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January 12, 2018

VIA HAND DELIVERY

Chris Brand, Chairman
Town of Marlborough Planning Board
Town Hall
21 Milton Turnpike
Milton, New York 12547

Re: Bayside Development Project
Tax Lot 109.1-4-29
Town of Marlborough, Ulster County, NY
MC Project No. 05000787A

Dear Chairman and Planning Board Members:

Below please find our responses to comment letters received from McGoey, Hauser and Edsall, Patrick Hines, dated October 13, 2017; Ulster County Planning Board, Robert Leibowitz, dated November 1, 2017; Town of Marlborough Highway Superintendent, Gael R. Appler dated November 6, 2017; Town of Marlborough Water Department Superintendent, Charles Muggeo, dated November 13, 2017 and Marlborough Wastewater, Tony Falco, dated November 22, 2017. The comments have been repeated here for clarity.

McGoey, Hauser and Edsall (MHE)

Comment 1: The project has been before the Town for several years during the environmental review period, a Full SEQRA review has been performed on the project with the Town Board as Lead Agency. The Planning Board was an involved agency during the SEQRA review. A final Environmental Impact Statement and findings statement have been developed by the Town Board and accepted. Project is back before the Planning Board for the necessary review of the site plan and subdivision. Project proposes a three lot subdivision with the largest parcel containing the residential use, a 2.41 acre parcel containing a proposed commercial use on the property frontage and a 1.22 acre parcel of property located on the southeasterly most portion of the site. The proposed residential use identifies 104 total units while the commercial space is proposed for a 12,600 square foot commercial use.

Response 1: Comment noted.

Comment 2: The Town Board must review and approve the BC overlay for the commercial piece.

Response 2: Comment noted. An application for the proposed Business Corridor Overlay District was submitted to the Town Board on 11/3/17 and discussed at their 11/13/17 meeting. The application has been referred to the Planning Board by the Town Board and further comment/response by the Planning Board is pending.

Comment 3: Plans must be coordinated with NYSDOT review for access to the state highway. Recent comments from DOT have been received post environmental review with additional information submitted with the Planning Board application. It is requested the Planning Board authorize forwarding this information to the Town's traffic consultant Creighton Manning Engineers.

Response 3: Comment noted. Authorization to provide Creighton Manning Engineers with the project traffic information was granted at the 10/16/17 Planning Board meeting. No further comments have been received to-date. The applicant did receive a follow-up letter from the NYSDOT regarding the preliminary submission on 12/8/17. A copy of the letter has been attached for your reference. Maser Consulting is advancing the NYSDOT permit documents and process for the project.

Comment 4: The project has involved numerous coordination meetings with the school district to allow school traffic to access the proposed town roadway. Access to the school will be enhanced allowing vehicular and bus traffic to access the school from the northerly side of the school. School officials have requested these improvements to reduce the amount of vehicle pedestrian potential conflicts at the rear of the Marlborough Middle School. Easements allowing the access from what is depicted as the town roadway across the Applicants property are required to be submitted and reviewed.

Response 4: The applicant has sought confirmation from the School District that the numerous proposed improvements for the Middle School site which are to be constructed by the applicant for the school are in accordance with past meetings. A letter from the School District was received on 12/8/17. A meeting with the School District representatives is forthcoming to review the letter.

Comment 5: Highway Superintendents comments regarding the proposal for a Town roadway which terminates at the school's access drive/easement should be received.

Response 5: The Highway Superintendent provided a review letter on 11/6/17, responses to comments are provided below.

Comment 6: Additional improvements on the school's existing access drive are proposed to provide for parking along the access drive and on the northerly side of the middle school. Twenty-four additional parking spaces will be developed on the north side

of the school. Agreements for construction of these spaces should be provided for the Planning Board's review.

Response 6: To clarify, there are a total of 28 parking spaces proposed to be constructed by the applicant on the northern side of the Middle School and along the existing school access drive to Route 9W. A meeting with the School District representatives is forthcoming to review such agreements, along with other matters.

Comment 7: Plans should be submitted to the jurisdictional Fire Department for review. It is noted that interconnectivity between the school and the project as well as a proposed 20 foot wide emergency access drive from Purdy's Lane are included in the project.

