

Town of Marlborough Planning Board

Application

**ALL APPLICATIONS MUST BE SUBMITTED TO THE BUILDING
DEPT. FOR APPROVAL BEFORE BEING SENT TO THE
PLANNING BOARD**

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

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. N/A 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 Data (*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. ✓ 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. 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 200 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. N/A 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 200 feet of the parcel to be subdivided.

29. ✓ 2 Foot Contours
30. ✓ 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. ✓ Planning Board approval block 4" x 2"
39. N/A 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.
43. _____ After final approval is given by the Planning Board, the Building dept. needs to be contacted for further guidance.

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

By: _____

Licensed Professional

Nov 17, 2017

William Eggers L.S. NYS Lic 49785

Stamp

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

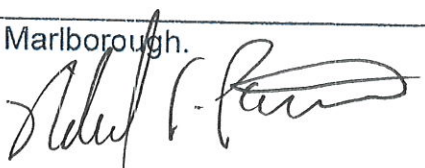
In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request 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, Little Brick House Properties, LLC c/o Mike Pomarico, residing at 1229 Route 300
Newburgh, NY 12550, make the following statements about interests in the
real property which is the subject of this application, petition or request for a Lot Line Adjustment
of The Town of Marlborough, before the Planning Board



Ethics Code

TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST

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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, WE - James & Diane McLaughlin, residing at 1435 Route 9W
Marlborough, NY 12542, make the following statements about interests in the
real property which is the subject of this application, petition or request for a Lot Line Adjustment
, before the Planning Board
of The Town of Marlborough.

James F. McLaughlin
Diane C. McLaughlin

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: Michael T. Pomarico

Date: Dec 1 2017

ACKNOWLEDGMENT

State of New York
County of: Ulster

On 12/01/17, before me personally appeared Michael Pomarico, 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.

COURTNEY SCHMELZ
Notary Public, State of New York
Reg. #01SC6361928
Qualified in Ulster County
Commission Expires July 17, 2021

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 01 DAY OF December 2017
Courtney Schmeltz
NOTARY PUBLIC

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:

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

Signed: James F McLaughlin & Diane C. McLaughlin
Date: Dec. 1, 2017

ACKNOWLEDGMENT

State of New York
County of:

On 12/01/17, before me personally appeared James & Diane McLaughlin 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.

DESCRIBED AND SWORN TO BEFORE ME
01 DAY OF December 2017
Courtney Schmelz
NOTARY PUBLIC

COURTNEY SCHMELZ
Notary Public, State of New York
Reg. #01SC6361928
Qualified in Ulster County
Commission Expires July 17, 2021

McLaughlin

Notary

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 <i>(Residential Subdivisions & Site Plans -- Excludes parent parcel)</i>	\$1,500.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing <i>(50 and over)</i>	\$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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Town of Marlborough
Planning Board Application

Application For: (Check One)

Subdivision _____

Site Plan _____

Lot Line Revision _____

Application Number:

17-1026

Date of Submission:

Name of Project: Little brick House Propertiess LLC and McLaughlin Lot Line Adjustment

Location of Project: Route 9W

Tax Section Block and Lot: 109.1-4-8 & 109.1-4-9

Zoning District: HD - Highway Development

Number of Acres: 5.3

Sq. Footage of Building:

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

Lot line adjustment between lots 109.1-4-8 & 9 and proposed new access on lot 8.

