

Town of Marlborough Planning Board

Application

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

Rod M. Gallagher and Jack G. Gallagher
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 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. tbd 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. n/a Show existing or proposed easements (*note restrictions*)
20. n/a 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. _____ Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. _____ 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. x Planning Board approval block 4" x 2"
39. x Special district boundaries, agricultural, school, fire, water, sewer, etc.
40. n/a 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: 
Licensed Professional

Stamp

August 29, 2017

Date

Legal Notices for Public Hearing

Public Hearings will be held only on the first (1st) Monday of the Month.

Procedure for Notice:

1. Planning Board will schedule Public Hearing during a regularly scheduled meeting, after approval for such is granted.
2. Applicant is to obtain surrounding property owner names and addresses from Assessor's Office.
3. Applicant is to send Public Notice Letter, obtained from Planning Board Office, via Certified Mail with Return Receipt to property owners no less than 10 days prior to Public Hearing.
4. Planning Board Office will send notification to the town's official newspaper.
5. All Certified Mail with Return Receipt receipts and a copy of the Assessor's listing of names and addresses must be submitted at Public Hearing.

Any questions regarding procedures may be answered at 845-795-5243.

Ethics Code

TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST

In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, special use permit, site plan, subdivision, exemption from a plat or official map, license or permit, pursuant to the provisions of the zoning and planning regulations of the Town of Marlborough before any Town of Marlborough Board, Agency or Department ("decision-making authority"), in which a Town officer or employee has an interest in the subject of the application. The purpose of the disclosure notice is to identify and disclose any potential or actual conflict of interest for the Town employee or officer, which may compromise his/her ability to make decisions solely in the public interest. Please refer to the Town of Marlborough Code of Ethics for further information.

Under the Town of Marlborough Code of Ethics an interest is defined as: a participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary, personal or professional, which may result in a benefit. For the purposes of the Town of Marlborough Code of Ethics, the "interests" of a Town officer or employee shall be deemed to include the "interest" of:

- A. An immediate family member. Immediate family member is defined as: grand parents, parents, spouse, significant other, children, grand children, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.

I, Rod Gallagher, residing at 4 Cider Mill Lane Grafton, MA 01519, make the following statements about interests in the real property which is the subject of this application, petition or request for a two lot subdivision, before the Town of Marlborough Planning Board.

PART I: Except as otherwise set forth in Part II below:

Ethics Code

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- A. An immediate family member. Immediate family member is defined as: grand parents, parents, spouse, significant other, children, grand children, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.

I, Jack Gallagher, residing at 204 Whitcomb Lane Cary, NC 27518, make the following statements about interests in the real property which is the subject of this application, petition or request for a two lot subdivision, before the Town of Marlborough Planning Board.

PART I: Except as otherwise set forth in Part II below:

A. Individuals with an interest in the property.

1. No individual, having an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person having an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

B. Corporations or other entities with an interest in the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity, which has an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

C. Stockholder or controlling interest

1. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

D. Party to an agreement with the applicant

1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request for the subject property is a immediate family member of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

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: Jack Gallagher

Date: 7/19/17

ACKNOWLEDGMENT

State of New York North Carolina
County of: Wake

On 7/19/17, before me personally appeared Jack Gallagher, 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



MI KING TONG
NOTARY PUBLIC
Wake County, North Carolina
My Commission Expires July 29, 2020

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.

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

Signed: Rod Gallagher

Date: 7/14/17

ACKNOWLEDGMENT

State of New York MASS.

County of: Worcester

On 14th July 2017 before me personally appeared Rod M. Gallagher, 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

Karen L.
Exp. Aug. 26, 2022

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 |
|---|---------------------------------------|

Planning Board Application

Application For: (Check One)

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

Application Number:

17-1023

Date of Submission: August 29, 2017

Name of Project: Subdivision of lands of Rod M. and Jack G. Gallagher

Location of Project: 98 Peach Lane Marlboro, NY

Tax Section Block and Lot: 95.4-3-13

Zoning District: R-Ag-1

Number of Acres: 82.5

Sq. Footage of Building:

Description of Project (include number of lots/units & bedrooms):

Two lot subdivision

Name of Property Owner: Rod Gallagher

Address of Property Owner: 4 Cider Mill Lane Grafton, MA 01519

Telephone Number of Property Owner: 617-529-8010

Name of Applicant: same

Address of Applicant: same

Telephone Number of Applicant: same

Name of Surveyor: Brooks and 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:

Telephone Number of Engineer

Name of Attorney: n/a

Address of Attorney:

Telephone Number of Attorney:

Reason For Application: Divide this parcel in order to create two separate deeds.

