

Town of Marlborough Planning Board Application

Application For:

(Check One)

Subdivision



Site Plan



Lot Line Revision



Application Number: _____

Date of Submission: _____

Name of Project: Young Subdivision

Location of Project: 50 Mill House Road, Marlboro, NY 12542

Tax Section Block and Lot: 108.004-5-20.21

Zoning District: R-1

Number of Acres: 10.69 ac.

Sq. Footage of Building: _____

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

The proposal consists of two existing lots of which each lot contains an existing residential dwelling with a proposed subdivision / lot line change to create a total of 4 residential dwelling lots (2 existing and 2 new dwellings).

EMAIL: _____

Name of Property Owner: David & Susan Young

Address of Property Owner: 50 Mill House Road, Marlboro, NY 12542

Telephone Number of Property Owner: _____

Name of Applicant: same as owner

Address of Applicant: _____

Telephone Number of Applicant: _____

Name of Surveyor: Brian Babcock, PLS (Engineering & Surveying Properties, PC)

Address of Surveyor: 71 Clinton Street, Montgomery, NY 12549

Telephone Number of Surveyor: 845-457-7727

Name of Engineer: Jay Samuelson, PE (Engineering & Surveying Properties, PC)

Address of Engineer: 71 Clinton Street, Montgomery, NY 12549

Telephone Number of Engineer 845-457-7727

Name of Attorney: TBD

Address of Attorney:

Telephone Number of Attorney:

Reason For Application:

The reason for this application is to reconfigure existing residential lots and create 2 new buildable residential lots.

Description of Proposal:










The proposal consists of two existing lots of which each lot contains an existing residential dwelling with a proposed subdivision / lot line change to create a total of 4 residential dwelling lots (2 existing and 2 new dwellings).

Young











Applicant's Name

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

I. The following items shall be submitted for a COMPLETED Planning Board Application Form.

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

II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.

1.  Name and address of applicant
2.  Name and address of owner (*if different*)
3.  Subdivision name and location
4.  Tax Map 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. | <u>TBP</u> | Surveyor's Certification |
| 12. | <u>TBP</u> | Surveyor's seal and signature |
| 13. | <u>✓</u> | Name, SBL and acreage of adjoining owners |
| 14. | <u>N/A</u> | NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements. |
| 15. | <u>N/A</u> | Flood plain boundaries |
| 16. | <u>N/A</u> | Federal Wetland Boundary |
| 17. | <u>✓</u> | Metes and bounds of all lots |
| 18. | <u>✓</u> | 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. | <u>✓</u> | Show existing or proposed easements (<i>note restrictions</i>) |
| 20. | <u>✓</u> | Right of way width and Rights of Access and utility placement. |
| 21. | <u>TBP</u> | Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements. |
| 22. | <u>✓</u> | Lot area acreage. For lots under 2 acres, list in square feet & acres. |
| 23. | <u>✓</u> | Number of lots including residual lot. |
| 24. | <u>✓</u> | Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries. |
| 25. | <u>N/A</u> | A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads. |
| 26. | <u>✓</u> | Applicable note pertaining to owners review and concurrence. |
| 27. | <u>✓</u> | Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc. |
| 28. | <u>✓</u> | Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided. |
| 29. | <u>✓</u> | 2 Foot Contours |
| 30. | <u>✓</u> | 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. ✓ The amount of grading expected or known to be required to bring the site to readiness.
33. ✓ Estimated or known cubic yards of material to be excavated.
34. ✓ Estimated or known cubic yards of fill required.
35. ✓ 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. ✓ Special district boundaries, agricultural, school, fire, water, sewer, etc.
40. ✓ Sight distance of all intersections and driveways.
41. ✓ Ridgeline and steep slope notation.
42. ✓ 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: Jay Samuelson, P.E.
Licensed Professional

01/21/2020
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, Young, residing at 50 Mill House Road, Marlboro, NY 12542,
_____, make the following statements about interests in the
real property which is the subject of this application, petition or request for a subdivision
_____, 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: 1/27/2020

ACKNOWLEDGMENT

State of New York
County of:

On Jan 27, 2020, before me personally appeared Susan Young, 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

Letter of Agent

I (We), David & Susan Young am (are) the owner(s) of a parcel of land located on 50 Mill House Road, Marlboro, NY 12542 in the Town of Marlborough, Tax Map Designation: Section 108.004 Block 5 Lot 20.21.

I (We) hereby authorize Engineering & Surveying Properties, PC to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a 4 Lot Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

Susan P. Young
Signature

1/27/2020
Date

Signature

Date

State Of New York}
County Of Orange } SS:

On the 27 day of January in the year 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared

Susan Young, 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.

