

January 24, 2020

Town of Marlborough Planning Board  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

Attn: Chris Brand, Chairman

**RE: SBL:109.001-4-14**  
**Convenience Store/ Gas Station/ Dunkin Donut Drive Thru**  
**Site Plan Amendment**  
**CPL#60008.73**

Dear Chairman Brand and Planning Board Members:

Enclosed please find twelve sets of plans that have been revised based on comments received from McGoey, Hauser, and Edsall dated January 17, 2020 and comments received from planning board members at the January 21 meeting. The following are responses to comments:

McGoey, Hauser and Edsall

1. A copy of the latest DOT Highway Work Permit is attached. The permit may need to be amended for the new sidewalk along the property frontage. We will coordinate with JMC Engineers on this revision. As mentioned at the Planning Board meeting, a pre-construction meeting was held with DOT on January 21.
2. Per discussion at the January 21 meeting, we have included copies of the JMC Engineers approved NYSDOT plans with this submission.
3. We have received e-mail correspondence from Brinier and Larios on our submission for water and sewer approvals. There is one minor item to address and we anticipate providing the approval documentation prior to the February 3 Planning Board meeting.
4. Pat Hines forwarded the Towns typical Stormwater Agreement which we sent to our client. We will provide an executed copy as a condition of amended site plan approval.
5. An easement for the Rte 9W sidewalk is not necessary, as it is within the NYSDOT right of way.
6. We request that certification of the modular block retaining wall be a condition of the certificate of occupancy.
7. The labeling in the rear of the site on the curb cuts relates to the curb breaks for drainage to the stormwater bioretention area not Route 9W.
8. On the change to the stormwater treatment unit, we will work with Pat Hines on the revision, and hope to have a resolution before the February 3 planning board meeting.
9. No response required.
10. The proposed signage for the project was reviewed against the latest code and the code requirements and proposed values have been presented in a table on sheet 1 of 12 and the main site sign was revised to comply with the code requirements of a ladder sign.



Chairperson Brand and Planning Board Members  
January 24, 2020

Planning Board Comments:

1. Per discussion at the January 21 Planning Board meeting, we have shown a 5-foot sidewalk along the property frontage. Sidewalk and curb ramp details have been included on the detail sheets. We located the new utility poles on January 22 to ensure they don't interfere with the new sidewalk. JMC Engineers will need to update their NYSDOT approval plans and detail the sidewalk and ramps per NYSDOT requirements, and coordinate with NYSDOT on an amended permit or whether this will be a field change.
2. While at the site on January 22 the survey crew located the existing 4-foot high chain link fence and the retaining wall, both are indicated on these plans.
3. The landscaping plans includes plantings behind the retaining wall in the area of the former sewage disposal system as requested by the planning board.
4. We have reviewed the construction detail sheets and labeled the plans to reference the details or in some cases removed a detail that doesn't apply.
5. We labeled the size of the parking spaces in several locations on the site plan, as well in the typical detail.
6. The handicap parking sign was updated per the detail and documentation provided by the Planning Board.
7. There was discussion at the meeting about a lockable bike rack. We were only able to find such a rack that uses an app to lock and unlock and we assume you pay for this. Perhaps there are other models but after discussion with CPD we want to keep it simple and are providing a standard bike rack. In addition, bikers using Rte 9W usually have their own locks.

We would appreciate being placed on the February 3 agenda for consideration of conditional amended site plan approval. We understand the project needs to be referred to the Ulster County Planning Department for a 239m referral and we have provided a PDF of CPL's revised plans to the planning board assistant to forward to the County.

If there are any other questions or concerns on these revisions, please do not hesitate to contact our office at 845-454-3411 extension 18.

Best Regards  
CPL

A handwritten signature in blue ink, appearing to read 'Thomas Harvey', with a stylized flourish at the end.

Thomas Harvey  
Project Manager

Cc: Scott Parker, CPD





## Department of Transportation

ANDREW M. CUOMO  
Governor

MARIE THERESE DOMINGUEZ  
Commissioner

LANCE MacMILLAN, P.E.  
Regional Director

Chestnut Petroleum Distributor, Inc.  
536 Main Street  
New Paltz, NY 12561

Commercial Construction Associates  
536 Main Street  
New Paltz, NY 12561

*Construction  
Copy*

### Notice to Permittee

Your recent permit application submittal has been reviewed and approved.

**WORK MAY NOT COMMENCE UNTIL AFTER PRECONSTRUCTION MEETING**

Your permit number:  
**2019.08.80944**

CONSTRUCT A MINOR COMMERCIAL DRIVEWAY ACCESS TO ROUTE 9W FOR A PROPOSED GAS  
STATION, 2000 SF DUNKIN DONUTS AND 3400 SF CONVENIENCE STORE

Marlborough, Ulster County

### Contact NYSDOT:

Hang Chu, P.E.

(845) 431-5982

[Hang.Chu@dot.ny.gov](mailto:Hang.Chu@dot.ny.gov)

1. As a condition of the Perm 36 you will be required to employ a full-time Consultant Inspector. Before doing so, please have the firm send its resume, including a copy of "Certificate of Authorization to Provide Engineering Services in New York State," for approval at: NYSDOT, 4 Burnett Blvd, Poughkeepsie, NY 12603. Cover letters should clearly state the name and license number of the N.Y.S. P. E. of record and the name of the Resident Engineer/Inspector. The Firm must be familiar with NYSDOT STANDARDS, SPECIFICATIONS, TESTING & MATERIALS METHODS.