Description of Proposal: Subdivide SBL: 95.4-3-13, an 82.5 acre parcel, into two parcels by using the road as the division line. The proposed parcel on the east side of Peach Lane will be 47.5 acres. The proposed parcel on the west side of Peach Lane will be 35 acres.

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):

Rod Gallagher

Applicant's Signature:

Rod Gallagher

Date:

7/14/17

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

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.

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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):

Jack Gallagher

Applicant's Signature:

Jack Gallagher

Date:

7/20/19

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

Letter of Agent

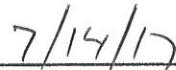
I, Rod Gallagher, am the owner of a parcel of land located on Peach Lane in the Town of Marlborough, Tax Map Designation: Section 95.4, Block 3, Lot 13.

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 two lot subdivision.

Signature



Date



State Of New York } MASS
County Of Worcester }

SS:

On the 14th day of July in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared

Rod Gallagher, 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.


Notary Public


Exp. Aug. 26, 2022

Letter of Agent

I, Jack Gallagher, am the owner of a parcel of land located on Peach Lane in the Town of Marlborough, Tax Map Designation: Section 95.4, Block 3, Lot 13.

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 two lot subdivision.



Signature



Date



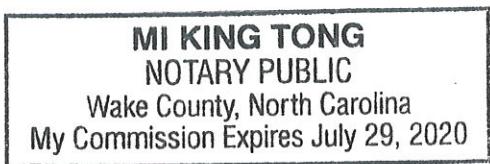
State Of New York}

County Of Wake }

SS:

On the 20th day of July in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared

Jack Gallagher, 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.





Notary Public

Short Environmental Assessment Form

Part 1 - Project Information

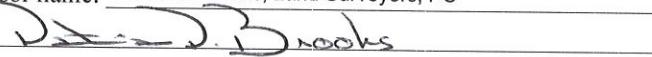
Instructions for Completing

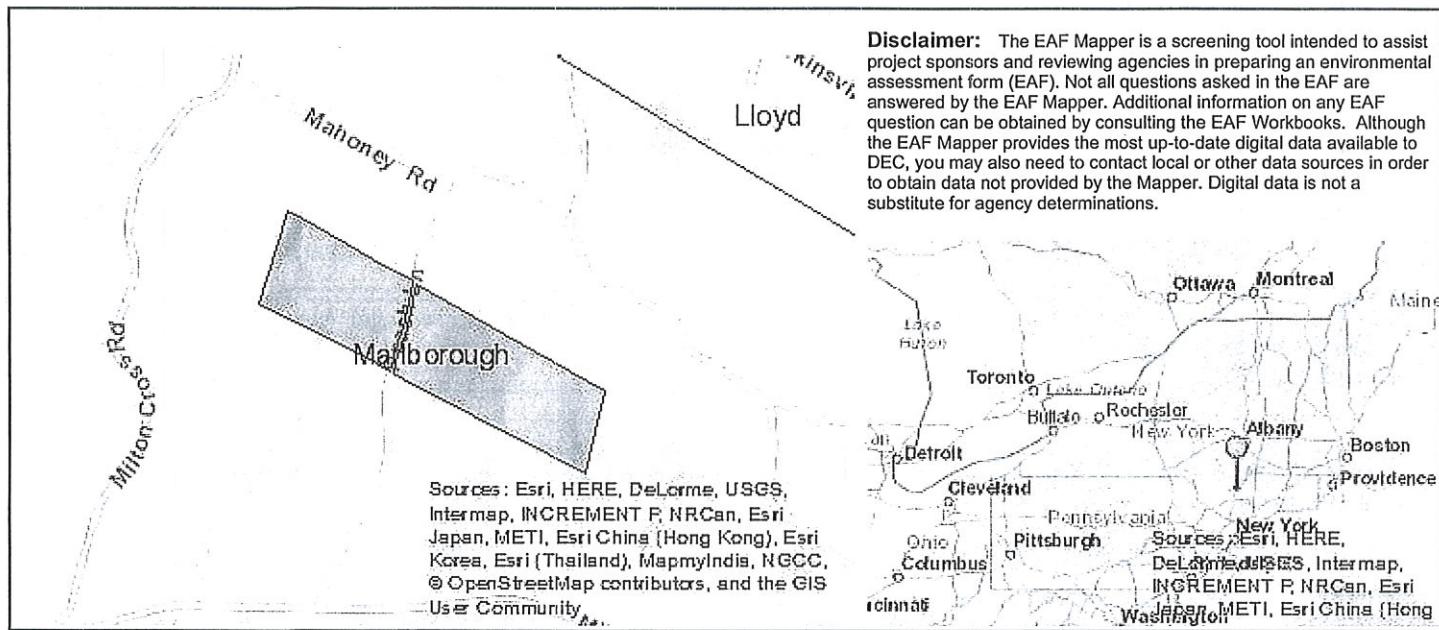
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Subdivision of lands of Rod and Jack Gallagher | | | |
| Project Location (describe, and attach a location map): 98 Peach Lane Marlboro NY | | | |
| Brief Description of Proposed Action: Separate tax map SBL: 95.4-3-13 into two parcels by using the road as the division line. | | | |
| Name of Applicant or Sponsor: Brooks & Brooks, Land Surveyors, PC | | Telephone: 845-691-7339 E-Mail: pbrooks@bnpbc.biz | |
| Address: 11 Main Street | | | |
| City/PO: Highland | | State: NY | Zip Code: 12528 |
| 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>82.5</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>82.5</u> acres | | | |
| 4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland | | | |

| | NO | YES | N/A |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? | <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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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: _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Are public transportation service(s) available at or near the site of the proposed action? | <input type="checkbox"/> | <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 type="checkbox"/> | <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: <u>no new construction is proposed</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>no new improvements are proposed</u> | <input type="checkbox"/> | <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: <u>no new improvements are proposed</u> | <input type="checkbox"/> | <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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Is the proposed action located in an archeological sensitive area? | <input type="checkbox"/> | <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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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: _____ <u>note regarding 13a : There are no wetlands located on the property as per NYS DEC mapping</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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: <input type="checkbox"/> Shoreline <input checked="" 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 | | | |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100 year flood plain? | <input checked="" type="checkbox"/> | <input 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ | <input type="checkbox"/> | <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 | YES |
| | <input checked="" type="checkbox"/> | <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 | YES |
| | <input checked="" type="checkbox"/> | <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 | YES |
| | <input checked="" type="checkbox"/> | <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>August 29, 2017</u> | |
| Signature: <u></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: Rod and Jack Gallagher

Mailing address: 4 Cider Mill Lane Grafton, MA 01519

B. Description of the proposed project: Subdivide SBL: 95.4-3-13 by using Peach Lane as the new division line.

C. Project site address: 98 Peach Lane Town: Marlboro

D. Project site tax map number: 95.4-3-13

E: The project is located on property:

D 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: 82.5 acres

G. Is any portion of the project site currently being farmed?

D 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.

