

Town of Marlborough
Planning Board Application

Application For: (Check One)

Subdivision _____ **Site Plan** _____ **Lot Line Revision**

Application Number:

20-4009

Date of Submission:

7/24/20

Name of Project: PONDVIEW LOT LINE CHANGE

Location of Project: Town of Marlborough

Section Block and Lot: 102-4-2-32-813, 102-4-2-30-4

Zoning District: R-Ag-1

Number of Acres: Sq. Footage of Building:

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

Lot Line change

MAIL: Nicholas.Galletta@gmail.com

Name of Property Owner: Nicholas Galletta

Address of Property Owner: 17 Sunrise Dr. Wilton NY 12547

Telephone Number of Property Owner: 845-742-4060

Name of Applicant: Nicholas Galletta

Address of Applicant: 17 Sunrise Dr. Wilton NY 12547

Telephone Number of Applicant: 845-742-4060

Name of Surveyor: Gary Ried L.S.

Address of Surveyor: 24 Lang Drive Pine Bush NY 12566

Telephone Number of Surveyor: 845-361-3622

Name of Engineer: Luis Dubois P.E.

Address of Engineer: 116 Vineyard Ave Highland NY

Telephone Number of Engineer: 845-681-2247

Name of Attorney: Todd Carlson

Address of Attorney: 542 Union Ave New Windsor NY 12553

Telephone Number of Attorney: 845-567-3010

Reason For Application: Lot Line Adjust.

Description of Proposal:

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

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

- Completed Application
- Environmental Assessment Form (*May be obtained from Planning Board*)
- Letter of Agent Statement
- Application Fee (*Separate check from escrow fee*)
- Escrow Fee (*Separate check from application fee*)
- Copy of deed
- Completed checklist (*Automatic rejection of application without checklist*)
- Agricultural Data Statement (*if applicable*)
- 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.

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.

- Name and address of applicant
- Name and address of owner (*if different*)
- Subdivision name and location
- Tax Map Data (*Section-Block-Lot*)
- Location map at a scale of 1" = 2,000
- Zoning table showing what is required in the particular zone and what applicant is proposing.
- Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone
- Date of plat preparation and/or plat revisions
- Scale the plat is drawn to (Max 1" = 100')
- North Arrow

1. _____ Surveyor's Certification
2. _____ Surveyor's seal and signature
3. _____ Name, SBL and acreage of adjoining owners
4. _____ NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.
5. _____ Flood plain boundaries
6. _____ Federal Wetland Boundary
7. _____ Metes and bounds of all lots
8. _____ 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.
9. _____ Show existing or proposed easements (*note restrictions*)
0. _____ Right of way width and Rights of Access and utility placement.
1. _____ Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements.
2. _____ Lot area acreage. For lots under 2 acres, list in square feet & acres.
3. _____ Number of lots including residual lot.
4. _____ Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries.
5. _____ A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.
6. _____ Applicable note pertaining to owners review and concurrence.
7. _____ Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
8. _____ Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided.
9. _____ 2 Foot Contours
30. _____ Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

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.

The amount of grading expected or known to be required to bring the site to readiness.

Estimated or known cubic yards of material to be excavated.

Estimated or known cubic yards of fill required.

The amount of grading expected or known to be required to bring the site to readiness.

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.

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.

Planning Board approval block 4" x 2"

Special district boundaries, agricultural, school, fire, water, sewer, etc.

Sight distance of all intersections and driveways.

Ridgeline and steep slope notation.

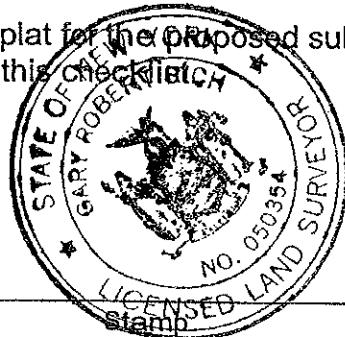
Agricultural setbacks.

