

Town of Marlborough **Planning Board**

Application

17-1009

For Office Use Only:

Signature

DATE SKETCH PLAN APPROVED:	_____	_____
DATE PRELIMINARY PLAN APPROVED:	_____	_____
DATE OF SITE REVIEW:	_____	_____
DATE OF PUBLIC HEARING:	_____	_____
DATE OF CONDITIONAL FINAL:	_____	_____
DATE APPROVED BY U.C. HEALTH DEPT:	_____	_____
DATE APPROVED BY HIGHWAY DEPT:	_____	_____
DATE APPROVED BY TOWN ENGINEER:	_____	_____
DATE OF FINAL APPROVAL:	_____	_____

TOWN OF MARLBOROUGH PLANNING BOARD

John & Theresa Shillieto
Applicant's Name

CHECKLIST FOR MAJOR/MINOR SUBDIVISION, SITE PLAN and/or LOT LINE REVISION

- I. The following items shall be submitted for a COMPLETED Planning Board Application Form.
 1. Completed Application
 2. Environmental Assessment Form (*May be obtained from Planning Board*)
 3. Letter of Agent Statement
 4. Application Fee (*Separate check from escrow fee*)
 5. Escrow Fee (*Separate check from application fee*)
 6. Copy of deed
 7. Completed checklist (*Automatic rejection of application without checklist*)
 8. Agricultural Data Statement (*if applicable*)
 9. Provide twelve (12) copies of all maps, plans, reports and a PDF computer file on CD of all documentation submitted. Plan sets must be correlated packages.

- II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.
 1. Name and address of applicant
 2. Name and address of owner (*if different*)
 3. Subdivision name and location
 4. Tax Map Date (*Section-Block-Lot*)
 5. Location map at a scale of 1" = 2,000
 6. Zoning table showing what is required in the particular zone and what applicant is proposing.
 7. Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone
 8. Date of plat preparation and/or plat revisions

9. Scale the plat is drawn to (Max 1" = 100')

10. North Arrow

11. Surveyor's Certification

12. at final Surveyor's seal and signature

13. Name, SBL and acreage of adjoining owners

14. n/a NYSDEC Wetland and 100 foot buffer zone with an appropriate certification block regarding DEC requirements.

15. n/a Flood plain boundaries

16. n/a Federal Wetland Boundary

17. Metes and bounds of all lots

18. Name and width of adjacent streets, include dedication parcels. The road boundary is to be a minimum of 25 feet from the centerline of the paved street.

19. Show existing or proposed easements (*note restrictions*)

20. Right of way width and Rights of Access and utility placement.

21. n/a Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements.

22. Lot area acreage. For lots under 2 acres, list in square feet & acres.

23. Number of lots including residual lot.

24. Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 20 feet of parcel boundaries.

25. n/a A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.

26. Applicable note pertaining to owners review and concurrence.

27. X Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.

28. X Show all existing houses, accessory structures, wells and septic systems on and within 20 feet of the parcel to be subdivided.

29. n/a 2 Foot Contours

30. X Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

31. n/a If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (per Town specs) is to be furnished and installed.

32. n/a The amount of grading expected or known to be required to bring the site to readiness.

33. n/a Estimated or known cubic yards of material to be excavated.

34. n/a Estimated or known cubic yards of fill required.

35. n/a The amount of grading expected or known to be required to bring the site to readiness.

36. n/a Type and amount of site preparation which falls within the 100 foot buffer strip of wetlands and within the Critical Environmental Area. Please explain in square feet or cubic yards.

37. n/a Amount of site preparation within a 100-year flood plain or any water course on the site. Please explain in square feet or cubic yards.

38. n/a ✓ Planning Board approval block 4" x 2"

39. n/a ✓ Special district boundaries, agricultural, school, fire, water, sewer, etc.

40. X Sight distance of all intersections and driveways.

41. n/a Ridgeline and steep slope notation.

42. n/a Agricultural setbacks.

The plat for the proposed subdivision, site plan, or lot line revision has been prepared in accordance with this checklist.