Received  
Region 8  
CONSTRUCTION UNIT

DEC - 21 2019

\* Prior to or at the time of your Preconstruction Meeting your Consultant will be asked to sign the Perm 36.

2. **SUBMIT A DETAILED MAINTENANCE AND PROTECTION OF TRAFFIC PLAN** to the Department's Engineer for review.

3. **SUBMIT A WORK SCHEDULE** showing continuous work. Simple **BAR CHART** is adequate.

4. **SCHEDULE A PRECONSTRUCTION MEETING** to receive your copy of the permit and further instructions on how to proceed with your permit work. The Department's Engineers can provide details.

5. You may submit shop drawings, catalogue cuts, sheeting & plate (traffic/road) designs, lifting & demolition plans, etc. at any time. Consult the Department's Engineer on the procedure.

**\*\*\*\*REFER TO YOUR PERMIT AND ATTACHMENTS FOR ANY FURTHER CONDITIONS, REQUIREMENTS AND OBLIGATIONS.**

State of New York  
Department of Transportation

A000.25.719[46]

Highway Work Permit



Permit No.: 20190880944

Date Issued: 11/19/2019

Project ID No.:

Expiration Date: 11/19/2020

\*Permittee 2:

COMMERCIAL CONSTRUCTION  
ASSOCIATES

\*Permittee 1:

CHESNUT PETROLEUM DISTRIBUTOR, INC

536 MAIN STREET

NEW PALTZ, NY 12561

Emergency Contact:

SCOTT  
PARKER

Emergency Number:

845-476-4163

536 MAIN STREET

NEW PALTZ, NY 12561

Under the provisions of the Highway Law or Vehicle & Traffic Law, permission is hereby granted to the permittee to:

DEMOLISH AN EXISTING STRUCTURE. CONSTRUCT A GAS STATION WITH 10 PROPOSED GASOLINE FUELING LOCATIONS AND 4 PROPOSED DIESEL FUELING LOCATIONS. THE PROPOSED REDEVELOPMENT ALSO INCLUDES A 5,400 SQUARE FOOT BUILDING CONTAINING A 2,000 SQUARE FOOT DUNKIN DONUTS WITH A DRIVE-THRU WINDOW AND 3,400 SQUARE FEET OF CONVENIENCE STORE.

THE PERMITTEE IS RESPONSIBLE FOR TEMPORARY TRAFFIC CONTROL IN ACCORDANCE WITH THE NATIONAL MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND THE NYS SUPPLEMENT. ANYONE WORKING WITHIN THE HIGHWAY RIGHT-OF-WAY SHALL WEAR HIGH-VISIBILITY APPAREL MEETING THE ANSI 107-2004 CLASS II STANDARDS AND A HARD HAT.

County	Municipality	State Hwy	State Route	Beg Ref	End Ref
ULSTER	MARLBOROUGH	5114	9W	9W86031019	9W86031020

as set forth and represented in the attached application at the particular location or areas, or over the routes as stated therein, if required; and pursuant to the conditions and regulations general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit. See additional conditions on PAGE 2.

THIS PERMIT IS ISSUED BASED ON ALL LOCAL, STATE, AND FEDERAL REQUIREMENTS BEING SATISFIED.

Dated at: Poughkeepsie Date Signed: 11/19/2019 Commissioner of Transportation By: Ed Goff

IMPORTANT:

THIS PERMIT, WITH APPLICATION AND DRAWING (OR COPIES THEREOF) ATTACHED, SHALL BE PLACED IN THE HANDS OF THE CONTRACTOR BEFORE ANY WORK BEGINS. THE HIGHWAY WORK PERMIT SHALL BE AVAILABLE AT THE SITE DURING CONSTRUCTION.

BEFORE WORK IS STARTED AND UPON ITS COMPLETION, THE PERMITTEE ABSOLUTELY MUST NOTIFY:

John Reilly, Permit Engineer 845-340-1723

"UPON COMPLETION OF WORK", SECOND TO LAST PAGE, MUST BE COMPLETED, SIGNED BY THE PERMITTEE, AND DELIVERED TO THE RESIDENT ENGINEER.



The issuing authority reserves the right to suspend or revoke this permit at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with the terms of the attached application. All damaged or disturbed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

\* Upon completion of the work within the state highway right-of-way authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his/her or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.

Permit Fee : \$550.00

Insurance Fee: \$0.00

Total Fees: \$550.00

Amt Rec'd 1: \$550.00 Check Num: 115388 Check Date: 11-NOV-19

App 1 Bond #: 41376182 App 1 Bond Amt: \$50,000.00

UOF: App 1: No App 2: No

**Attachments and additional requirements to this Highway Work Permit include:**

Perm33- COM Commercial Access Highway Work Permit Application and Checklist

PERM 41-1d - Method of Performing Work within the State Right of Way

Contact List

Other - Attach 1

LOCATION MAP/PLAN SHEET

Other - Attach 2

STANDARD CONDITIONS

Other - Attach 3

LANE CLOSURES

Other - Attach 4

SMART GROWTH CAT 1

Other - Attach 5

MPT SHEETS

**END OF ATTACHMENTS**