, if they think they have enough information, including the correspondence from DOT kind of conceptually approving this, would be to schedule a public hearing.

MS. LANZETTA: Would you consider this a complete application at this point?

MR. HINES: I think you have the concurrence of DOT. That's what we've been waiting for the whole time.

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MS. LANZETTA: So we could refer this to County as well?

MR. HINES: Yes. I think it's at a good point now.

CHAIRMAN BRAND: Just so that I understand the traffic pattern, the 9W southbound traffic are only making right turns into the facility?

MR. HINES: At the northernmost entrance, yes.

CHAIRMAN BRAND: Northern entrance. And right turns out there as well?

MR. HINES: Yes.

CHAIRMAN BRAND: And then the southern entrance, left turns in, right turns in, right turns out, no left turns out?

MR. HINES: There are left turns on the northernmost entrance, left turns into the southernmost entrance.

CHAIRMAN BRAND: The northernmost entrance closest to --

MR. HINES: It has a right in only.

CHAIRMAN BRAND: Or right out.

MR. HINES: Left or right out, and then

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the southerly most entrance has a left in. You
you could make a right in as well. You would
probably have made it already at the other end.
So that's the only left out -- left in. I'm
sorry.

CHAIRMAN BRAND: Okay.

MR. HINES: I know the applicant's
traffic consultant is here.

MR. CLARKE: How are automobiles on the
road going to know this?

MR. HINES: There's DOT approved
signage, no right and left turns, on the
applicant's plans to show that the standard
manual uniform traffic control devices signage
will be required as part of the DOT permit.
There's also definitive curbing, six-inch curbs,
that have been proposed on the plan now that
weren't previously there that funnel the traffic
that way. For lack of a better term, it's called
pork chops. You would have to drive over the
mounted curb to make a left out of the
interchange from the intersection that you're not
supposed to. So those have been defined on the
plans as well. They're new to the plans now.

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MS. LANZETTA: And the fuel trucks are going to be able to get in and out?

MR. NAPIOR: Yes. We do have a truck turning sketch. I can have Rich go over it with you if you'd like to see those.

MS. LANZETTA: Sure.

CHAIRMAN BRAND: Sure.

MR. PEARSON: Good evening. Rich Pearson with JMC.

As Pat mentioned, I've been involved with the DOT process, both with the traffic study and then the treatment we've been proposing. We have modified the proposed improvements in accordance with our meeting and follow-up discussions with NYS DOT regarding the delivery trucks.

This shows a fuel delivery truck. This would be arriving from the north coming in. As we mentioned, this is a mountable island, so trucks can cross over and traverse that area and come in and then deliver here for the fuel and come out this way and then -- excuse me. I took in reverse on that one. The same error as before when I was talking to my client. This is the

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left turn coming in. Coming here, in here and fueling and then leaving. This is from the opposite direction coming down through here. Either way it works fine. And then the box trucks for other deliveries, et cetera, they can come in here, make the same left turn, come into the site and come out and leave here, or they can come in the opposite direction as well, come in and leave that way as well.

MR. HINES: They're driving over those mountable curbs.

MR. PEARSON: Actually the box trucks can do it without going over the mountable curbing.

MR. NAPIOR: Just to play off one further point, the USCs are located close to the edge of the property. When the tanker trucks are dumping the fuel you'll be able to have full maneuvering around them for cars to access the pumps.

MR. PEARSON: There's two-way traffic here but also two-way traffic here.

MS. LANZETTA: Can you go back to the larger truck?

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CHAIRMAN BRAND: The hash marks in the center of 9W, is that going to be painted?

MR. PEARSON: This will be painted.

MR. HINES: That left-turn lane, I think it extends 400 feet south as well.

MR. PEARSON: It does. Essentially the change with DOT is we previously had the left out maneuver at this location so that you'd have a left in and then you'd have the left in -- left out here. NYS DOT wanted separation between the entering left and the exiting left even though we had shown them in other locations.