By: D. D. Brooks
Licensed Professional

Stamp

03/23/2017

Date

PART II: If any of the statements under A through D above is not true, please explain and set forth the name and the relationship to the applicant and subject property of any Town employee or officer involved:

PART III: This completed notice is to be submitted to the Board, Agency or Department that is authorized to review and render a decision on the application, petition or request. Further, the submittal must be made prior to any review of the application, petition or request. This notice shall be made part of that decision-making authority's official record, disclosing the exact nature of the conflict in detail. If there is an actual or potential conflict, the Town officer or employee shall abstain from voting or otherwise acting on the application, petition or request so as to avoid an actual conflict.

ANY QUESTIONS REGARDING THIS DISCLOSURE NOTICE OR THE CODE OF ETHICS ARE TO BE DIRECTED TO THE TOWN SUPERVISOR AT (845) 795-2220.

PLEASE TAKE NOTICE.....A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER N.Y. GEN. MUN. LAW § 809 AS A MISDEMEANOR.

Signed: Theresa Shillito
Date: Mar 19, 2017

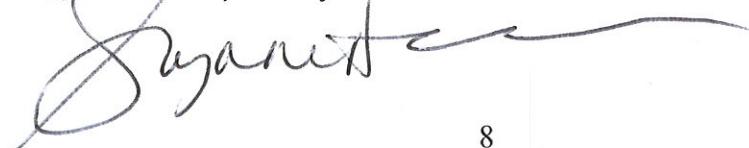
ACKNOWLEDGMENT

State of New York
County of:

On March 10, 2017, before me personally appeared Theresa Shillito, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [his/her/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary

SUZANNE DEMSKIE
Notary Public, State of New York
Notary Pub. No. C01620448
Qualified in Ulster County 19
Commission Expires May 02, 2016
Commission Expires May 02, 2015



Planning Board Fees

(All Applications Subject To Escrow Fees)

Application Fees:

Residential Subdivision – Single Family or Town House	\$500.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$500.00, plus \$100.00 Per Unit
Commercial Subdivision	\$500.00, plus \$150.00 per Lot or Unit
Commercial Site Plan	\$550.00, plus \$10.00 per 1,000 sf of Building
All Other Site Plan Reviews	\$550.00
Lot Line Revision	\$300.00
Recreation Fees (Residential Subdivisions & Site Plans – Excludes parent parcel)	\$1,500.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing (50 and over)	\$500.00 per Unit

Escrow Deposit: (To be replenished to 75% of original escrow when level drops to 25% remaining in account.)

Residential Subdivision – Single Family or Town House	\$500.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$500.00, plus \$100.00 per Unit
Commercial Subdivision	\$400.00 per Lot (up to 4 lots,) then \$200.00 per Lot Thereafter
Commercial Site Plan	\$750.00 Minimum
All Other Site Plans	\$750.00 Minimum
Lot Line Revision	\$300.00 Minimum

Engineer Inspection Fees (All Town Road Installation Inspections)

Improvements as approved by Town Engineer	5% of the estimated cost to construct
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11 Main Street Highland, NY 12528

www.brooksandbrooks.us

845-691-7339 phone 845-691-7166 fax

Town of Marlborough Planning Board Transmittal

Submission Date: 3/24/17

Client Name: John & Theresa Shillieto Our file # 7386.98

Application
 Subdivision checklist
 Short EAF Form
 Letter of Agent
 Deed of subject parcel
 Ag Data Statement

Check -#212 - application fee \$ 300.00
 Check -#213 - escrow fee \$ 300.00
 Sketch maps# 12

TOWN OF MARLBOROUGH
PO Box 305 Milton NY 12547
" Heart Of the Hudson Valley Fruit Section"
MILTON, ULSTER COUNTY, NEW YORK 12547
DEPARTMENT OF BUILDINGS

TEL NO. 795-2406
FAX NO. 795-2031

THOMAS CORCORAN JR.
BUILDING INSPECTOR
CODE ENFORCER
FIRE INSPECTOR

Date: March 27, 2017

Re: Schillieto Lot Consolidation

S.B.L. : 103.1-4-50.1 & 103.1-4-51.1

This letter is to verify that the building department has reviewed the Planning Board application and has concluded :

 : The application can be presented to the Town of Marlborough Planning Board for its review.

