

# Town of Marlborough Planning Board Application

**Application For:** (Check One)

**Subdivision** \_\_\_\_\_ **Site Plan** \_\_\_\_\_ **Lot Line Revision**   X  

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Application Number: \_\_\_\_\_

Date of Submission: July 03, 2019

Name of Project: Lot Line Revision Between Lands of Cosman and Troncillito

Location of Project: 263 Lattintown Road Marlboro, New York 12542

Tax Section Block and Lot: 108.3 – 2 – 38.1 and 39

Zoning District: R-Ag-1

Number of Acres: 2.40 Sq. Footage of Building: N/A

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

Lot line revision to add 0.04 acres to a pre-existing 0.18 acre parcel including the driveway currently servicing the parcel. Both lots are improved with single family dwellings. No new construction is proposed

EMAIL: pbrooks@bnbpc.biz Patricia P. Brooks, L.S. as agent for applicant

Name of Property Owner: Estate of Antoinette Cosman c/o Donald Cosman

Address of Property Owner: 20 Cosman Drive Marlboro, New York 12542

Telephone Number of Property Owner: 845-549-2880

Name of Applicant: Same as above

Address of Applicant: \_\_\_\_\_

Telephone Number of Applicant: \_\_\_\_\_

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: Not applicable

Address of Engineer:

Telephone Number of Engineer

Name of Attorney: Not applicable

Address of Attorney:

Telephone Number of Attorney:

Reason For Application: Lot Line Revision

Description of Proposal:

Lot line revision to add 0.04 acres to a pre-existing 0.18 acre parcel including the driveway currently servicing the parcel. Both lots are improved with single family dwellings. No new construction is proposed

**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.   X   Completed Application
2.   X   Environmental Assessment Form (*May be obtained from Planning Board*)
3.   X   Letter of Agent Statement
4.   X   Application Fee (*Separate check from escrow fee*)
5.   X   Escrow Fee (*Separate check from application fee*)
6.   X   Copy of deed
7.   X   Completed checklist (*Automatic rejection of application without checklist*)
8.   X   Agricultural Data Statement (*if applicable*)
9.   X   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.   X   Name and address of applicant
2.   X   Name and address of owner (*if different*)
3.   X   Subdivision name and location
4.   X   Tax Map Data (*Section-Block-Lot*)
5.   X   Location map at a scale of 1" = 2,000
6.   X   Zoning table showing what is required in the particular zone and what applicant is proposing.
7.   X   Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone
8.   X   Date of plat preparation and/or plat revisions
9.   X   Scale the plat is drawn to (Max 1" = 100')

10.   X   North Arrow
11.   X   Surveyor's Certification
12.   X   Surveyor's seal and signature
13.   X   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.   X   Metes and bounds of all lots
18.   X   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.   X   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.   X   Lot area acreage. For lots under 2 acres, list in square feet & acres.
23.   X   Number of lots including residual lot.
24.   N/A   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.   X   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.   X   Show all existing houses, accessory structures, wells and septic systems on and within 200 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

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.

- |     |                   |   |
|-----|-------------------|---|
| 31. | <u>N/A</u>        | 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 ( <i>per Town specs</i> ) is to be furnished and installed. |
| 32. | <u>N/A</u>        | The amount of grading expected or known to be required to bring the site to readiness.  |
| 33. | <u>N/A</u>        | Estimated or known cubic yards of material to be excavated.   |
| 34. | <u>N/A</u>        | Estimated or known cubic yards of fill required.  |
| 35. | <u>N/A</u>        | The amount of grading expected or known to be required to bring the site to readiness.  |
| 36. | <u>N/A</u>        | 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. | <u>N/A</u>        | 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. | <u>X</u>          | Planning Board approval block 4" x 2"   |
| 39. | <u>X</u>          | Special district boundaries, agricultural, school, fire, water, sewer, etc.   |
| 40. | <u>N/A</u>        | Sight distance of all intersections and driveways.  |
| 41. | <u>N/A</u>        | Ridgeline and steep slope notation.   |
| 42. | <u>X</u>          | Agricultural setbacks.  |
| 43. | <u>          </u> | 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.