See attached list

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 R. Pauli CST II

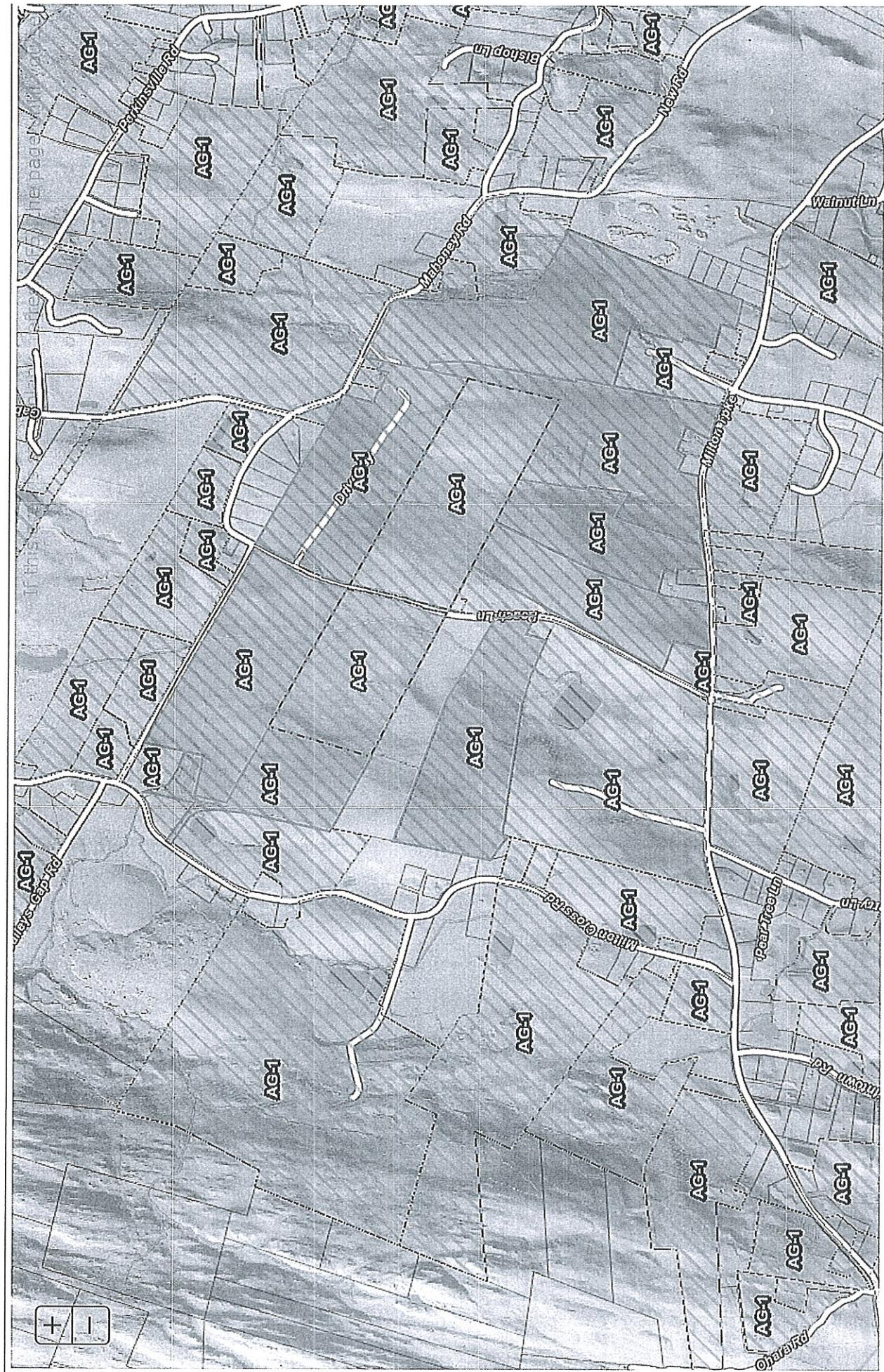
August 29, 2017

7155

Gallagher

Ag. Owners within 500' of SBL: 95.4-3-13

| Parcel | Owner | Secondary_Owner | Mailing_Address | Mailing_City | Mailing_Zip |
|---------------|----------------------------|----------------------|----------------------|----------------|-------------|
| 95.4-3-13 | Jack Gallagher | Rod Gallagher | 204 Whitcomb Ln | Cary NC | 27518 |
| 95.4-3-2.100 | Allstate Apple Exc Inc | | Box 246 | Milton NY | 12547 |
| 95.4-3-1.220 | Apple Blossom Orchards LLC | | P.O. Box 326 | Clintondale NY | 12515 |
| 95.4-3-16.100 | Steven Clarke | Pamela Clarke Torres | 40 Clarkes Ln | Milton NY | 12547 |
| 95.4-3-12.100 | Paradise Valley Orchards | LLC | P.O. Box 246 | Milton NY | 12547 |
| 95.4-3-11 | Paradise Valley Orchards | LLC | P.O. Box 246 | Milton NY | 12547 |
| 95.4-3-8 | Hudson Valley Domicile LLC | | 230 Milton Tpke | Milton NY | 12547 |
| 95.4-3-7.210 | Organic Valley | LLC | 487 South Ave Unit 1 | Beacon NY | 12508 |