Revised acreage of lot 8=3.01. revised acreage of lot 9=2.29

Name of Property Owner: Lot 8 -James and Diane McLaughlin Lot 9 - Little Brick House Properties LLC c/o Mike Pomarico

Address of Property Owner: McLoughlin - 1435 Route 9W, Marlborough, NY 12542/ Pomarico - 1229 Route 300 Newburgh NY 12550

Telephone Number of Property Owner: McLoughlin 845-236-7307 / Pomarico 914-474-1020

Name of Applicant: Little Brick House Properties, LLC c/o Mike Pomarico

Address of Applicant: 1229 Route 300, Newburgh, NY 12550

Telephone Number of Applicant: 914-474-1020

Name of Surveyor: William Eggers L.S. NYS Lic 49785 Medenbach & Eggers, PC

Address of Surveyor: 4305 US HIGHWAY 209, STONE RIDGE, NY 12484

Telephone Number of Surveyor: 845-687-0047

Name of Engineer: Not Applicable

Address of Engineer:

Telephone Number of Engineer

Name of Attorney: Not Applicable

Address of Attorney:

Telephone Number of Attorney:

Reason For Application: to approve lot line revision between two parcels - 109.1-4-8 & 9

Description of Proposal: Delete existing lines and create new lot lines between parcels and
create new access for lot 8

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.

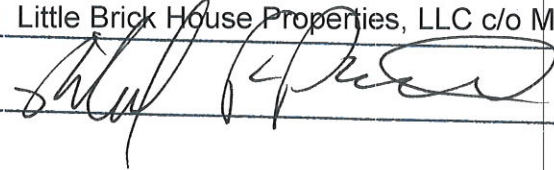
AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.

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): Little Brick House Properties, LLC c/o Mike Pomarico

Applicant's Signature: 

Date: 11/17/17

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

Letter of Agent

I (We), James & Diane McLaughlin am (are) the owner(s) of a parcel of land located on 1435 Route 9W in the Town of Marlborough, Tax Map Designation: Section 109.1 Block 4 Lot 8.

I (We) hereby authorize Little Brick House properties LLC c/o Mike Pomarico to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a _____ Lot Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

James F. McLaughlin
Signature

12/1/17
Date

Diane C. McLaughlin
Signature
Mike Pomarico 12/1/17

12/1/17
Date

State Of New York }
County Of Ulster }

SS:

On the 01 day of December in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared

Michael Pomarico, Diane & James McLaughlin 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.

COURTNEY SCHMELZ
Notary Public, State of New York
Reg. #01SC6361928
Qualified in Ulster County
Commission Expires July 17, 2021

Courtney Schmelz
Notary Public

109.1-4-8

FORM 587X N. Y. DEED—Covenant Against Grantor with Lien Covenant

1419 428

This Indenture,

Made the 30th day of October
Nineteen Hundred and Seventy Nine

Between JOSEPH F. DI BONA, residing at
Route 9-W, North Road, Marlboro, New
York; JOSEPH A. DI BONA, residing at
1639 Burnett Street, Brooklyn, New York;
JEAN LAMIA, residing at 1332 76th Street,
Brooklyn, New York, Rosemarie J. DiBona,
residing at Route 9-W, North Road,
Marlboro, New York.

State of New York
County of }

Recorded on the day
of A. D., 19 at
o'clock M. in liber
of DEEDS at page
and examined.

Clerk

parties of the first part, and

JAMES F. MC LAUGHLIN and DIANE C. MC LAUGHLIN, husband and wife, both
presently residing at Route 9-W, North Road, Marlboro, New York,

parties of the second part,

Witnesseth that the parties of the first part, in consideration of

TEN and no/100 Dollars (\$10.00-----)
lawful money of the United States, and other good and valuable consideration,
paid by the parties of the second part, do hereby grant and release unto the
parties of the second part, their heirs and assigns forever, all

ALL THAT PARCEL OF LAND situate in the Town of Marlborough, County of Ulster and
State of New York, bounded and described as follows:

BEGINNING at a point on the westerly bounds of Route 9W, said point being in a stone
wall and at the northeast corner of lands now or formerly of Day and running thence
along said Day and through a wall North 62° 32' 50" West 100 feet; thence along par-
cel described in Liber 1156, page 885, North 22° 19' 10" East 180.00 feet and South
72° 20' 45" West 200.00 feet to a point; thence through lands of DiBona, DiBona and
Lamia North 36° 00' 00" East 16.40 feet; thence still through said lands and along
the northerly side of a driveway North 71° 15' 10" East 172.00 feet, North 70° 00' 00"
East 95.00 feet, North 63° 10' 00" East 73.00 feet, North 57° 00' 00" East 83.00 feet
and North 76° 20' 00" East 40.84 feet, to the westerly side of the aforementioned
Route 9W; thence along said road South 26° 18' 56" West 67.75 feet, South 33° 13' 00"
West 191.59 feet and South 37° 00' 00" West 150.00 feet to the place of beginning.
Containing 0.98 acres.

~~XXXXXX~~
~~XX~~
~~XX~~

ALSO ALL THAT PARCEL OF LAND situate in the Town of Marlborough, County of Ulster
and State of New York, bounded and described as follows:

BEGINNING at a point on the assumed southerly line of Warren Street and the wester-
ly line of Route 9-W South 26° 19' 00" West 21.26 feet to the northerly side of a
driveway; thence along the northerly side of said driveway and through lands of Di-
Bona, DiBona and Lamia South 76° 20' 00" West 40.84 feet, South 57° 00' 00" West 83.00
feet, South 63° 10' 00" West 73.00 feet, South 70° 00' 00" West 95.00 feet and South
71° 15' 10" West 172.00 feet; thence crossing said driveway and in part along wester-
ly bounds of a parcel described in Liber 1156, page 885, South 36° 00' 00" West 55.00
feet; thence along the southerly bounds of the herein described parcel and in part
along lands of Torraca North 62° 45' 00" West 285.97 feet; thence along the westerly
bounds of the herein described parcel and along the easterly line of a parcel descri-
bed in Liber 223, page 519 North 26° 01' 50" East 367.39 feet to the assumed souther-
ly line of Warren Street, thence along said line South 68° 25' 40" East 603.61 feet
to the place of beginning. Containing 3.93 acres.

~~XXXXXX~~
~~XX~~
~~XX~~

The first parcel herein is subject to the right of way for the
purpose of ingress and egress as provided for in the deed from
Josephine DiBona and Paul DiBona to Joseph F. DiBona and Rosemarie
J. DiBona, his wife, dated September 1, 1964 and recorded in the
Ulster County Clerks Office September 4, 1964 in Liber 1156 of deeds
at page 885.

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold the premises herein granted unto the parties of the second part, their heirs 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 incumbered in any way whatever.

And That, in Compliance with Sec. 13 of the Lien Law, the grantors 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.

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

Philip W. Schunk

Joseph F. Di Bona

Jean Lamia

Joseph A. Di Bona

Rosemarie J. Di Bona

State of New York

County of Orange

before me, the subscriber, personally appeared

On this 30th day of October
ss. Nineteen Hundred and Seventy Nine

JOSEPH F. DI BONA, JOSEPH A. DI BONA and JEAN LAMIA AND ROSEMARIE J. DI BONA.

to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they severally acknowledged to me that they executed the same.

Philip W. Schunk
Notary Public

PHILIP W. SCHUNK
Notary Public in the State of New York
Resident in and for Ulster County
Commission Expires March 30, 1981

7.00

24

1419 430

Deed

Covenant Against Grantor with Lien Covenant

JOSEPH F. DI BONA,
JOSEPH A. DI BONA and
JEAN LAMIA

TO

JAMES F. MC LAUGHLIN and
DIANE C. MC LAUGHLIN

Dated, October 30, 1979

FILED
4:40 PM
NOV 1 1979

ALBERT SPADA
ULSTER COUNTY CLERK

1597

RECEIVED
\$ 33.00
REAL ESTATE
NOV 1 1979
TRANSFER TAX
ULSTER
COUNTY

Ulster County, N. Y.