  
Licensed Professional

Date \_\_\_\_\_

Stamp

## Legal Notices for Public Hearing

Public Hearings will be held only on the first (1<sup>st</sup>) 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, Donald Cosman, residing at 20 Cosman Drive, Marlboro, NY, make the following statements about interests in the real property which is the subject of this application, petition or request for a Lot Line Revision, before the Planning Board of The Town of Marlborough.

**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:

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**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: \_\_\_\_\_

Date: \_\_\_\_\_

**ACKNOWLEDGMENT**

State of New York  
County of:

On \_\_\_\_\_, before me 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 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

# Planning Board Fees

*(All Applications Subject To Escrow Fees)*

## Application Fees:

Residential Subdivision – Single Family or Town House	\$750.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$750.00, plus \$100.00 Per Unit
Commercial Subdivision	\$600.00, plus \$200.00 per Lot or Unit
Commercial Site Plan	\$1,000.00, plus \$10.00 per 1,000 sf of Building
All Other Site Plan Reviews	\$550.00
Lot Line Revision	\$600.00
Recreation Fees <i>(Residential Subdivisions &amp; Site Plans – Excludes parent parcel)</i>	\$2,000.00 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	\$750.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$750.00, plus \$100.00 per Unit
Commercial Subdivision	\$600.00 per Lot (up to 4 lots,) then \$200.00 per Lot Thereafter
Commercial Site Plan	\$1,000.00 Minimum
All Other Site Plans	\$750.00 Minimum
Lot Line Revision	\$600.00 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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## 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): Donald Cosman

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

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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): Gary Troncillito

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

## Letter of Agent

I (We), Donald Cosman representing the Estate of Antoinette Cosman am (are) the owner(s) of a parcel of land located on Lattintown Road in the Town of Marlborough, Tax Map Designation: Section 108.3 Block 2 Lot 39.

I (We) hereby authorize Brooks & Brooks Land Surveyors, P.C. 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)

  
Signature

6/26/19  
Date

\_\_\_\_\_  
Signature

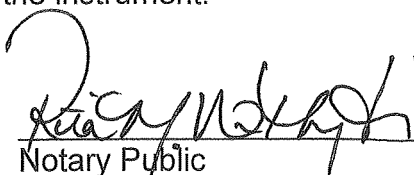
\_\_\_\_\_  
Date

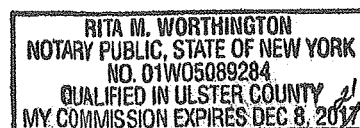
State Of New York}  
County Of Ulster }

SS:

On the 26<sup>th</sup> day of June in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared

Donald Cosman, 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



## Letter of Agent

I (We), Gary Troncillito am (are) the owner(s) of a parcel of land located on  
Lattintown Road in the Town of Marlborough, Tax Map Designation:  
Section 108.3 Block 2 Lot 38.1.

I (We) hereby authorize Brooks & Brooks Land Surveyors, P.C. 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)

Gary Troncillito  
Signature

6/26/19  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

State Of New York}  
County Of Ulster }

SS:

On the 26<sup>th</sup> day of June in the year 2019 before me, the undersigned, a Notary  
Public in and for said State, personally appeared

Gary Troncillito, 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.