XXX : The application is rejected for the following reasons :
Section 155-12.2 - Additional Restrictions on Uses :
In ALL zones other than C-1 and C-2 , residential use of a lot shall be limited to one single residence.

Section 155-16 (G)(1) - Yard Regulations

No accessory building permitted by this chapter shall be placed in any required Side or FRONT yard

There are no notes on the map that indicate that either structure is to be removed. Town of Marlborough assessment data has both properties listed with a one family home on each property. If either or both structures are to become accessory to the principal structure that exists on larger parcel than a variance is needed by the Zoning Board of Appeals. If not both structures must be removed.

Thank You.



*Thomas J. Corcoran Jr.
Building Inspector
Code Enforcement Officer*

Town of Marlborough Planning Board Application

Application For: (Check One)

Subdivision _____ **Site Plan** _____ **Lot Line Revision** X

Application Number: 17-1009

Date of Submission: _____

Name of Project: John & Theresa Shillieto

Location of Project: 63 Milton Turnpike

Tax Section Block and Lot: SBL: 103.1-4- 50.1 & 51.1

Zoning District: R-1

Number of Acres: 13.31 Sq. Footage of Building: 1400+-

Description of Project (include number of lots/units & bedrooms): Lot Consolidation to combine Tax Map SBL: 103.1-4-50.1, a 1.00 acre parcel with a house shell and garage and SBL:103.1-4-51.1, a 12.31 acre parcel with a residential house , garage and accessory buildings.

Name of Property Owner: John & Theresa Shillieto, owners of both parcels

Address of Property Owner: 63 Milton Turnpike, Milton, NY 12547

Telephone Number of Property Owner: 845-795-2038

Name of Applicant: John & Theresa Shillieto

Address of Applicant: 63 Milton Turnpike, Milton, NY 12547

Telephone Number of Applicant: 845-795-2038

Name of Surveyor: Brooks & Brooks Land Surveyors, P.C.

Address of Surveyor: 11 Main Street Highland, New York 12528

Telephone Number of Surveyor: 845-691-7339

Name of Engineer: n/a

Address of Engineer: n/a

Telephone Number of Engineer n/a

Name of Attorney: n/a

Address of Attorney: n/a

Telephone Number of Attorney: n/a

Reason For Application: Lot Consolidation of SBL: 103.1-4-50.1 & 51.1

Description of Proposal: Lot Consolidation to combine Tax Map SBL: 103.1-4-50.1, a 1.00 acre parcel and SBL:103.1-4-51.1, a 12.31 acre parcel resulting in one 13.31 acre parcel.

Disclaimer

The applicant is advised that the Town of Marlborough Town Code, which contains the Town's Zoning Regulations, is subject to amendment. Submission of an application to the Planning Board does not grant the applicant any right to continued review under the code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new code requirements made while the application is pending.

An approval by the Planning Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer or water. It is the applicant's responsibility to apply for and obtain Town of Marlborough and other agency approvals not within this Board's authority to grant.

The Town of Marlborough Town Board sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgment of responsibility for payment of these fees to the Planning Board for review of this application including, but not limited to, fees for professional services (Planners/Consultants, Engineers, Attorneys,) public hearings and site inspections. Applicant's submissions and re-submissions that are not complete will not be considered by the Planning Board or placed upon its agenda unless all outstanding fees have been paid.

The undersigned applies for subdivision, site plan, or lot line approval as described above under the rules and procedures of the Town of Marlborough, New York as duly authorized by the Town Board of Marlborough, New York.

The undersigned also acknowledges receipt of the "Disclaimer" above.