Response 7: Site plans were provided to Mr. Bob Troncillito at the Marlboro Hose Co. No. 1 for review and comment on 11/2/17. A formal response is pending.

Comment 8: Building heights are identified as 34.1 feet requiring 26 foot wide access drives in accordance with the New York State Fire Code Appendix D.

Response 8: Comment noted. The current proposed width for the access drives adjacent to the residential buildings are 26 feet in width.

Comment 9: The Planning Board should evaluate the proposed cross walk crossing the parking lot at the project access drive. We would recommend the cross walk be developed utilizing a sidewalk along the easterly side of the parking area rather than forcing pedestrians into the parking lot.

Response 9: The site plans have been revised to provide a sidewalk on the eastern side of the parking mentioned above to remove the crosswalk conflict with the parked vehicles.

Comment 10: Project phasing should be discussed with the Applicant's representative. Grading plans require grading across each of the three proposed lots. Storm water management facilities collect storm water from various portions of the site and treat them across lot lines. Cross grading easements and agreements regarding access and well as maintenance of the utilities should be received. Easements in favor of the town for all drainage collected from the town roadway to its natural discharge point should be provided.

Response 10: Preparation of cross grading and maintenance easements shall be provided in a future submission.

Comment 11: Plans should be submitted to the Water and Sewer Departments for review.

Response 11: The site plans were provided to the Town Water & Sewer Departments and the review letters from the departments are responded to below.

Comment 12: Detailed plan review is being undertaken by this office. Comments will be provided on the detailed plans upon further input by the Planning Board.

Response 12: Based on a telephone discussion with Mr. Patrick Hines, there are no further comments at this time.

Comment 13: Project will be subject to review by the Ulster County Planning Department.

Response 13: Comment noted. Response to the review letter received from the Ulster County Planning Department on 11/24/17 is provided below.

Comment 14: The Applicants are requested to address operation and maintenance of lighting depicted within proposed town roadway.

Response 14: Operation and maintenance of the site lighting improvements as proposed will be the responsibility of the applicant since lighting districts do not exist within the Town.

Ulster County Planning Board

Access:

Required Modification

Comment 1: Final highway work permit approvals from NYSDOT including the applicant's plans to modify the existing signal will be necessary. The internal sidewalk system should be completed, providing safe pedestrian traffic from the full north to south width of the parcel.

Response 1: Comment noted. Prior project discussions with the Town sought to limit/encourage access to Purdy Avenue from the project site, both vehicular and pedestrian. A sidewalk connection to Purdy Avenue adjacent to the emergency access drive could be added if desired by the Planning Board.

Signage:

Required Modification

Comment 2: A master signage plan that conforms to the standards of the Town's zoning statute will need to be provided. This should encompass not only wall and monument style signs for the apartment complex and proposed commercial uses, but should also include a wayfinding plan to direct traffic, particularly with respect to the adjacent school.

Response 2: A monument sign for the residential complex, “multiple-dwellings signs” for the residential building numbers and directional signs for within the complex will be provided in accordance with the Town Zoning Code for signage. The proposed signage for the commercial users will be detailed upon the identification of tenants for the space.

Overlay District:

Required Modifications

Comment 3: A referral of the rezoning to the Ulster County Planning Board will be necessary. An updated zoning map will need to be submitted at that time.

Response 3: Refer to Response #2 to the MHE Letter above regarding the Business Corridor Overlay status.

Town of Marlborough Highway Superintendent

Comment 1: The proposed 750 ft. entrance to Bayside Project S109.1, B4, Lot 29, referred to on map as Road A has no indicated turn around where public road ends and private road continues. This area also has curbing proposed making it very difficult to plow off accumulated snow ahead of our truck during plow operations. We need a sufficient sized designated snow load area and turn around for our equipment to be utilized in a safe manner.

Response 1: A meeting with Town Supervisor Lanzetta and Highway Superintendent Gael Appler was held on 12/7/17 to review the proposed Town Road section of the project and turn around needs for Town vehicles. Based on this meeting the site plan has been revised to include a pull-off area for Town trucks. A snow easement area for snow placement outside (west) of the proposed Town Road R.O.W. will also be provided.

