

## Town of Marlborough Planning Board Application

**Application For:** (Check One)

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

---

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

Date of Submission: \_\_\_\_\_

Name of Project: Site Plan prepared for Garone's Mountain Fresh Farms, LLC

Location of Project: Baileys Gap Road

Tax Section Block and Lot: 95.4-1-30.100

Zoning District: RAG -1

Number of Acres: 6.69 Sq. Footage of Building: 2000 square foot workshop

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

Applicant proposes to add storage of materials and equipment used in conjunction with a landscaping business to an existing tree farm with existing agricultural and workshop buildings. No new buildings or disturbance is proposed, and there will be no retail sales.

EMAIL: pbrooks@bnbpc.biz

Name of Property Owner: Garone's Mountain Fresh Farms, LLC

Address of Property Owner: PO Box 235 Clintondale, New York 12515

Telephone Number of Property Owner: 845-399-5972

Name of Applicant: Michael Garone – owner - Garone's Mountain Fresh Farms, LLC

Address of Applicant: PO Box 235 Clintondale, New York 12515

Telephone Number of Applicant: 845-399-5972

Name of Surveyor: Brooks & Brooks, Land Surveyors, PC

Address of Surveyor: 11 Main Street Highland, NY 12528

Telephone Number of Surveyor: 845-691-7339

Name of Engineer:

Address of Engineer:

Telephone Number of Engineer

Name of Attorney:

Address of Attorney:

Telephone Number of Attorney:

Reason For Application: Revised site plan to include storage of equipment and landscaping material

Description of Proposal:

Applicant proposes to add storage of materials and equipment used in conjunction with a landscaping business to an existing tree farm with existing agricultural and workshop buildings. No new buildings or disturbance is proposed, and there will be no retail sales.

**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\_\_\_\_\_ Site Plan 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.   at final    Surveyor's Certification
12.   at final    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.   x\_\_\_\_\_    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.   n/a        Show existing or proposed easements (*note restrictions*)
20.   x\_\_\_\_\_    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.   x\_\_\_\_\_    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 and previous lot number.
31. n/a \_\_\_\_\_ If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (*per Town specs*) is to be furnished and installed.
32. n/a \_\_\_\_\_ The amount of grading expected or known to be required to bring the site to readiness.
33. n/a \_\_\_\_\_ Estimated or known cubic yards of material to be excavated.
34. n/a \_\_\_\_\_ Estimated or known cubic yards of fill required.
35. n/a \_\_\_\_\_ The amount of grading expected or known to be required to bring the site to readiness.
36. n/a \_\_\_\_\_ Type and amount of site preparation which falls within the 100 foot buffer strip of wetlands and within the Critical Environmental Area. Please explain in square feet or cubic yards.
37. n/a \_\_\_\_\_ Amount of site preparation within a 100-year flood plain or any water course on the site. Please explain in square feet or cubic yards.
38. x \_\_\_\_\_ Planning Board approval block 4" x 2"
39. x \_\_\_\_\_ Special district boundaries, agricultural, school, fire, water, sewer, etc.
40. n/a \_\_\_\_\_ Sight distance of all intersections and driveways.
41. n/a \_\_\_\_\_ Ridgeline and steep slope notation.
42. n/a \_\_\_\_\_ Agricultural setbacks.
43. x \_\_\_\_\_ 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

June 19, 2019  
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, Garone's Mountain Fresh Farms, LLC, Michael Garone, owner, having a business at 17 Bailey's Gap Road Highland NY, make the following statements about interests in the real property which is the subject of this application, petition or request for a Site Plan Review, 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:

---

---

---

---

---

**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: 5/21/19

**ACKNOWLEDGMENT**

State of New York  
County of: Ulster

On May 21<sup>st</sup>, 2019, before me personally appeared Michael Garone, 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   
MELISSA A NILSEN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01N16314056  
Qualified in Orange County  
My Commission Expires 11-03-2022

# 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
---	---------------------------------------

## 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): Michael Garone

Applicant's Signature: 


Date: 5/21/19

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

## Letter of Agent

I (We), Michael Garone am (are) the owner(s) of a parcel of land located on Baileys Gap in the Town of Marlborough, Tax Map Designation: Section: 95.4 Block 1 Lot 30.100.