Applicant's Name(Print):

Theresa Shillit

Applicant's Signature:

Theresa Shillit

Date:

Mar 10, 2017

*****Application will not be accepted if not signed and filled out completely*****

Disclaimer

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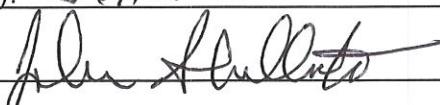
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The undersigned applies for subdivision, site plan, or lot line approval as described above under the rules and procedures of the Town of Marlborough, New York as duly authorized by the Town Board of Marlborough, New York.

The undersigned also acknowledges receipt of the "Disclaimer" above.

Applicant's Name(Print): John Shillieto

Applicant's Signature: 

Date: 3/10/17

*****Application will not be accepted if not signed and filled out completely*****

Letter of Agent

I, John & Theresa Shillieto, am the owner of a parcel of land located on Miltson Turnpike, in the Town of Marlborough, Tax Map Designation: Section 103.001, Block 4, Lot 50.1 & 51.1.

I hereby authorize Brooks & Brooks Land Surveyors, P.C. to act as my agent to represent my interest in applying to the Town of Marlborough Planning Board for a ~~Site Plan~~ Lot consolidation.

Theresa Shillieto

Signature

Mar 10, 2017

Date

John Shillieto

Signature

3-10-2017

Date

State Of New York}
County Of Ulster }

SS:

On the 10th day of March in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared

Theresa & John Shillieto, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Suzanne Demski
Notary Public

SUZANNE DEMSKIE
Notary Public, State of New York
No. 01DE6240448
Qualified in Ulster County 19
Commission Expires May 02, 2016

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