[Signature]  
Notary Public

SAVANNA CODI LINK  
Notary Public, State of New York  
Reg. 01LI6384054  
Qualified in Ulster County  
Commission Expires December 3, 2023

# 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.

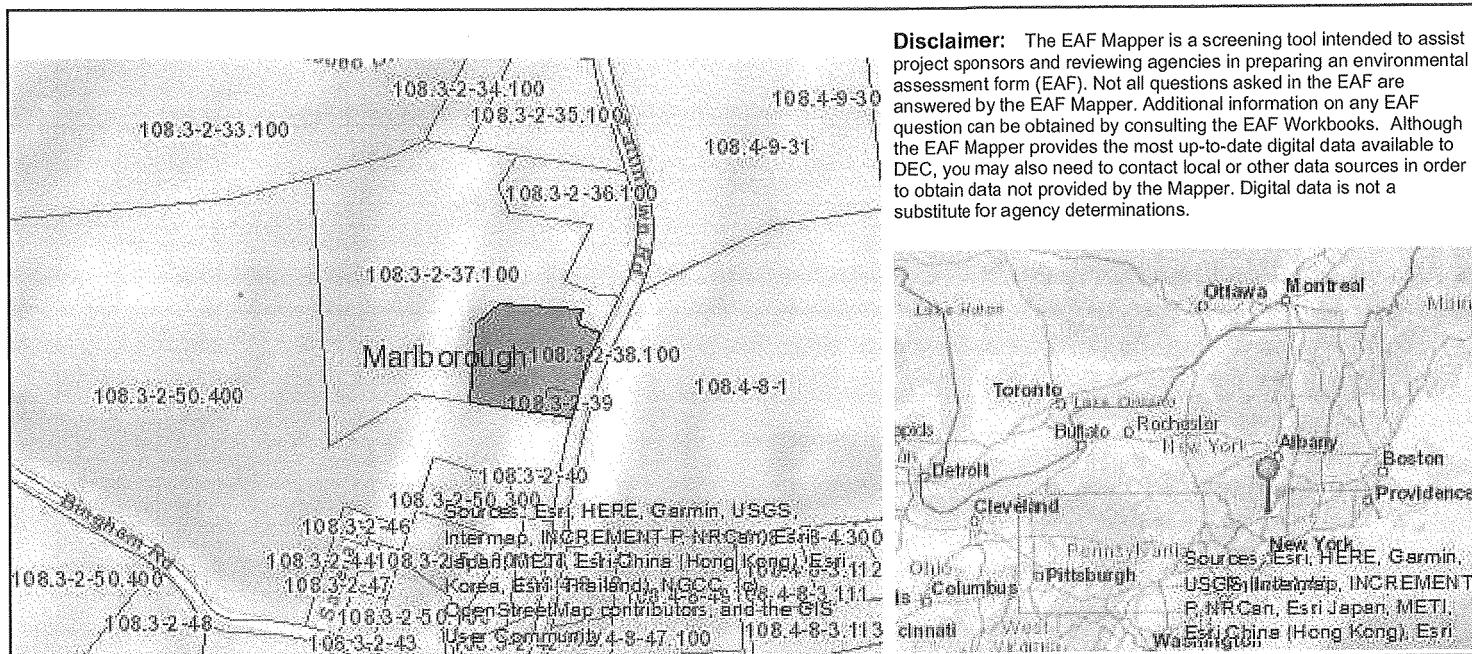
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Lot Line Revision Between Lands of Cosman and Lands of Troncillito			
Project Location (describe, and attach a location map): 263 Lattintown Road Town of Marlborough Tax Parcel 108.3-2-38.1 and 39			
Brief Description of Proposed Action: Lot line revision to add 0.04 acres to a pre-existing 0.18 acre parcel including the driveway currently servicing the parcel. Both lots are improved with single family dwellings. No new construction is proposed.			
Name of Applicant or Sponsor: Brooks & Brooks Land Surveyors, P.C.		Telephone: 845-691-7339 E-Mail: pbrooks@bnbpc.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.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government 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?		2.40 acres	
b. Total acreage to be physically disturbed?		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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 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?		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?		NO	YES	
If Yes, identify: _____		<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 services 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 the 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?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ Not applicable as no new construction is proposed _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<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?		<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ There are no mapped wetlands in the vicinity of these parcels _____ _____				