Recorded on the 1 day
of 11/01 1979, at 4:05
P. Min. Liber 1419
of Deeds at page 428 and
Exhibited *Albert Spada*
Clerk

Return to CONTINUE Flanagan & Lounsbury
Box 307, Newburgh NY 12550

SCHUNK & TORRACA, P.C.
ATTORNEYS AT LAW
40 MAIN STREET
NEW PALTZ, NEW YORK 12561

Abbacy

Stamp 33.00

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

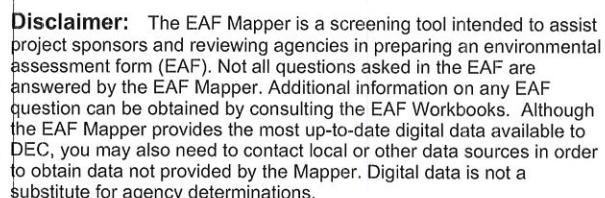
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Little Brick House & McLaughlin Lot Line Adjustment			
Project Location (describe, and attach a location map): Route 9W, Town of Marlborough			
Brief Description of Proposed Action: Lot line adjustments between lots 109.1-4-8 & 9 resulting in revised acreage for lot 8 = 3.01 acres and revised acreage for lot 9=2.29 acres. Lot 8 proposed new access.			
Name of Applicant or Sponsor: Little Brick House Properties, LLC c/o Mike Pomarico		Telephone: 914-474-1020 E-Mail: mfpom@mac.com	
Address: 1229 Route 300			
City/PO: Newburgh		State: NY	Zip Code: 12550
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.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		5.3 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.3 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 checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <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: _____	NOT APPLICABLE	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NOT APPLICABLE	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NOT APPLICABLE	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <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: _____		<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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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"/> NO <input type="checkbox"/> YES			

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="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="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: _____ _____ AUTO FILL RESPONSE _____ _____	NO <input type="checkbox"/>	YES <input checked="checked" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: MIKE POMARICO Signature:  Date: NOV 17, 2017		

Short Environmental Assessment Form - EAF Mapper Summary Report



60 2013 00008806

Ulster County
Nina Postupack
County Clerk
Kingston, NY 12401

Volm-5582 Pg-79

Instrument Number: 2013- 00008806

Recorded On: May 31, 2013
As
D01 - Deed

Parties: DIBONA JOSEPH F BY EX
To
LITTLE BRICK HOUSE PROPERTIES LLC

Billable Pages: 4

Recorded By: HILL N DALE

Num Of Pages: 4

Comment:

**** Examined and Charged as Follows: ****

D01 - Deed	60.00	RP5217-125	125.00	Tax Affidavit TP 584	5.00
Recording Charge:	190.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	600.00	150,000.00	3648	Basic	0.00
MARLBOROUGH				Local	0.00
				Additional	0.00
				Special Additional	0.00
				Transfer	600.00
Tax Charge:	600.00				

**** 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:

Document Number: 2013- 00008806
Receipt Number: 1270403
Recorded Date/Time: May 31, 2013 12:36:39P
Book-Vol/Pg: Bk-D VI-5582 Pg-79
Cashier / Station: smat / Cashier Workstation 4

Record and Return To:

RICHARD CLARINO ESQ
7 MACE CIRCLE
NEWBURGH NY 12550



Nina Postupack Ulster County Clerk

4
tr. 3e

THIS INDENTURE

HN 48485

MADE the 9th day of April, Two Thousand Thirteen between Diane McLaughlin as Executrix of the Last Will and Testament of Joseph F. DiBona, deceased, residing at 1435 Route 9W, Marlborough, NY 12542, party of the first part, and Little Brick House Properties, LLC, with offices at 1229 Route 300, Newburgh, NY 12550 party of the second part:

WITNESSETH, that the party of the first part, in consideration of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), lawful money of the United States, paid by the party of the second part, and confirming the title transfer of the subject premises pursuant to the terms of the Last Will and Testament of Joseph F. DiBona, does hereby grant and release unto the party of the second part, his heirs and assigns forever, the premises which are described in Schedule A annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in an 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 the said premises,

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

AND the said party of the first part covenants that she has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenant as follows: 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 that they will apply 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 party of the first part has hereunto set her hand and seal the day and year first above written.