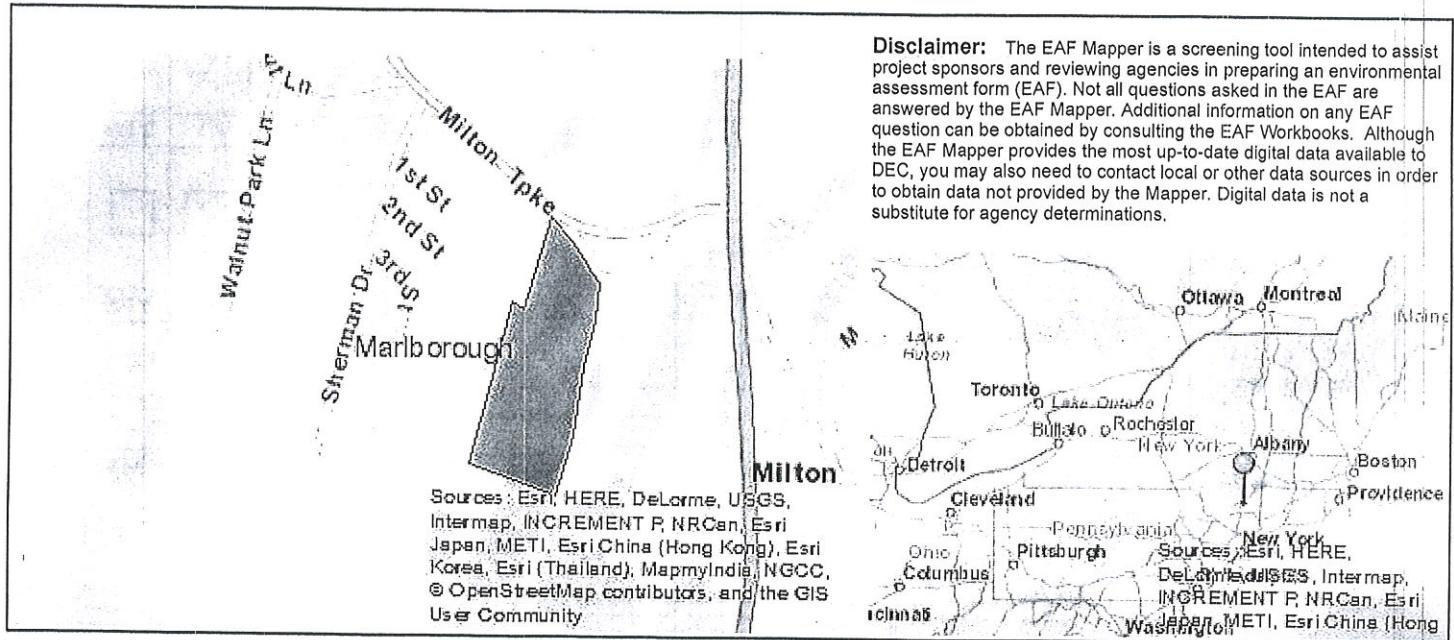
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Lot Consolidation of lands of John & Theresa Shillieto			
Project Location (describe, and attach a location map): 63 Milton Turnpike Town of Marlborough			
Brief Description of Proposed Action: Lot Consolidation to combine SBL: 103.1-4-50.1, a 1.00 acre parcel and SBL: 103.1-4-51.1, a 12.31 acre parcel.			
Name of Applicant or Sponsor: Brooks & Brooks, Land Surveyors, P.C		Telephone: 845-694-7339 E-Mail: pbrooks@bnbpc.biz	
Address: 11 Main Street			
City/PO: Highland		State: NY	Zip Code: 12515
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			
3.a. Total acreage of the site of the proposed action? <u>13.31</u> acres b. Total acreage to be physically disturbed? <u>0</u> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>13.31</u> acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>rural residential</u> <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: no new construction is proposed	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ TM Lot 51.1 is supplied by an existing well.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ TM Lot 51.1 has an existing septic system	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Note regarding 13a: there are no state or federal wetlands located on the property as per current wetlands mapping.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		
	<input type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Brooks & Brooks, Land Surveyors, PC</u>	Date: <u>March 2, 2017</u>	
Signature: <u>Steven R Pauli</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: John & Theresa Shillieto
Mailing address: 63 Milton Turnpike
Milton, NY 12547