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 checked="" 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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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, <div style="margin-left: 20px;">           a. Will storm water discharges flow to adjacent properties?            b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?         </div> If Yes, briefly describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	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"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Brooks &amp; Brooks Land Surveyors, P.C.</u> Date: <u>July 03, 2019</u>  Signature: <u><i>Pat J. Brooks</i></u> Title: <u>Surveyor / Agent</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	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: Gary Troncillito

Mailing address: 33 Miki Lane Marlboro, NY 12542

Description of the proposed project: Lot line revision to add 0.04 acres to a pre-existing 0.18 acre parcel including the driveway currently servicing the parcel. Both lots are improved with single family dwellings.  
No new construction is proposed

A. Project site address: 267 Lattintown Road & 263 Lattintown Road Town: Marlborough

B. Project site tax map number: 108.3-2-38.1 & 39

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

F. Number of acres affected by project: 2.40

G. Is any portion of the project site currently being farmed?  
Yes. If yes, how many acres \_\_\_\_\_ or square feet \_\_\_\_\_?  
☒ 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.

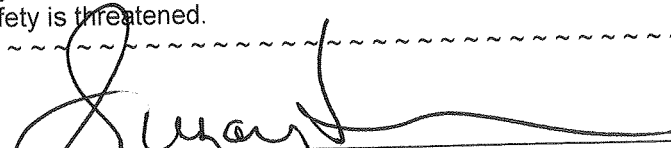
108.4-8-1 William & Stephen Borchert, 262-274 Lattintown Road, Marlboro NY 12542-Fruit Crop

108.4-9-31 Ernest & William Borchert 278-300 Lattintown Road, Marlboro NY 12542-Fruit Crop

