

TOWN OF MARLBOROUGH  
APPLICATION OF  
DOUGLAS SMITH FOR A 5-LOT SUBDIVISION

**RESOLUTION OF APPROVAL  
BY THE  
TOWN OF MARLBOROUGH PLANNING BOARD**

**Regarding:** Request for a 5-Lot Subdivision by Douglas Smith ("Applicant") on real property owned by Douglas Smith ("Owner") located at First Street, Town of Marlborough, County of Ulster, State of New York, more particularly described as SBL#103.1-4-47.130 and in a deed recorded in the Ulster County Clerk's Office as Instrument #2018-515 in Book No. 6254 at page 172 ("Property")

**WHEREAS**, Applicant proposes to divide the Property into five (5) lots, and

**WHEREAS**, a final map, prepared by Engineering & Surveying Properties, bearing last revision date of April 22, 2019, has been submitted, and accepted; and

**WHEREAS**, the Town of Marlborough Building Inspector issued a written comment dated August 30, 2017, questioning the access for proposed Lot 1 and Lot 2 to the town-owned road; and

**WHEREAS**, written comments were received from the Town of Marlborough Water Superintendent dated February 19, 2019, wherein he did not object to the lots having individual wells instead of connecting to the water district; and

**WHEREAS**, the application was referred to the Ulster County Planning Board, which issued a Recommendation dated March 6, 2019 which recommended that driveway profiles be provided and that slopes over 10% should be avoided where practicable; and

**WHEREAS**, preliminary approval of the well and septic design has been obtained from the Ulster County Health Department, but final approval is still required; and

**WHEREAS**, written comments were received from the Chief of Milton Engine Co. No. 1 dated March 12, 2019; and

**WHEREAS**, the Planning Board held a duly noticed public hearing on March 18, 2019; and

**WHEREAS**, the final map meets all codes and regulations regarding set-backs, lot sizes, road and driveway configurations and other applicable regulations, codes and laws; and

**WHEREAS**, on May 20, 2019, the Planning Board issued a Negative Declaration pursuant to the State and Environmental Quality Review Act;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Planning Board of the Town of Marlborough gives preliminary and final approval to this 5-Lot Subdivision and authorizes the Chairman of the Planning Board to carryout appropriate completion of the 5-Lot Subdivision process upon the following conditions:

- a) Payment of all municipal fees and consultant expenses of the Planning Board.
- b) Final approval of septic systems and wells by the Ulster County Health Department.
- c) The Applicant has provided driveway profiles which show no maximum grade over 14%, which is within the limit established by Town Code. The final plat shall include a note that, subsequent to the issuance of a building permit for any given lot, but prior to the issuance of a certificate of occupancy and/or compliance for such lot, an "as-built" survey shall be provided showing the improvements on such lot and showing that no portion of the subject driveway exceeds a grade of 14%. [Note 11 on sheet 2](#)
- d) A Stormwater Pollution Prevention Plan (SWPPP) has been provided which contains an Erosion and Sediment Control Plan. A municipal authorization must be issued prior to construction and a permit from NYS Department of Environmental Conservation must be obtained prior to construction.
- e) Under General Notes on the plat, number "2" shall be updated to show 5 lots and number "5" shall be updated to show Deed Liber 6254, page 172. [Note revised](#)
- f) Submission, approval, dedication and filing/recording of all transfer documents required for the dedication parcel (11,589 square feet; 0.266±) to be dedicated to the Town of Marlborough at no charge.
- g) Payment of all recreation fees, which will be assessed pursuant to a separate Resolution from the Planning Board.
- h) Posting of satisfactory performance bond and escrow for roadway access or construction of improvements before map is filed.

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WHEREUPON the following vote was taken:

<u>MEMBER</u>	<u>YES</u>	<u>NO</u>
Chairman Brand	✓	_____
Member Lanzetta	✓	_____
Member Truncali	✓	_____
Member Trapani	✓	_____
Member Lofaro	✓	_____
Member Clarke	✓	_____
Member Cauchi	✓	_____

Dated: Milton, New York  
May 20, 2019

  
Jen Flynn, Planning Board Secretary

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