B. Description of the proposed project: Lot Consolidation of SBL: 103.1-4-50.1 & 51

C. Project site address: 63 Milton Turnpike Town: Marlboro

D. Project site tax map number: 103.1-4-50.1 & 51

E: The project is located on property:
 O- within an Agricultural District containing a farm operation, or
 X- with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: 13.31 acres

G. Is any portion of the project site currently being farmed?
 O Yes. If yes, how many acres _____ or square feet _____ ?
 X No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.

SBL: 103.1-4-55.11: C.N.D Apple LLC 10 North Road Milton , NY 12547

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

FARM NOTE

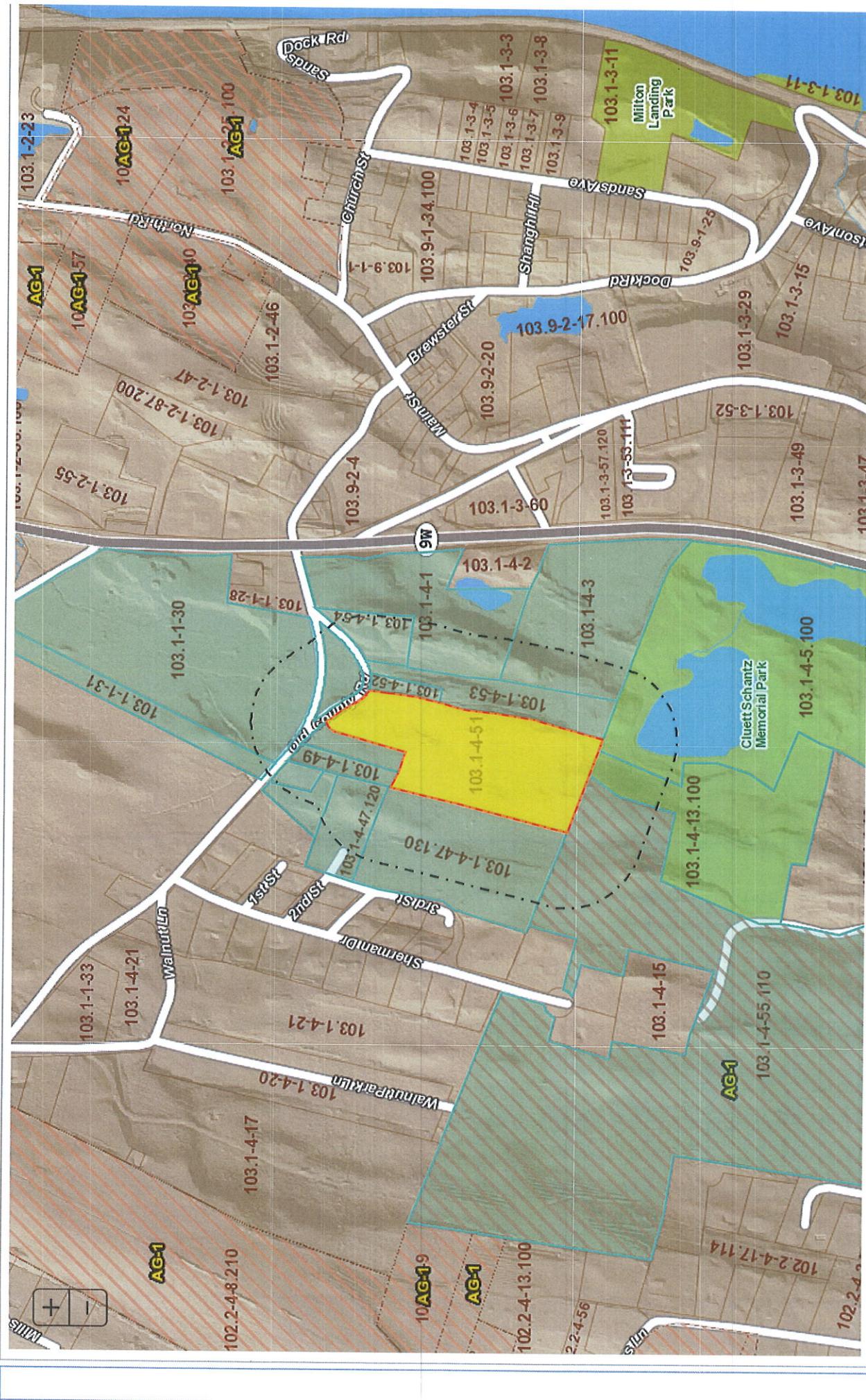
Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Steven Pauli – Brooks & Brooks, land Surveyors, PC

March 8, 2017

Name and Title of Person Completing Form

Date



Subject

103.1-④-50.1

03393 PAGE 0171

ULSTER COUNTY CLERK'S OFFICE
COUNTY CLERK'S RECORDING PAGE

102

Return To:

KARVIN ABSTRACT CORP
273 QUASSAICK AVE
NEW WINDSOR, NY 12553

Index Deed Book

Book 03393 Page 0171

No. Pages 0003

Instrument DEED

Date : 8/05/2002

Time : 4:01:04

Control # 200208050258

RPT 17 2002 000074

Employee ID NPOS

SMITH
ELIZABETH F BY ATTYS
SHILLIETO
JOHN & OR

DEED REC	\$	14.00
	\$.00
	\$.00
GOV REC FE	\$	20.00
TRANS TAX	\$	240.00
	\$.00
	\$.00
	\$.00
Total:	\$	274.00

STATE OF NEW YORK
ULSTER COUNTY CLERK'S OFFICE

WARNING-THIS SHEET CONSTITUTES THE CLERK'S
ENDORSEMENT REQUIRED BY SECTION 316-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH.