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.  
~~~~~

  
\_\_\_\_\_  
Sue Demskie, Project Coordinator  
Name and Title of Person Completing Form

\_\_\_\_\_  
7/2/19  
Date



### Legend

	NYS Wetlands		FEMA 2017
	FED Wetland		FLD_ZONE
	Emergent Wetland		A
	Wetland		AE
	Freshwater Pond		AO
	Lake		X
			NGS BM
			Ag Dis



File Path - S:\PROJECTS\7109.LLR



Ulster County  
Nina Postupack  
County Clerk  
Kingston, NY 12401



60 2007 00026621

Instrument Number: 2007- 00026621

Recorded On: November 26, 2007

As  
D01 - Deed

Parties: COSMAN ANTOINETTE  
To  
COSMAN ANTOINETTE

Billable Pages: 3

Recorded By: RUSK WADLIN HEPPNER&MARTUSCELLO LLP

Num Of Pages: 3

Comment:

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

D01 - Deed	34.00	RP5217-75	75.00	Tax Affidavit TP 584	5.00
Recording Charge:	114.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	0.00	0.00	1795	Basic	0.00
MARLBOROUGH				Additional	0.00
				Special Additional	0.00
				Transfer	0.00
Tax Charge:	0.00				

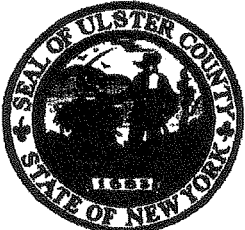
**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

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

**File Information:**

**Record and Return To:**

Document Number: 2007- 00026621	RUSK WADLIN HEPPNER&MARTUSCELLO LLP
Receipt Number: 615312	1390 ROUTE 9W
Recorded Date/Time: November 26, 2007 12:15:42P	PO BOX 727
Book-Vol/Pg: BK-D VI-4488 Pg-92	MARLBORO NY 12542
Cashier / Station: m mpol / Cashier Workstation 7	



*Nina Postupack*

Nina Postupack Ulster County Clerk

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

THIS INDENTURE, made this 14th day of November, Two Thousand Seven

BETWEEN ANTOINETTE COSMAN and DONALD E. COSMAN, husband and wife, both residing at 263 Lattintown Road, Marlboro, Ulster County, New York 12542

party of the first part, and

ANTOINETTE COSMAN, residing at 263 Lattintown Road, Marlboro, Ulster County, New York 12542

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,

SEE ATTACHED SCHEDULE A

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.

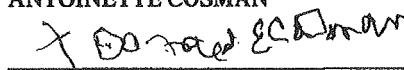
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of 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:

  
ANTOINETTE COSMAN


  
DONALD E. COSMAN

STATE OF NEW YORK )  
ss:  
COUNTY OF Ulster )

On the 14th day of November, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Antoinette Cosman and Donald E. Cosman, 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 on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
Notary Public

GEORGE RUSK, JR.  
Notary Public, State of New York  
Qualified in Ulster County  
Commission Exp.: 06/30/2011

R & R to:  Rusk, Wadlin, Heppner & Martuscello, LLP  
1390 Route 9W, P.O. Box 727  
Marlboro, New York 12542

CHECKED 

ENTERED 

MARK/OFF 



## SCHEDULE A

ALL THAT LOT OR PARCEL OF LAND situate on the westerly side of the Newburgh Lattintown Highway, in the Town of Marlborough, Ulster County, New York, bounded and described as follows:

BEGINNING at a point on the westerly side of Lattintown Road, said point being the northeast corner of the lands of S. Sabella and the southeast corner of the herein described parcel; thence leaving Lattintown Road and along the northerly line of S. Sabella North  $71^{\circ} 30'$  West 100.0 feet to a point; thence through the lands of Troncillito Bros. North  $29^{\circ} 27'$  East 80.0 feet and South  $71^{\circ} 30'$  East 100.0 feet to the westerly side of the aforementioned Lattintown Road; thence along said westerly side of Lattintown Road South  $29^{\circ} 27'$  West 80.0 feet to the point or place of beginning.

Being a part of the premises conveyed to Peter Troncillito, Thomas Troncillito and Vincent Troncillito by Grace M. Lockwood by deed Dated December 31, 1945, and recorded in the Ulster County Clerk's Office in Liber 659 of Deeds at page 431.

Being the same premises conveyed in a deed from Thomas Troncillito and Vincent Troncillito to Richard McMullen and Antoinette McMullen, his wife, dated February 28, 1959 and recorded in the Ulster County Clerk's Office on April 6, 1959 in Liber 1059 at page 166.

The said Richard McMullen died intestate and a resident of the County of Ulster on October 29, 1972, and left surviving as his widow, Antoinette McMullen Cosman, the above-named grantor as his sole heir-at-law, next-of-kin and distributee.

BEING the same premises as conveyed to Antoinette Cosman and Donald E. Cosman from Antoinette Cosman, formerly Antoinette McMullen, in a deed dated July 12, 1973 and recorded in the Ulster County Clerk's Office on July 12, 1973 in Liber 1302 at Page 484.