MS. LANZETTA: Where is the place where they would have to fill the tanks?

MR. PEARSON: Right here.

MS. LANZETTA: So you're not talking about them coming in, filling up themselves, you're talking about them fueling the tanks?

MR. PEARSON: Fueling the tanks, right. Delivery vehicles. Delivery trucks.

MS. LANZETTA: You'll have regular truck traffic besides; right?

MR. PEARSON: Yes.

MS. LANZETTA: They would just be on

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that side, anybody that comes in to fuel, or
would they also --

MR. PEARSON: It could go either way.
This is coming from here and coming from here, or
if they came from this direction.

MS. LANZETTA: Bigger trucks could only
fuel on the side closest to 9W?

MR. PEARSON: That's how we've designed
it, yes. They're not there that often.

CHAIRMAN BRAND: What was the distance?
I'm sorry, you said that center acceleration
lane, how far would that be going?

MR. PEARSON: I think the reference to
400 feet was the storage lane for the northbound
left-turn lane, for the entering left turns. The
acceleration area, there's about a 100 foot
refuge area for the left turns to turn into, and
then there's a 500 foot taper from that point to
the north because it tapers.

MR. CAUCHI: So it's 400 and 500?

MR. PEARSON: 400 is the left-turn
storage and then there's a 500 foot taper in
order to create that left-turn storage as well,
to shift over the through traffic.

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MR. CLARKE: We're expanding the width of 9W to accommodate that?

MR. PEARSON: Yes.

MR. CLARKE: Another lane for that 900 feet?

MR. PEARSON: That's correct. It's full width for a portion and then it tapers.

CHAIRMAN BRAND: How does that distance -- I don't believe it's shown -- match up to the next street?

MR. PEARSON: Mountain Rose. There is a portion of the widening that's right in that area, but at that point it's primarily shoulder. Some of the existing shoulder would be converted to a travel lane and then the new shoulder would be built behind that, closer to the west side of the road.

CHAIRMAN BRAND: On the opposite end toward --

MR. PEARSON: Excuse me?

CHAIRMAN BRAND: On the opposite end?

MR. PEARSON: The opposite end it transitions to an existing painted area, a painted median area. We have it in these plans.

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By Purdies we transition here.

There's a gas tank on the east side that Central Hudson didn't want us --

CHAIRMAN BRAND: The west side is your side; correct?

MR. PEARSON: Correct. Right. There's a gas main on the east side and Central Hudson preferred we not do widening on the east side.

CHAIRMAN BRAND: Any questions, comments from the Board at this point?

MS. LANZETTA: Do you have any sidewalks in front of here?

MR. PEARSON: No.

MS. LANZETTA: I don't think the County -- I know the County is going to want sidewalks.

MR. PEARSON: We can look into it. I don't believe there's sidewalks in the area, but we can look into it.

CHAIRMAN BRAND: Can you maybe clarify too, you mentioned it was mount --

MR. PEARSON: Mountable. It's essentially beveled. Instead of being a vertical curb there will be an angle to it so trucks can traverse over it. It's also known as a

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traversable curb. I believe we would use --

MR. CAUCHI: Is that what that is, the bottom right here?

MR. PEARSON: Here?

MR. CAUCHI: Yes.

MR. PEARSON: Yes. That's actually the island. As Pat mentioned, it's a term called pork chop because it looks a little bit like a pork chop depending on the shape.

MR. HINES: It's not something you probably want to drive over in your car. A normal curb is an eight-inch reveal. These have a six-inch curb and then it mounts up so you could -- a tractor trailer has no problem driving over it. With a small passenger vehicle you wouldn't want to drive over it. You could I guess. It kind of leads traffic a little better. It will prevent them from trying to make those lefts where they are not supposed to. I'm not saying they won't try.