ALBERT SPADA
COUNTY CLERK

TRANSFER AMT

TRANSFER AMT \$ 60,000.00

TRANSFER TAX \$ 240.00

K021251

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made on July 23, 2002

BETWEEN ELIZABETH F. SMITH by CHARLES J. SMITH, Attorney-in-Fact,
residing at 67 Milton Turnpike, Milton, NY 12547 and ELEANOR S. ROSAKRANSE,
207 Whitfield Road, Accord, NY 12404, Attorney-in-Factparty of the first part, and JOHN SHILLIETO and THERESA SHILLIETO, Husband and Wife,
residing at 63 Milton Turnpike, Milton, NY 12547

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs
or successors and assigns of the party of the second part forever,ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in theALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, together with
the buildings and improvements located thereon, situate, lying and being in the Town
of Marlborough, County of Ulster and State of New York, bounded and described as
follows:BOUNDED on the north by the Milton Turnpike Road, on the west by the heirs of
Thomas Furlong, deceased, and on the south and east by lands of Michael J. Hickey;
containing two acres of land, more or less.BEING the same premises conveyed to Elizabeth F. Smith by deed dated April 20,
1993 and recorded in the Ulster County Clerk's Office in Liber 2273 of Deeds at
page 93 and pursuant to Last Will & Testament of John Richard Matthews a/k/a
John R. Matthews, Jr.TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and
roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances
and all the estate and rights of the party of the first part in and to said premises: TO HAVE AND TO HOLD
the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of
the second part forever.AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby
the said premises have been encumbered in any way whatever, except as aforesaid.
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to
the payment of the cost of the improvement before using any part of the total of the same for any other purpose.
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above
written.

IN PRESENCE OF:

*Elizabeth F. Smith by
Charles J. Smith, Esq.
Attorney-in-Fact*
ELIZABETH F. SMITH by CHARLES J. SMITH,
Attorney-in-Fact
*Eleanor S. Rosakrane by
Eleanor S. Rosakrane, Esq.
Attorney-in-Fact*
ELIZABETH F. SMITH by ELEANOR S. ROSAKRANE,
Attorney-in-Fact

ACKNOWLEDGMENT IN NEW YORK STATE (RPL 309-a)

State of New York, County of Ulster ss.:

On July 23, 2002 before me, the undersigned, personally appeared CHARLES J. SMITH and ELEANOR S. ROSAKRANSE personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Brian D. Blatstein
Notary Public, State of NY
Qualified in Ulster County
Commission Expires 11/30/07

ACKNOWLEDGMENT OUTSIDE NEW YORK STATE (RPL 309-b)

State of County of ss.:

On before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in

(Insert city or political subdivision and state or county or other place at acknowledgment taken)

(Signature and office of individual taking acknowledgment)

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTSTITLE NO. 02 1251

ELIZABETH F. SMITH by Charles J. Smith
Attorney-in-Fact and Eleanor S. Rosakranse
Attorney-in-Fact

TO

JOHN SHILLIETO and THERESA SHILLIETO

SECTION	103.1
BLOCK	4
LOT	50
COUNTY OR TOWN	T/Marlborough

RETURN BY MAIL TO:

KAR-VIN ABSTRACT CORP.
273 Cusack Avenue (NYS Rt. 94)
New Windsor, NY 12553
(845) 582-2822 • FAX (845) 565-0737
1-800-545-9223

Zip No. _____



ULSTER COUNTY CLERK
RECORDING PAGE

428
LIBER 2322 PAGE 0025

Type of Document: DEED Recorded: 9/17/1993
 Recording Charge: \$ 20.00 At: 2:53 PM
 Location: marlboro In Liber: 2322
 Of: DEED
 Control No: 9309170221 On Page: 0025

EXAMINED AND CHARGED AS FOLLOWS:

Transfer Amount:	149,000.00	Mortgage Amount:	.00
Received Tax on Above Deed:		Received Tax on Above Mortgage:	
		Basic:	.00 NO
		Additional:	.00 NO
		Special:	.00 NO
Total:	596.00	Exempt NO	Total: .00
TT No.	00000851	MT No.	

