

MEMORANDUM

TO: Town of Marlborough Planning Board  
FROM: Patricia P. Brooks, L.S.  
RE: Our file # 8839 Mad Batters Bakers Tale  
DATE: August 31, 2022

The following information is submitted to the Town of Marlborough Planning Board for review and consideration in connection with the application of Mad Batters Bakers Tale for a site plan and are in response to the comments received from MHE Engineering dated December 20, 2021:

1. The project is before the Board for a change of use to a retail facility for a portion of the existing structure.
  - Comment noted.
2. NYSDOT review and approval of the site is required.
  - Comment noted.
3. County Planning referral of the site is required.
  - Comment noted
4. Information pertaining to water use and any on-site subsurface sanitary sewer disposal system should be provided. All uses on the site should be evaluated with regard to the subsurface sanitary sewer disposal system.
  - Ulster County Board of Health has conducted a site visit and a new septic system is being engineered for the site to accommodate all uses.
5. It appears that the front yard setback is measured from the center line of the roadway and not the NYSDOT right-of-way. Property line setback should be taken from the DOT right-of-way.
  - A boundary survey has been completed and the correct road line is shown.

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6. It is believed that the front yard setback will not meet the required code once setback is taken from the roadway and not the center line of the road.
  - A 12 foot front yard setback was granted by the Zoning Board of Appeals on May 12, 2022.
7. A side yard setback for the existing structure of 26.5 does not appear to comply with the 35 foot required setback.
  - A 9 foot front yard setback was granted by the Zoning Board of Appeals on May 12, 2022.
8. It is requested the applicant confirm that any additional parking spaces do not impact the subsurface sanitary sewer disposal system.
  - No parking spaces will impact the existing or proposed septic systems.
9. Separation distance from the existing well and septic system should be identified.
  - Separation distances have been added to the plan.
10. Site development detail should be submitted, including paving, stripping, accessible access.
  - These will be included in a future submission.
11. The parking calculation identifies no seating will be provided in the bakery.
  - No seating is proposed in the bakery. The take-out sales are accessory to the bakery
12. The applicant's representative is requested to identify the numerous bathroom facilities including what appears to be tubs within the structure.
  - The tubs have been removed on the revised architects' plans submitted herewith.
13. It appears that utilities are located in the front of the structure. HVAC units and a propane tank appear in the front of the structure.
  - The propane tanks have been relocated to the side of the building. The HVAC units will be protected through the construction of a planter in front of the building, and realignment of parking.
14. Reference to black top path or equal should be addressed on the site. Actual proposed construction should be provided along with details.
  - The location is shown on the surveyed site plan, and the details will be included in a future submission.

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15. Details of the dumpster enclosure proposed within the front yard should be provided. The applicants are requested to evaluate if the dumpster can be re-located from the front yard area.
  - The dumpster location has been relocated to the rear of the property and the detail be included in a future submission.
16. A proposed loading zone appears to impact the proposed sidewalk and access area. Construction of loading zone should be detailed on the plans.
  - The loading zone will be located in the front of the building where parking is not permitted, as shown on the revised plan
17. Lighting Plan and details should be provided.
  - These will be included in a future submission.
18. Any Landscaping Plan proposed by the applicant should be submitted.
  - This will be included in a future submission.
19. After submission to NYSDOT it is likely the DOT will require a more defined entrance way to prevent vehicles from parking in front and backing out into the State Highway.
  - NYSDOT has suggested a five foot wide grass area with low growing shrubs to channelize the site, as shown on the revised site plan.

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