BEING the same premises described in that certain deed dated September 1, 1964 made by Josephine DiBona and Paul DiBona to Joseph F. DiBona and Rosemarie J. DiBona, husband and wife, which deed was recorded in the Ulster County Clerk's Office on September 4, 1964, in Liber 1156 at Page 885, the said Rosemarie J. DiBona having died a resident of Ulster County, New York, on July 12, 2008 leaving the said Joseph F. DiBona as surviving tenant by the entirety, and the said Joseph F. DiBona having died a resident of Ulster County, New York on July 26, 2010 leaving a Last Will and Testament which was admitted to Probate by the Surrogate of Ulster County, NY on December 27, 2010, File No. 2010-598 under and by which Last Will and Testament Diane McLaughlin

CHECKED α
ENTERED Smm
MARK/OFF _____

✓ Hill-N-Dale (MCT)

was appointed Executrix of the Estate.

Estate of Joseph F. DiBona

By: Diane McLaughlin, Executrix
Diane McLaughlin

ACKNOWLEDGEMENT

STATE OF NEW YORK)

SS:

COUNTY OF ORANGE)

On the 8th day of April in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared

Diane McLaughlin

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.

Stewart P. Glenn
Notary Public

STEWART P. GLENN
Notary Public, State of New York
No. 01GL4508660
Qualified in Ulster County
My Commission Expires December 31, 2013

Record and Return to:

Richard Adams Esq.
17 Main Circle
Babinegh NY 12550

SCHEDULE A

ALL that certain piece or lot of land situate in the Town of Marlborough, County of Ulster and State of New York, bounded and described as follows:

BEGINNING at a corner stake in old farm south line 100 feet west of 9W State Road; thence, along lands of Steinhelber and Torraca N. 60 Deg. W. 163 feet to stake; thence, N. 30 deg. E. 35 feet to stake in south side of 20 foot right of way 17 feet north of maple tree; thence, along said right of way, N. 77 deg. E. 200 feet; thence, about S. 20 deg. W. 180 feet to place of beginning and containing 0.4 acre of land together with right of way for the purposes of ingress and egress 20 feet wide along north line of the described premises and extending about 200 feet north to the State Highway.

BEING a portion of the premises by deed dated May 23, 1963 between Josephine DiBona to Josephine DiBona and Paul DiBona and recorded on the 24th day of May, 1963 in the Ulster County Clerk's Office in liber 1134 of deeds at page 487.

TOGETHER with an option to purchase the property located on the easterly side of the property herein conveyed and extending to the west side of U.S. Route 9W, said parcel measuring approximately 180 ft. by 125 ft. by approximately 150 ft. along the westerly side of Route 9W and approximately 100 ft. on the southerly side of the herein described lot.

EXCEPTING AND RESERVING unto the party of the first part, the right to enter upon the land herein conveyed for the purpose of excavation and repair to a water pipe running in a westerly direction from Route 9W through the premises herein conveyed to the premises retained by the party of the first part.

TOGETHER with a right-of-way to the party of the second part, and its assigns, the right to use a driveway jointly with the party of the first part, for all ordinary purposes of ingress and egress over the same, leading from Route 9W in a generally westerly direction far enough to allow the party of the second part to enter upon their premises on the said highway. The said parties further agree to share equally in the cost of the repair, maintenance and snow plowing of said driveway from Route 9W westerly to the boundary of the premises herein conveyed.

HILL-N-DALE ABSTRACTERS, INC.
20 SCOTCHTOWN AVENUE
P.O. BOX 547
GOSHEN, NEW YORK 10924
(845) 294-5110
FAX (845) 294-9581