

May 24, 2024

Chris Brand, Chairman  
Town Of Marlborough Planning Board  
21 Milton Turnpike  
Milton, NY 12547

Marlboro on Hudson  
PB Project# 18-8  
SBL: 108.12-8-23/Hudson Circle  
Colliers Engineering & Design Project No. 24005017A

Dear Chairman Brand,

Below please find our response to the comments received from MHE Engineering dated May 6, 2024. The comments have been repeated here for clarity:

Comment 1. Plans should be submitted in support of the new application. All approvals for the project have lapsed and a new approval for the project is required.

**Response 1: Updated Site Plans are included with this submission.**

Comment 2. The applicant's representative are asked to evaluate the stormwater management with regard to current stormwater management standards.

**Response 2: The project was previously approved in November of 2018. The Site Plan and SWPPP form the 2018 approval were designed in accordance with the 2015 New York State Stormwater design manual and the 2015 SPEDES General Permit (GP-0-15-002). The SWPPP has been updated to reference the latest permit, however, there have been no updates to the NYSDEC stormwater design manual since 2015. Therefore, no changes to the stormwater mitigation are proposed as it conforms to the latest design regulations.**

Comment 3. Long term provisions for stormwater maintenance on the site should be addressed. Homeowners Association documents should be required to address long term operation and maintenance of the stormwater management facilities. The Homeowners Association should execute a Stormwater Facilities Maintenance Agreement with the Town.

**Response 3: Comment noted. An operations and maintenance plan is included in the appendix of the SWPPP. A stormwater maintenance agreement shall be submitted to the Town for review and approval prior to filing with the County.**

Comment 4. The Planning Board should review its previous SEQRA findings with regard to any potential changes in conditions at the site or in the area with regard to identifying consistency with the previous SEQRA findings.

**Response 4:** *No changes are proposed to the Site plans or scope of work that would affect the previous SEQRA findings.*

Comment 5. A new Public Hearing for the project will be required.

**Response 5:** *Comment noted.*

Comment 6. The payment of fees should be discussed with the Town Board and Town Attorney. This is a new application as the previous 2018 approvals have lapsed.

**Response 6:** *Comment noted. Application fees are included with this new application submission.*

Comment 7. We would request the submission of an updated Environmental Assessment Form (EAF). The current one submitted is from the 2018 application.

**Response 6:** *An updated EAF is included with this submission.*

Comment 8. County Planning review of the project is required.

**Response 8:** *Comment noted.*

Comment 9. Any activity on the site since 2018 approval should be documented on any plans to be re-submitted.

**Response 9:** *CED conducted a site visit of the property on 5/23/2024. Soil stockpiles and land grading of the building pads were observed. No new permanent structures were observed. Sheet 2 of the site plans has been revised to show the areas discussed above. Photos of the site visit can be made available to the Board upon request.*

Comment 10. The current applicants ability to utilize the previously submitted plans should be confirmed with the design engineers.

**Response 10:** *Comment noted. Colliers Engineering and Design (formally Maser Consulting) prepared the current application and submission to the Town. The application has also been signed by the Design Engineer.*

Comment 11. The status of any NYSDEC Permits should be addressed. Transfer of the permits should be confirmed. At a minimum, the Stormwater Permit must be updated with ownership and new requirements.

**Response 11:** *Comment noted, the stormwater permit transfer and NOI will be submitted to the NYSDEC once the project obtains site plan approval.*

Comment 12. Status of approval of HOA documents should be determined with the Town Attorney's office. Revisions to bedroom counts were undertaken in the 2018 approval, which may require revisions to the Condo Association documents.

**Response 12:** *Comment noted. The applicants Attorney shall work with the Town's Attorney on the status of the HOA documents.*

Sincerely,

Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C.



Connor P. McCormack, P.E.  
Project Manager