I (We) hereby authorize Brooks & Brooks, Land Surveyors, PC to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

  
\_\_\_\_\_  
Signature

5/21/19  
\_\_\_\_\_  
Date

State Of New York}  
County Of Ulster } SS:

On the 21<sup>st</sup> day of May in the year 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared

Michael Garone, 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

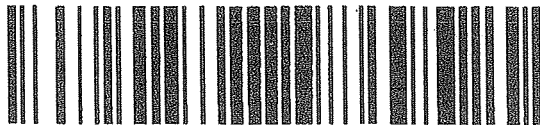
MELISSA A NILSEN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01NI6314056  
Qualified in Orange County  
My Commission Expires 11-03-2022



Subject 95:4-①-30.10  
ULSTER COUNTY - STATE OF NEW YORK  
NINA POSTUPACK, COUNTY CLERK  
244 FAIR STREET, KINGSTON, NEW YORK 12401

COUNTY CLERK'S RECORDING PAGE

\*\*\*THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH\*\*\*



BOOK/PAGE: 6375 / 51  
INSTRUMENT #: 2018-17369

Receipt#: 20181677054  
Clerk: RS  
Rec Date: 12/18/2018 01:33:34 PM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 7  
Rec'd Frm: MICHAEL GARONE

Party1: GARONE REALTY LLC  
Party2: GARONES MOUNTAIN FRESH FARMS LLC  
Town: MARLBOROUGH

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 200.00

Transfer Tax  
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 200.00

\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*  
Transfer Tax #: 2386  
Transfer Tax  
Consideration: 1.00

Total: 0.00

Record and Return To:

MICHAEL GARONE  
PO BOX 235  
CLINTONDALE NY 12515

WARNING\*\*\*

\*\*\* Information may be amended during the verification process, and may not be reflected on this cover page.

THIS PAGE CONSTITUTES THE CLERK'S  
ENDORSEMENT, REQUIRED BY SECTION 316-a (5)  
& 319 OF THE REAL PROPERTY LAW OF THE  
STATE OF NEW YORK.

*Nina Postupack*  
Nina Postupack  
Ulster County Clerk

10  
513600

Prepared By:  
NORTHEAST ACCOUNTING LLC  
1504 RT 9W  
HAMBORO, NY, 12542

✓ After Recording Return To:  
MICHAEL GARONE  
PO BOX 235  
CLINTONDALE, New York 12515

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## QUITCLAIM DEED

THIS INDENTURE, made November 20, 2018

BETWEEN

- GARONE REALTY LLC, MICHAEL GARONE, OWNER,  
Party of the first part, and

- GARONE'S MOUNTAIN FRESH FARMS LLC, MICHAEL GARONE, OWNER  
residing at 813 ROUTE 44-55, CLINTONDALE, ULSTER County, New York 12515

Party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar (\$1.00) and other valuable consideration paid by the party of the second part, does hereby 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,

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

Legal Description: See attached *Exhibit A*

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

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.

Tax Parcel Number: map#11793

Mail Tax Statements To:  
GARONE'S MOUNTAIN FRESH FARMS LLC  
17 BAILY'S GAP ROAD  
MARLBORO, New York 12601

[SIGNATURE PAGE FOLLOWS]

Grantor Signatures:

DATED: 12/7/18

[Signature]  
MICHAEL GARONE, OWNER, on behalf of GARONE REALTY LLC

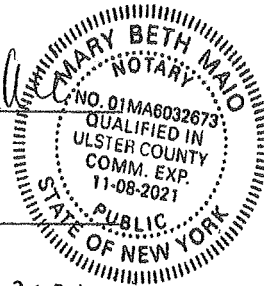
STATE OF NEW YORK, COUNTY OF ULSTER, ss:

On this 1<sup>st</sup> day of December, 2018, before me, the undersigned, a notary public in and for said state, personally appeared MICHAEL GARONE, OWNER, on behalf of GARONE REALTY LLC, 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 this instrument.