The traffic study did identify with these modifications previously both driveways were acting at a level of service F, which is a time delay, which is considered causes a nuisance

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to drivers where they start doing other things they might not want to try during normal traffic conditions. This new layout has risen to a level of service D which is a better level of service. It's not the greatest level of service but it's internal to the site. People coming out of the site don't have the delay in service, not the 9W corridor. It does represent an improvement to the traffic flow. Creighton, Manning is looking at it. We mentioned to them there is diesel pumps in the area where the truck turning radius shows. What if a large tractor trailer comes to fill a diesel. I don't know if it's their normal clientele at this site. That could serve to block some of the entrances, so they're looking at some internal traffic flow issues as well.

CHAIRMAN BRAND: That's not indicated on the maps, though, the diesel pump versus regular pump?

MR. HINES: Yes. The two on the south side, they're parallel. There's four gasoline pumps. Creighton, Manning is taking a look at that.

How it functions on the site is when

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you pull in you get to the drive-through from one end of the site, traverse across.

MR. CAUCHI: Are there sidewalks?

MR. HINES: There are not sidewalks proposed.

MS. LANZETTA: The County has a real problem with that.

MR. HINES: That will impact the site plan significantly. There is a five-foot shoulder.

MR. CAUCHI: Is there any room to make provisions for a sidewalk?

MR. HINES: It's tight. They're going to have to look at it. DOT is now allowing sidewalks in their right-of-way where before they weren't allowing it at all. They're coming back in. As of about two years ago they're having a change of heart. Now they're allowing them.

MR. PEARSON: That said, they are also looking at room for snow shelves between the sidewalk and the road. While we do have a shoulder here, if we did have to maintain the shoulder and then a five-foot wide snow shelf between the sidewalk and the curb and then the

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sidewalk, then that's getting deeper and deeper into the site. We'll have to look at it.

MS. LANZETTA: Because that's -- you know, that's in the master plan, that's in Complete Streets, that's in the County's mandate, you know, that communities become walkable. You're going to run into a lot of people that are going to want to see sidewalks.

MR. PEARSON: Okay. We'll look into it.

CHAIRMAN BRAND: Anything else from the Board?

(No response.)

CHAIRMAN BRAND: So Pat, our next step?

MR. HINES: At this point, go to County Planning, inform you want them to take a look at the sidewalks first.

The other thing is the scheduling of a public hearing.

CHAIRMAN BRAND: I, for one, would definitely like to see sidewalks there.

MR. CAUCHI: Me, too.

MR. LOFARO: Yes.

MS. LANZETTA: I think the Planning

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Board would have to find a reason not to have sidewalks there.

CHAIRMAN BRAND: Where?

MS. LANZETTA: Because in our Town Code and in Complete Streets, as I said, there's just -- you know, this is all what we're supposed to be looking at as planning.

MR. CLARKE: Cindy, at this time, because there's no connecting, would they be required to build the sidewalk or just provide a space for future sidewalk in case, you know -- I mean what would be the point of putting a sidewalk there if the next piece would be three-quarters of a mile down the road?

MS. LANZETTA: Because that's how you -- that's how you begin to make the connections. If you wait until --

MR. CLARKE: I'm saying if you create the site for the sidewalk and then when it becomes apparent, when they are actually going to connect -- this might be a thirty-year old sidewalk, twenty-year old sidewalk. They're going to have to be replaced and never used. My point is when everybody gets ready to be

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connected, then a sidewalk.

MS. LANZETTA: It's going to be hard to go back and make the developers do it then.

MR. CLARKE: I'm just saying, we should probably ask them to provide the site for the sidewalk, whether they actually put the physical sidewalks in.

MS. LANZETTA: You're saying maintain it as a green space until you can connect?

MR. CLARKE: Yeah. I just don't see the point. It's like building a bridge when you don't need it until twenty years down the road. I don't see why they would be required to put a sidewalk in when it goes no place.

MS. LANZETTA: But it will eventually connect.

MR. CLARKE: I'm saying we should provide the space for the sidewalk.