Comment 2: Looking at the drainage proposal this is quite extensive. I am assuming Bayside is retaining ownership. Please advise.

Response 2: Per the Stormwater Pollution Prevention Plan (SWPPP), the owner is responsible for the maintenance of the on-site stormwater system in perpetuity.

Town of Marlborough Water Department

Comment 1: After reviewing the Bayside Project Plans, they seem to all be in agreement with the Town of Marlborough Water Department specifications except for a few of the following items. In reviewing the service line specs for the buildings, each apartment must have their own service line connection and also have New York

State approved back flow devices. Also, after reviewing plans, it states that the tapping sleeves that you are going to use on the mains are steel tapping sleeves, but you must use stainless steel tapping sleeves. Other than that I believe everything is to my approval.

Response 1: On sheet #8 a typical water and sewer service layout is provided and does include an individual water service for each apartment unit and each service will also have a back flow preventer as mentioned. The wet tap detail (sheet #19) has been modified to specify a stainless steel tapping sleeve.

Comment 2: You also requested some pressure readings. The water pressure and flow on 9W has a static pressure of 145 PSI and a residual pressure of 80 PSI and a GPM of 1670 and this is all off of a 12 inch main that is located on the east side of Rt. 9W. The pressure on Purdy Ave. is at 90 PSI and there is a 6 inch main running up that road. The residual pressure and GPM is unavailable.

Response 2: Comment noted.

Town of Marlborough Wastewater Department

Comment 1: I have done an abbreviated review of the Preliminary site (Utility Profile and Detail) plan for Bayside Development Project (Tax Lot 109.1-4-29).

In my opinion, everything shown seems to be properly designed. There does not appear to be adequate details of the 9W crossing of the sewer line and its connection into the manhole at 9W and Young Ave.

Do to the complex nature of these drawing and details, I would defer to a Town appointed licensed professional Engineer for a detailed review of these plans and specs before final approval.

Response 1: Comment Noted. A detail for the proposed sewer main connection to the existing manhole in Route 9W has been added to sheet #19. The required trenching/crossing of Route 9W for this connection is in discussion with NYSDOT.

If you have any questions regarding the above responses please feel free to call me at 845.564.4495, extension 3804.



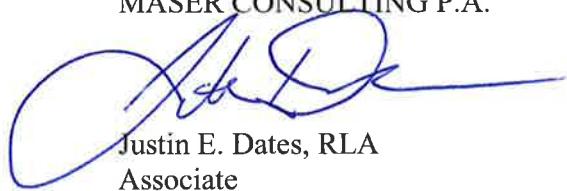
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Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'Asher Dates'.

Justin E. Dates, RLA
Associate

JED/jm

Enclosures

cc: Mr. Asher Sussman, w/encl.
Mr. Dominic Cordisco, Esq., w/encl. (digital copy)
File, w/encl.

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Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

TODD WESTHUIS, P.E.
Regional Director

December 8, 2017

Philip J. Grealy, Ph.D. ,P.E.
Maser Consulting P.A.
400 Columbus Ave., Suite180E
Valhalla, NY 10595

Re: SEQR 10-185
Route 9W Bayside Development
Town of Marlborough; Ulster County

Dear Mr. Grealy:

The New York State Department of Transportation has reviewed the October 25th submission to the Department. The most important comment regarding this submission is the concurrent phasing for the traffic signal that is shared with the site driveway. The Department feels that changing the operation for the school drive from a full-protected move to a permissive or permissive-protected move would result in a decreased level of safety for the users of this drive. To remediate this condition, the Department feels that the only way to ensure safety at this location is by split phasing the intersection.

The other comment pertains to the adjacent access to the school. With the proposed internal connection to the middle school, the existing driveway should be a one-way entrance or it should have a left-turn restriction.

Please continue to the detailed design phase of the permit process. The critical path on this project will probably be the land donation process. Please begin preparing the maps and abstract of title for land donation required for the signal loops and sidewalk if necessary.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Zimmer".

Lee Zimmer P.E.
Traffic Signals and Highway Work Permits

cc: Supervisor Lanzetta, Town of Marlborough, 21 Milton Turnpike, Milton, NY 12547
John Riley, R8-7