[Signature]  
Notary Public

NOTARY  
Title (and Rank)

My commission expires 11-8-2021





## EXHIBIT A: LEGAL DESCRIPTION OF PROPERTY

EXHIBIT

SCHEDULE "A" M

All that parcel of land situate in the Town of Marlboro, County of Ulster and State of New York, being bounded and described as follows:

Beginning at a point in the centerline of Bailey's Gap Road, said point being the most southwesterly corner of the herein described parcel and running thence along the lands of Gary Brozenich as described in Deed Liber 3085 at Page 234, and generally following along a stonewall North 39°49'05" East 293.70 feet, North 60°49'50" East 198.01 feet, North 44°46'20" East 132.66 feet to a corner, thence continuing along the lands of Brozenich and generally along a stone wall, North 45°45'40" West 417.08 feet, North 43°14'00" West 93.53 feet to a corner, thence along the lands of Lawrence and Rosemarie Fuhmann as recorded in Deed Liber 1264 at Page 474 and generally along a stonewall, North 41°24'15" East 317.33 feet, thence leaving the stonewall and running along the lands of Marie Ann Tyler as recorded in Deed Liber 3085 at Page 43, South 31°13'40" East 508.07 feet, South 65°04'40" East 22.83 feet to a found bent rod, thence along the lands of David J. Kruszenski also known as Lot #1 on Ulster County Clerk's Office Filed Map #11793, South 30°00'00" West 131.89 feet to a corner, thence South 36°16'20" East 180.71 feet to a corner, thence along the lands of Joseph and Elizabeth Kruszenski as recorded in Deed Liber 1382 at Page 342, South 36°07'50" West 193.51 feet to a found pipe, thence along the lands of Debra Kruszenski Bellacicco as recorded in Deed Liber 1576 at Page 70, South 49°01'10" West 473.29 feet to a point in the centerline of Bailey's Gap Road, thence running westerly through the centerline of Bailey's Gap Road North 44°35'55" West 220.86 feet to the place of beginning.

Being Lot 2 as shown on Ulster County Clerk's Office filed map #11793 and subject to any and all provisions shown thereon.

Subject to any rights of ways or easements of record.

Subject to any rights, titles or interests of others in and to that portion of Bailey's Gap Road used for road purposes.

BEING INTENDED TO CONVEY the same premises as was conveyed to Crimivaroli Realty, LLC by Warranty Deed dated June 15, 2006 and recorded on June 16, 2006 in the Ulster County Clerk's Office as Instrument No. 2006-15299 in Book 4274 of Deeds at Page 46.

For Informational Purposes Only:

Bailey's Gap Road

Town of Marlborough, Ulster County, New York

Section 95.4, Block 1, Lot 30.1 (formerly Lot 30)

# 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: Site Plan of Lands of Garone's Mountain Fresh Farms, LLC			
Project Location (describe, and attach a location map): 17 Bailey's Gap Road approximately 600 feet westerly of the intersection with Orchard Road			
Brief Description of Proposed Action: Addition of material and equipment storage for a landscaping business at the site of an existing agricultural tree farm. The existing agricultural and workshop buildings will be utilized for both operations. Proposed landscaping use will be full time, twelve months of the year utilizing the existing improved areas. No new construction or disturbance 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: New York	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 type="checkbox"/> YES <input checked="" 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 type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <span style="float: right;">6.69 acres</span> b. Total acreage to be physically disturbed? <span style="float: right;">0 acres</span> c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">6.69 acres</span>			
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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 checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	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 type="checkbox"/>	<input type="checkbox"/>
	<input 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"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor/name: <u>Brooks &amp; Brooks Land Surveyors, P.C.</u>      Date: <u>June 19, 2019</u></p> <p>Signature: <u><i>David Brooks</i></u>      Title: <u>Land Surveyor / Agent</u></p>		

## 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: Garone's Mountain Fresh Farms, LLC  
Mailing address: P.O. Box 235 Clintondale, New York 12515  
\_\_\_\_\_
- B. Description of the proposed project: Addition of storage of materials and equipment for a landscaping business to an existing 6.69 acre parcel with an existing tree farm and associated workshop and agricultural buildings..
- C. Project site address: 17 Bailey's Gap Road Highland, New York 12528 Town: Marlborough
- D. Project site tax map number: SBL: 95.4-1-30.100
- E. The project is located on property:  
X - within an Agricultural District containing a farm operation, or  
O - with boundaries within 500 feet of a farm operation located in an Agricultural District.
- F. Number of acres affected by project: 6.69
- G. Is any portion of the project site currently being farmed?  
X Yes. If yes, how many acres 4.5 +/- or square feet \_\_\_\_\_?  
O 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.

Fred and Sharon Wilklow      341 Pancake Hollow Road Highland, NY 12528      Fruit Farm

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 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.

~~~~~

Patricia P. Brooks, L.S.

\_\_\_\_\_

June 18, 2019

\_\_\_\_\_

Name and Title of Person Completing Form

Date