Ulster County
Albert Spada
County Clerk

Subject



954-3-13

Instrument Number: 2003-00002708

As
D01 - Deed

Recorded On: February 03, 2003

As
D01 - Deed

Parties: CONNOR, HETTY BY EX

To

GALLAGHER, JACK G

Billable Pages: 3

Recorded By: RUSK WADLIN HEPPNER & MARTUSCELLO LLP

Num Of Pages: 3

Comment: MARLBORO

** Examined and Charged as Follows: **

| | | | | | |
|-------------------|--------|----------------------|------------|----------------------|------|
| D01 - Deed | 34.00 | RP5217 | 25.00 | Tax Affidavit TP 584 | 5.00 |
| Recording Charge: | 64.00 | | | | |
| | Amount | Consideration Amount | RS#/CS# | | |
| Tax-Transfer | 0.00 | 3759 | Basic | 0.00 | 0.00 |
| | | | | Penalty | 0.00 |
| | | | | Special Additional | 0.00 |
| | | | Additional | 0.00 | 0.00 |
| Tax Charge: | 0.00 | | | Transfer | |

** THIS PAGE IS PART OF THE INSTRUMENT **

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

File Information:

Record and Return To:

Document Number: 2003-00002708

RUSK WADLIN HEPPNER & MARTUSCELLO LLP

Receipt Number: 14273

PO BOX 727

Recorded Date/Time: February 03, 2003 12:41P

MARLBORO NY 12542



Albert Spada

ALBERT SPADA, ULSTER COUNTY CLERK

3
3/10
THIS INDENTURE, made the 17 day of Dec, Two Thousand Two

BETWEEN Jack G. Gallagher, residing at 7 Wanamaker Ave, Mahwah, NJ 07430 & Joann Lau, residing at 120 Ray Blvd, Poughkeepsie, NY 12603

as Executors of the Last Will and Testament of Hetty Connor a/k/a Hetty Y. Connor, late of the Town of Marlboro, Ulster County, New York, deceased,

parties of the first part; and

Jack G. Gallagher, residing at 7 Wanamaker Ave, Mahwah, NJ 07430 & Rod M. Gallagher, residing at 27 Meadow Lane, N. Grafton, MA 01536
-as tenants in common-

parties of the second part:

WITNESSETH, That the parties of the first part, by virtue of the power and authority to them given in and by the said Last Will and Testament, and in satisfaction of devise under Paragraph THIRD of the Last Will and Testament of Hetty Connor a/k/a Hetty Y. Connor, do hereby grant and release unto the parties of the second part, their heirs, distributees and assigns forever,

SEE ATTACHED SCHEDULE A

TOGETHER with the appurtenances, and also all the estate which the said Testatrix had at the time of her decease, in said premises, and also the estate therein, which the parties of the first part have or had power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

TO HAVE AND TO HOLD the premises herein granted unto the parties of the second part, their heirs, distributees and assigns forever.

AND the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been encumbered in any way whatever.

That, in compliance with Sec. 13 of the Lien Law, the grantor will receive 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.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF

Jack G. Gallagher
Jack G. Gallagher, as Executor
of the Last Will and Testament of
Hetty Connor a/k/a Hetty Y. Connor

Joann Lau
Joann Lau, as Executrix
of the Last Will and Testament of
Hetty Connor a/k/a Hetty Y. Connor

STATE OF NEW YORK)

ss:

COUNTY OF ULSTER)

On Dec 17, 2002 before me, the undersigned, a Notary Public in and for said State, personally appeared Jack G. Gallagher & Joann Lau, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

Notary Public GEORGE RUSK, JR.
Notary Public, State of New York
Qualified in Ulster County
Commission Exp.: 06/30/2023

R & R to:
Rusk, Wadlin, Heppner & Martuscello, LLP
P.O. Box 727, Marlboro, NY 12542

SCHEDULE A

ALL that certain farm of land, situate in said Town of Marlborough, Ulster County, New York State, bounded and described as follows:

On the north by the lands of Fred Tabor, on the east by the lands formerly owned by J. Hallock Young now owned by Elizabeth Tuckerman, on the south by the lands formerly owned by John Ferguson, on the west by the lands owned by John Tile and containing eighty acres more or less.

BEING the same premises conveyed by deed dated the 11th day of March, 1999 between Hetty Connor as executrix of the estate of Joseph J. Connor, said deed recorded in the Ulster County Clerk's Office on June 11, 1999 in Liber 2930 of deeds at Page 335.