(THIS PAGE IS A PART OF THE INSTRUMENT)

Albert Spada
 Albert Spada
 Ulster County Clerk

Party 1: DEUTSCH, ROSEMARY F

Party 2: SHILLIETO, JOHN & OR

Albert Spada, Ulster County Clerk
 103.1-(4)-51.1
 9/17/1993

C 22
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

SER 2322 PAGE 0026

THIS INDENTURE, made the 3rd day of August, nineteen hundred and ninety-three
BETWEEN

ROSEMARY F. DEUTSCHE, residing at 63 Milton Turnpike, Milton,
Town of Marlborough, County of Ulster, State of New York 12547

party of the first part, and

JOHN and THERESA MILLIETO, as husband and wife, residing at
Box 105 Indian Orchard Road, West Brookville, New York 12785

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

One (\$1.00) dollars,
lawful money of the United States, and other good and valuable considerations paid
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the

THE DEED DESCRIPTION ATTACHED HERETO AS SCHEDULE A, infra.

*affidavit
page*

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Marlboro, County of Ulster and State of New York, bounded and described as follows:

BEGINNING at a point in the center line of Milton Turnpike, said point being the northern corner of lands now or formerly of Joseph Rodelli and Helen Rodelli and the eastern corner of the herein described premises; thence along said lands now or formerly of Joseph Rodelli and Helen Rodelli the following three (3) courses and distances: (1) South 20 degrees 09 minutes 35 seconds West 287.30 feet to a point; (2) South 29 degrees 19 minutes 35 seconds West 229.68 feet to a point; and (3) South 13 degrees 54 minutes 35 seconds West 109.56 feet to a point; thence along lands now or formerly of Michael Rodelli and Mary Rodelli the following two (2) courses and distances: (1) South 09 degrees 35 minutes 00 seconds West 224.40 feet to a point; and (2) South 27 degrees 49 minutes 35 seconds West 376.40 feet to a point; thence along lands now or formerly of The Town of Marlborough North 58 degrees 20 minutes 25 seconds West 211.20 feet to a point; thence along lands now or formerly of Alpha Apple, Inc. North 53 degrees 35 minutes 25 seconds West 290.40 feet to a point; thence along lands now or formerly of Robert Young and a Central Hudson Gas & Electric Corp. easement North 26 degrees 49 minutes 35 seconds East 596.64 feet to a point; thence along lands now or formerly of John R. Matthews the following two (2) courses and distances: (1) South 57 degrees 02 minutes 40 seconds East 148.04 feet; and (2) North 29 degrees 18 minutes 15 seconds East 771.88 feet to a point in the center line of Milton Turnpike; thence along the center line of Milton Turnpike the following three (3) courses and distances: (1) South 31 degrees 30 minutes 00 seconds East 111.16 feet to a point; (2) South 17 degrees 40 minutes 25 seconds 169.30 feet; and (3) South 35 degrees 56 minutes 10 seconds East 40.03 feet to the point or place of BEGINNING.

Being and intended to be the same premises conveyed by deed to Rosemary F. Deutsch from Rosemary F. Deutsch, as Executrix of the Estate of Louis Filberti, Deceased, on April 24, 1970 and recorded in The Ulster County Clerk's Office on May 1, 1970 in Liber of Deeds 1242 at Page 216.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

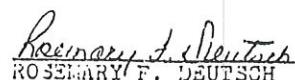
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


ROSEMARY F. DEUTSCH

STATE OF NEW YORK, COUNTY OF Ulster

On the 3rd day of August 1993, before me personally came

Rosemary F. Deutsch

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.



STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came

, before me

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19, before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

ROSEMARY F. DEUTSCH

TO

JOHN and THEREZA SHILLIETO

SECTION

BLOCK

LOT

COUNTY OR TOWN Marlborough, Ulster

Recorded At Request of
First American Title Insurance Company of New York

RETURN BY MAIL TO:

Gerald Fiedelholz, P.C.
270 Quassaick Avenue
New Windsor, NY 12553

Zip No.

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

First American Title Insurance Company
of New York

✓ Affirmative Abstract