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February 13, 2017

Town of Marlborough Planning Board  
1650 Route 9W  
Milton, New York 12547

Re: ***1417 Route 9W, Marlborough, NY  
Site Plan Approval***

Dear Chairman Brand and Members of the Board:

As you know, we represent Chestnut Petroleum Distributor, Inc., in connection with the above referenced matter. As indicated in our prior letter to you dated February 6, 2017, we have filed an application with the Zoning Board of Appeals for certain area variances in connection with the proposed signage for the site. However, as you are the Lead Agency under SEQRA for this application and the area variances for the signage were not contemplated under your initial determination we respectfully request that this matter be placed on your agenda for February 21, 2017, for the limited purpose of considering an amendment to your prior SEQRA determination so that the Zoning Board of Appeals may be free to act on our application at their meeting on March 9, 2017. In addition, the proposed Highway Improvement Plan has been revised since your initial SEQRA determination and any potential amendment to your prior determination should reflect those changes.

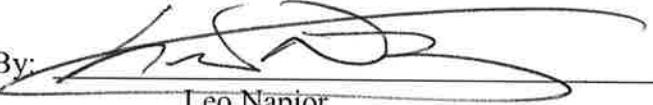
In light of the foregoing, submitted herewith are the current Highway Improvement Plan and the signage plans and details for your consideration. As your Board is aware, the revisions to the Highway Improvement Plan are an improvement to traffic conditions at the site over our initial proposal under which the prior Negative Declaration was issued. The proposed signage, although requiring variances from the Zoning Board of Appeals, is typical for gasoline station / convenience store uses and is no less of a deviation from the signage ordinance than numerous other existing signs along the Route 9W corridor. Clearly, neither of these elements of the application will have a negative impact on the environment. Accordingly, we respectfully request that your Board amend the prior Negative Declaration to reflect these components of the application as a matter of procedure so that the Applicant can continue to pursue the necessary variances for the signage.

HKP

Thank you for your attention to this matter.

Very Truly Yours,

HARFENIST KRAUT & PERLSTEIN LLP

By:   
Leo Napior

Cc: Ron Blass (via e-mail)