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November 13, 2020

VIA EMAIL

Crystal R. Peck, Esq. and Jeremy Cramer
Town of New Scotland Zoning Board of Appeals
Town Hall
2029 New Scotland Road
Slingerlands, New York 12159

Jeff Baker, Chairman
Town of New Scotland Zoning Board of Appeals
Town Hall
2029 New Scotland Road
Slingerlands, New York 12159

Re: *Tommell Livestock, LLC's Response to Information Request*

Dear Chairman Baker and Board Members:

As you know, this firm represents Petitioner Tommell Livestock, LLC ("Tommell") with respect to the above-referenced action and Tommell's application for a use variance for its use of a garage on its land (the "Property"). Pursuant to your request, detailed below are Tommell's responses to your fourth round of information requests.¹

Updated and Revised Site Plan

During the ZBA's October meeting, the Board requested that Tommell update and revise its submitted site plan demarcating areas where trucks used in Tommell's business operations are parked or otherwise stored, areas for customer vehicles, employee parking and parts and storage. As recommended by the Town's Building Inspector in correspondence dated October 30, 2020, Tommell has also included the dimensions of the parcel and relocated the dumpster to an

¹ This correspondence is subject to all reservations of rights previously made by Tommell in its prior submissions to the ZBA.

impervious surface area. An updated and revised site plan that includes this information is attached as **Exhibit A**.

**Information Pertaining to Trucks Stored on the
Property and Used in Tommell's Business Operations**

At its October 2020 meeting, the ZBA requested that Tommell provide a revised list relating to vehicles stored on the Property for use in Tommell's business operations, including the number of vehicles stored, their make and their model. During the meeting, the ZBA clarified that it was seeking information pertaining to "inventory of what Tommell is actually running in the operations of its trucking business, which the Board is considering triggering the 'trucking terminal'" use provision under the Zoning Code. Attached as **Exhibit B** is a chart containing this information.

Exhibit B reflects the eight trucks stored on the Property and used in connection with Tommell's business operations. These were the same trucks on the Property when the ZBA performed its site inspection. Truck No. 1 is presently in the garage being built and was in the garage when the ZBA performed a site inspection on the Property. Tommell also anticipates having one more trailer on the Property for use in its business operations that is presently in the process of being built. Once it is built, this trailer will also be stored on the Property.

In the interest of full disclosure, Tommell also stores two dually pick-up trucks on the Property for personal use. Tommell also anticipates another tractor-trailer, driven and operated out of Pennsylvania, to be present on the Property for necessary repairs for short durations of time (between 24-48 hours at a time) sporadically throughout the year.

During the last ZBA meeting, questions were raised with respect to whether Tommell stores leased vehicles on the Property. It does not.

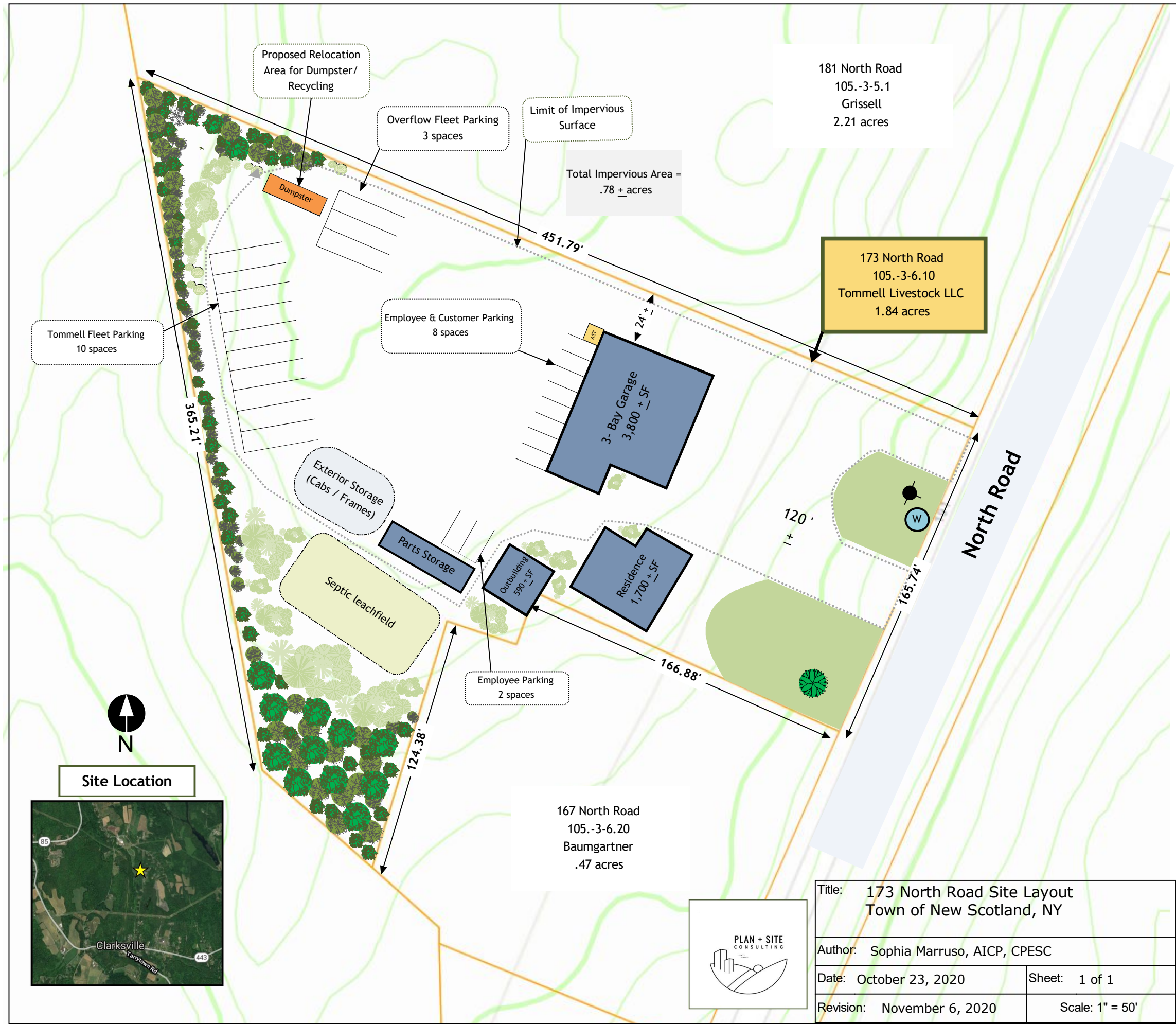
Sincerely,



Robert S. Rosborough IV

Enclosures

EXHIBIT A



Title: 173 North Road Site Layout Town of New Scotland, NY	
Author: Sophia Marruso, AICP, CPESC	
Date: October 23, 2020	Sheet: 1 of 1
Revision: November 6, 2020	Scale: 1" = 50'

EXHIBIT B

TRUCK	MAKE	MODEL	YEAR	REGISTRATION (Y/N or pending)
1	Kenworth	T800	2007	No—still in shop being built and not on road
2	Kenworth	W9	2003	yes
3	Kenworth	T800	2010	yes
4	Kenworth	T800	1992	yes
5	Kenworth`	W9	1996	Yes
6	Peterbilt	330	1997	Yes
7	Mac	R6885	1996	Yes
8	Peterbilt		1995	No—title transfer pending, not on road until title received
9				
10				