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: Gary R. Bell
Licensed Professional

7/24/20
Date



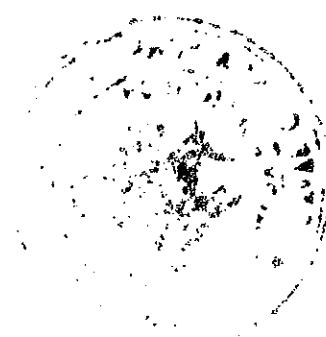
Legal Notices for Public Hearing

Public Hearings will be held only on the first (1st) Monday of the Month.

Procedure for Notice:

- Planning Board will schedule Public Hearing during a regularly scheduled meeting, after approval for such is granted.
- Applicant is to obtain surrounding property owner names and addresses from Assessor's Office.
- 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.
- Planning Board Office will send notification to the town's official newspaper.
- 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

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.

Nicolas Gralolla, residing at 17 Summit Dr. Marlboro, NY 12547, make the following statements about interests in the property which is the subject of this application, petition or request for a Lot Line Change, before the Planning Board of the Town of Marlborough.

RT I: Except as otherwise set forth in Part II below:

· **Individuals with an interest in the property.**

- 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.
- 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.

· **Corporations or other entities with an interest in the property.**

- 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.
- 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.

· **Stockholder or controlling interest**

- 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.
- 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.

· **Party to an agreement with the applicant**

- 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.
- 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.

RT 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:

ART 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 omission must be made prior to any review of the application, petition or request. This notice shall be a part of that decision-making authority's official record, disclosing the exact nature of the conflict 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.

IF YOU HAVE ANY QUESTIONS REGARDING THIS DISCLOSURE NOTICE OR THE CODE OF ETHICS ARE
TO BE DIRECTED TO THE TOWN SUPERVISOR AT (845) 795-2220.

EASE TAKE NOTICE.....A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER
C. GEN. MUN. LAW § 809 AS A MISDEMEANOR.

joined: _____

te:

ACKNOWLEDGMENT

State of New York
County of:

_____, 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 [he/she/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

tary

Planning Board Fees

(All Applications Subject To Escrow Fees)

Application Fees:

| | |
|---|---|
| esidential Subdivision – Single Family or Town House | \$750.00, plus \$150.00 per Lot or Unit |
| esidential Site Plan – Multi Family Apartments or Condos | \$750.00, plus \$100.00 Per Unit |
| ommercial Subdivision | \$600.00, plus \$200.00 per Lot or Unit |
| ommercial Site Plan | \$1,000.00, plus \$10.00 per 1,000 sf of Building |
| All Other Site Plan Reviews | \$550.00 |
| ot Line Revision | \$600.00 |
| ecreation Fees (Residential Subdivisions & Site Plans – Excludes parent parcel) | \$2,000.00 per Lot or Unit |
| ecreation Fees Adult Multiple Dwelling Affordable Housing (50 and over) | \$500.00 per Unit |

Escrow Deposit: (To be replenished to 75% of original escrow when level drops to 25% remaining in account.)

| | |
|--|---|
| esidential Subdivision – Single Family or Town House | \$750.00, plus \$150.00 per Lot or Unit |
| esidential Site Plan – Multi Family Apartments or Condos | \$750.00, plus \$100.00 per Unit |
| ommercial Subdivision | \$600.00 per Lot (up to 4 lots,) then \$200.00 per Lot Thereafter |
| ommercial Site Plan | \$1,000.00 Minimum |
| All Other Site Plans | \$750.00 Minimum |
| ot 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

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.

Approval by the Planning Board does not constitute permission, nor grant any right to connect to 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.

TER 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.

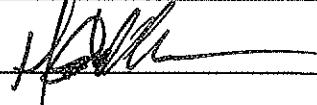
Applicant applies for subdivision, site plan, or lot line approval as described above under the laws and procedures of the Town of Marlborough, New York as duly authorized by the Town Board of Marlborough, New York.

Applicant also acknowledges receipt of the "Disclaimer" above.

Applicant's Name(Print):

Nicolas Gurkoff

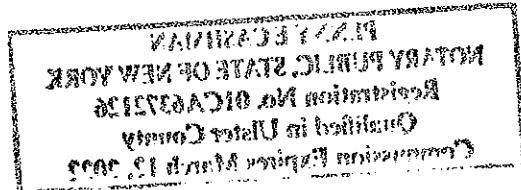
Applicant's Signature:



Date:

7/24/20

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



Letter of Agent

I (We), Nicolas Galois am (are) the owner(s) of a parcel
of land located on Sunrise Drive in the Town of Marlborough,
Massachusetts. Section 102.4 Block 2 Lot 32.813.