MARY CATHERINE WELCH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01WE6334650
Qualified in Orange County
My Commission Expires 12-21-2023

[Signature]
Notary Public

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): Susan P Young
Applicant's Signature: Susan P Young
Date: 1/27/2020

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

Short Environmental Assessment Form

Part 1 - Project Information

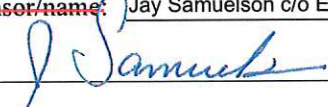
Instructions for Completing

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.

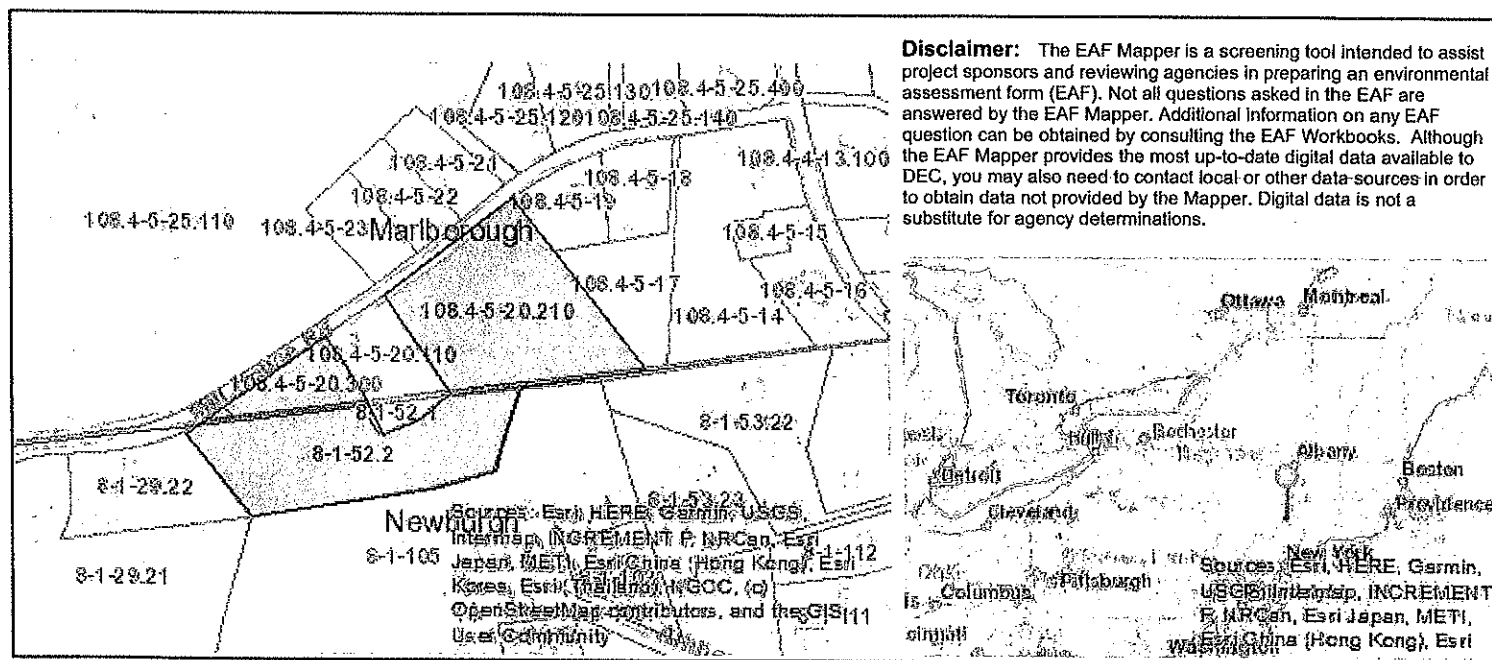
Part 1 – Project and Sponsor Information			
Name of Action or Project: Young Subdivision			
Project Location (describe, and attach a location map): Millhouse Road Town of Marlborough & Town of Newburgh			
Brief Description of Proposed Action: The proposal consists of two existing lots of which each lot contains an existing residential dwelling with a proposed subdivision / lot line change to create a total of 4 residential dwelling lots (2 existing and 2 new dwellings).			
Name of Applicant or Sponsor: David & Susan Young		Telephone: E-Mail:	
Address: 50 Mill House Road			
City/PO: Marlboro		State: NY	Zip Code: 12542
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: Marlborough Planning Board, Newburgh Planning Board, Ulster County Dept. of Health		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		±10.69 acres ±1.0 acres ±12.17 acres	
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 type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
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: _____ _____	<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: _____ Individual Private Wells _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Individual Private sub-surface septic systems _____	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input 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? Bald Eagle	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	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, <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: <div style="border: 1px solid black; height: 20px; margin-top: 5px;"></div> Existing roadside swales	NO <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p style="text-align: center;">Engineer</p> <p>Applicant/sponsor/name: Jay Samuelson c/o Engineering & Surveying Properties, PC Date: 01/21/2020</p> <p>Signature:  Title: Principal</p>		

EAF Mapper Summary Report

Monday, January 13, 2020 2:43 PM



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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No