MS. LANZETTA: You would do that by making the green space until --

MR. CLARKE: I would put in the document that, you know, it would be dedicated for a sidewalk at some future point --

MR. CAUCHI: Make provisions for it,

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for a sidewalk.

MR. CLARKE: -- not actually --

MR. HINES: Similar to what you did with Milton Hardware last month. I think that's what you're referring to. Milton Hardware provided an easement.

MR. CLARKE: Yes. It's an easement for a future sidewalk.

MS. LANZETTA: That means they can't put anything in in the meantime.

MR. CLARKE: Correct. And it would be dedicated for a future sidewalk. I would hate to see a sidewalk be twenty, twenty-five years old, you know, and need to be replaced never having been used.

CHAIRMAN BRAND: There are the sidewalks almost to the elementary school there. I do understand your point.

MR. CLARKE: You understand my point. When you think about it, when is it going to be connected. It could be a long time in the future before you connect to that site.

MR. CAUCHI: I'll tell you, I think that this Dunkin Donuts is going to get a lot of

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publicity and there's going to be a lot of people from town walking there. We might have an issue with people walking to the Dunkin Donuts from town. There's a lot of people there already walking along that side.

MR. NAPIOR: I think the first step for us would be to analyze the feasibility of it, whether we can get it done within our property, within the DOT right-of-way, some combination of the two, and come back to you with a formal response on that issue.

CHAIRMAN BRAND: So I would wait to send it to the County until we see that?

MS. LANZETTA: I just know the County is going to say the same thing we're saying. If you want to work it out with us first and then for us to send it to the County, it's up to you. Either way it will have to be addressed. If they tell us it has to be done, then we either have to override them, which I don't think you would get the support of the Board to override that. I'm saying it's easier to negotiate with us first before we send it up to County.

MR. NAPIOR: I do believe this

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application has been referred to County Planning already during the whole SEQRA process and lead agency notification.

MR. BLASS: It was referred on the variances.

MR. HINES: Even if it was the lead agency process, there is still the 239 referral.

MR. NAPIOR: Understood. I wouldn't have any objection to you referring it now with the understanding we should expect that back as a comment. I don't think it's a comment of such significance if we're not showing it now and they ask for it, if we're able to accommodate it we will accommodate it, otherwise have further --

MS. LANZETTA: That's fine with me. Once they make their recommendations, we abide by the recommendations.

MR. NAPIOR: Understood.

CHAIRMAN BRAND: Does anyone have an objection to that?

MR. LOFARO: I'm okay.

CHAIRMAN BRAND: Steve?

MR. CLARKE: Good.

CHAIRMAN BRAND: Okay. It can be sent

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to County as is.

MS. LANZETTA: Did you want us to schedule the public hearing?

MR. NAPIOR: If you are all inclined to do so, we would certainly be happy to open this up to the public.

CHAIRMAN BRAND: When would the next public hearing be, with the expectation we get it back from the County?

MR. FLYNN: When does the County meet?

MR. HINES: It would have to be the second meeting in November.

MS. LANZETTA: The second meeting or the first meeting in December.

CHAIRMAN BRAND: Let's shoot for the first meeting in December. We'll have that back and time to make changes.

MR. NAPIOR: Certainly.

MR. FLYNN: That would be December 5th.

CHAIRMAN BRAND: Okay. Anything else from the Board? Anything else?

(No response.)

MR. NAPIOR: Thank you all for your time.

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CHAIRMAN BRAND: Thank you.

There's no public participation tonight.

MR. GAROFALO: I would like to make a procedural question.

CHAIRMAN BRAND: You can ask me after the meeting.

Is there a motion to close?

MR. CAUCHI: Motion to close.

MR. LOFARO: Second.

CHAIRMAN BRAND: All in favor, say aye.

MR. CLARKE: Aye.

MS. LANZETTA: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Aye.

(Time noted: 8:01 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 25th day of October 2016.

Michelle Conero

MICHELLE CONERO