Ulster County  
Nina Postupack  
County Clerk  
Kingston, NY 12401

108.3-2-38.1

60 2006 00020073

Instrument Number: 2006- 00020073

Recorded On: August 09, 2006

As  
D01 - Deed

Parties: TRONCILLITO ALAN

To

TRONCILLITO GARY

Billable Pages: 6

Recorded By: UNIVERSAL

Num Of Pages: 6

Comment: MARLBORO

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

D01 - Deed	43.00	RP5217 - 165	165.00	Tax Affidavit TP 584	5.00
Recording Charge:	213.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	0.00	0.00	183	Basic	0.00
				Additional	0.00
				Special Additional Transfer	0.00
Tax Charge:	0.00				

**\*\* 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:**

**Record and Return To:**

Document Number: 2006- 00020073

MIKE KRAZIA

Receipt Number: 449100

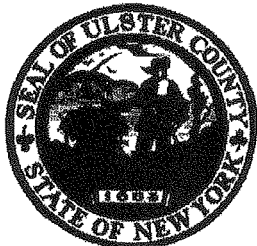
67 SOUTH PLANK RD

Recorded Date/Time: August 09, 2006 02:17:21P

NEWBURGH NY 12550

Book-Vol/Pg: Bk-D VI-4298 Pg-11

Cashier / Station: r rsec / Cashier Workstation 2



*Nina Postupack*

Nina Postupack Ulster County Clerk



6  
07/3/05

THIS INDENTURE, made on April 20, 2005 *275 Lattintown Rd*  
BETWEEN ALAN TRONCILLITO, Individually, Marlboro, New York  
and TRONCILLITO FARMS, INC., 275 Lattintown Road, Marlboro,  
Ulster County, New York 12542

*267 Lattintown Rd*  
party of the first part, and GARY TRONCILLITO, Marlboro, Ulster County,  
New York 12542

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten (\$10.00) Dollars  
and other good and valuable consideration and in accordance  
with the parties' Stipulation of Settlement, Supreme Court,  
Ulster County Index No. 2995/99  
lawful money of the United States,

paid by the party of the second part, does hereby grant, remise, release and quitclaim unto the party of the  
second part, the heirs or successors and assigns of the party of the second part forever,

**PARCEL ONE**

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being in the Town of Marlboro, County of Ulster and State of  
New York being designated as Parcel "B" on a map entitled  
"Final Map of Lot Line Revision Between Lands of  
Troncillito Farms Inc., and Troncillito Brothers Inc."  
revised 10 May, 2004 to be filed with the office of the  
Ulster County Clerk, said parcel being more particularly  
bounded and described as follows:

Beginning at a rebar reset on the westerly side of  
Lattintown Road at the northeast corner of lands conveyed  
to Vincent and Mary Troncillito as recorded in Deed Liber  
1458 at page 483, said rebar being the most easterly point  
of Parcel "B" as shown on said lot line revision map and  
running thence along the lot line to be removed along the  
north bounds of said lands of Vincent & Mary Troncillito as  
recorded in Deed Liber 1458 at Page 483, South 79° 28' 42"  
West 325.16 to a point at the northwest corner of said  
lands of Troncillito, running thence along the division  
line with lands to be retained by Troncillito Farms, Inc.,  
as recorded in Deed Liber 1458 at Page 492, North 66° 03'  
45" East 111.26 feet to a utility pole, North 67° 08' 04"  
East 134.58 feet, South 03° 25' 20" East 44.10 feet and  
North 86° 15' 51" East 91.56 feet to the point of  
beginning.

Containing 0.16 acres

Being and intended to be conveyed and combined with Lot #2  
as identified on said map entitled "Final Map Of Lot Line  
Revision Between Lands Of Troncillito Farms Inc. And  
Troncillito Bros. Inc.", being lands conveyed to Vincent  
and Mary Troncillito, as recorded in Deed Liber 1458 at

CHECKED  
ENTERED  
MARK/DEC

*11/11/05*

Page 483 as filed in the Office of the Ulster County Clerk on the 5th, of November 1981.

Being a portion of that piece and parcel of land of Troncillito Farms Inc. as Grantee from Thomas and Vincent Troncillito by deed dated November 5, 1981 and recorded in the office of the Ulster County Clerk at Liber 1458 of Deeds at page 1981.

**PARCEL TWO**

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlboro, County of Ulster and State of New York being designated as Parcel "C" on a map entitled "Final Map of Lot Line Revision Between Lands of Troncillito Farms Inc., and Troncillito Brothers Inc." revised 10 May, 2004 to be filed with the office of the Ulster County Clerk, said parcel being more particularly bounded and described as follows:

Beginning at point at the southeasterly corner of Parcel "C" as shown on said lot line revision map, said point being the southwest corner of lands conveyed to Vincent and Mary Troncillito as recorded in Deed Liber 1458 at page 483 and running thence along the division line with lands of Mt. Airy Fruit Farm as recorded in Deed Liber 1287 at Page 149, South 74° 54' 30" West 64.54 feet to a point, thence along the division line between the herein described parcel and lands to be retained by Troncillito Farms, Inc., North 15° 30' 30" West 220.18 feet to a point, thence still along lands of Troncillito Farms, Inc., North 26° 37' 24" East 96.21 feet to a point, thence along the old lot line to be removed, South 15° 30' 30" East 292.00 feet to the point of beginning

Containing .38 acres.

Being and intended to be conveyed and combined with Lot #2 as identified on said map entitled "Final Map Of Lot Line Revision Between Lands Of Troncillito Farms Inc. And Troncillito Bros. Inc.", being lands conveyed to Vincent and Mary Troncillito, as recorded in Deed Liber 1458 at Page 483 as filed in the Office of the Ulster County Clerk on the 5th, of November 1981.

Being a portion of that piece and parcel of land of Troncillito Farms Inc. as Grantee from Thomas and Vincent Troncillito by deed dated November 5, 1981 and recorded in the office of the Ulster County Clerk at Liber 1458 of Deeds at page 1981.

**SAID TWO PARCELS ALSO BEING** and intended to be the same plot, piece and parcel of land, with the buildings and improvements thereon erected, described in that certain deed from ALAN TRONCILLITO, Individually and on behalf of TRONCILLITO FARMS, INC. dated and acknowledged August 20, 2001 as follows:

"Land to be conveyed by TRONCILLITO FARMS, INC. As a lot line change to the home of Vincent and Mary Troncillito, containing wells and a loading station of TRONCILLITO BROS., INC."

All that tract or parcel of land lying and being in the Town of Marlboro and County of Ulster, New York State along Lattintown Road and bounded and described as follows: starting at a telephone pole located at the northerly line of Lattintown Road; and proceeding westerly to a telephone pole and continuing westerly to a point thirty-five (35') feet distant from the corner of the upper shop/cooler of TRONCILLITO FARMS, INC.; then proceeding in a southwesterly direction to a point twenty-five (25') feet distant westerly from the northerly corner of a tank of TRONCILLITO BROS., INC.; then proceeding in a southerly direction in a line parallel to the westerly line of the home property of Vincent and Mary Troncillito a distance to the line of property now or formerly of Larry Cosman; thence easterly along the line of said Cosman property to the southeast corner of the Troncillito home property aforesaid; thence northerly along the line of the Troncillito home property to a point marking its northwesterly corner; thence continuing along the line of the Troncillito home property in an easterly direction to a point in the northerly edge of Lattintown Road; and thence northerly along the line of Lattintown Road to the point and place of beginning.

**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 conveyed premises, at least to the center lines thereof; and

**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 cost of the improvement before using any part of the total of the same for any other purpose.

**AND** the party of the first part covenants as follows: that said party of the first part is seized of the said premises in fee simple, and has good right to convey the same; that the party of the second part shall quietly enjoy the said premises; that the said premises are free from incumbrances, except as aforesaid; that the party of the first part will execute or procure any further necessary assurance of the title to said premises; and the said party of the first part will forever warrant the title to said premises.

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:

Alan Troncillito  
ALAN TRONCILLITO

Alan Troncillito Pres  
TRONCILLITO FARMS, INC.  
by: ALAN TRONCILLITO,  
President

CORPORATE SEAL:



STATE OF NEW YORK)

) ss:

COUNTY OF ULSTER )

On this the 20th day of April 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared ALAN TRONCILLITO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed same in his individual capacity, and that by the signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public - State of New York

SEAN MURPHY  
Notary Public, State of New York  
Resident in and For Ulster County  
Commission Expires 11/16/06

RJR KRAZIA Eq  
mike 67 So Plank Rd  
Newburgh NY  
12550