I (We) hereby authorize _____ 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)

ubdivision, Site Plan, or Lot Line Revision A

signature

7/29/20

Signature

Date _____

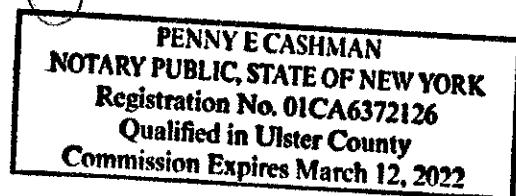
State Of New York} SS:
County Of ULSTER }

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

Nicholas Galletta, 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.



Perry G. Casper
Notary Public



Short Environmental Assessment Form

Part 1 - Project Information

Actions for Completing

- 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.

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

1 - Project and Sponsor Information

Lot Line change Nine Community Inc

of Action or Project:

PONDVIEW LOT LINE CHANGE

at Location (describe, and attach a location map):

SUNRISE DRIVE

Description of Proposed Action:

Lot Line change

| | |
|--------------------------|------------|
| of Applicant or Sponsor: | Telephone: |
| | E-Mail: |

SS:

| | | |
|----|--------|-----------|
| O: | State: | Zip Code: |
|----|--------|-----------|

Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?

, attach a narrative description of the intent of the proposed action and the environmental resources that are affected in the municipality and proceed to Part 2. If no, continue to question 2.

NO YES

Does the proposed action require a permit, approval or funding from any other government Agency?

, list agency(s) name and permit or approval:

NO YES

Total acreage of the site of the proposed action? _____ acres

Total acreage to be physically disturbed? _____ acres

Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

Check all land uses that occur on, are adjoining or near the proposed action:

Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)

Forest Agriculture Aquatic Other(Specify):

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 | |
| 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: _____ _____ _____ | <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: _____ _____ _____ | <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 | |
| 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 | |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 14. Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional

Wetland Urban Suburban

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

Is the project site located in the 100-year flood plan?

NO YES

Will the proposed action create storm water discharge, either from point or non-point sources?

NO YES

a. Will storm water discharges flow to adjacent properties?

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
Briefly describe:

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)?

NO YES

Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

NO YES

Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or planned) for hazardous waste?

NO YES

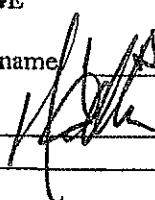
CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name:

D. Charles Cuthbert

Date: 7/24/22

Signature:



Title: Owner

Planning Department
TOWN OF MARLBOROUGH
21 Milton Turnpike
Milton, NY 12547

AGRICULTURAL DATA STATEMENT

Project Identification No. _____

In accordance with Section 283-a of the New York State Town Law, the Town of Marlborough will use the data in this statement to assist in evaluating the impacts of proposed development projects on farm operations in or near Agricultural Use Districts.

A. Name of Applicant Nicholas Grollit
Mailing Address 17 Sunrise Dr.
Milton NY 12547

B. Description of the proposed project: Lot Line change

C. Project Location: Sunrise Dr.
Tax Map Designation: Section 102.4 Block 2 Lot 32.813

D. Number of total acres involved with project: _____

E. Number of total acres included in above tax map lot: _____

F. Is any portion of the subject site currently being used to produce an agricultural product?
Yes / No _____ (check one)

If yes, how much? 7 acres

G. Identify the type of agricultural production being conducted on the premises.
hay

H. If no farming is conducted on the site at this time, estimate the last year any of the site was used for agricultural production.

I. Identify the person or entity who is farming the subject site.
Trust farm

J. Does this person or entity () own, or () rent the land? (check one)

K. Indicate what the intentions are for use of the remainder of the tax map lot that is not proposed to be developed.
Farming

L. Who will maintain the remainder of the property not being used for this development?
OWNER

M. Other Project Information: Include information about the existing land cover of the site, the slopes, if any, any known impacts on existing storm water drainage (including field tiles) or other significant plant materials.

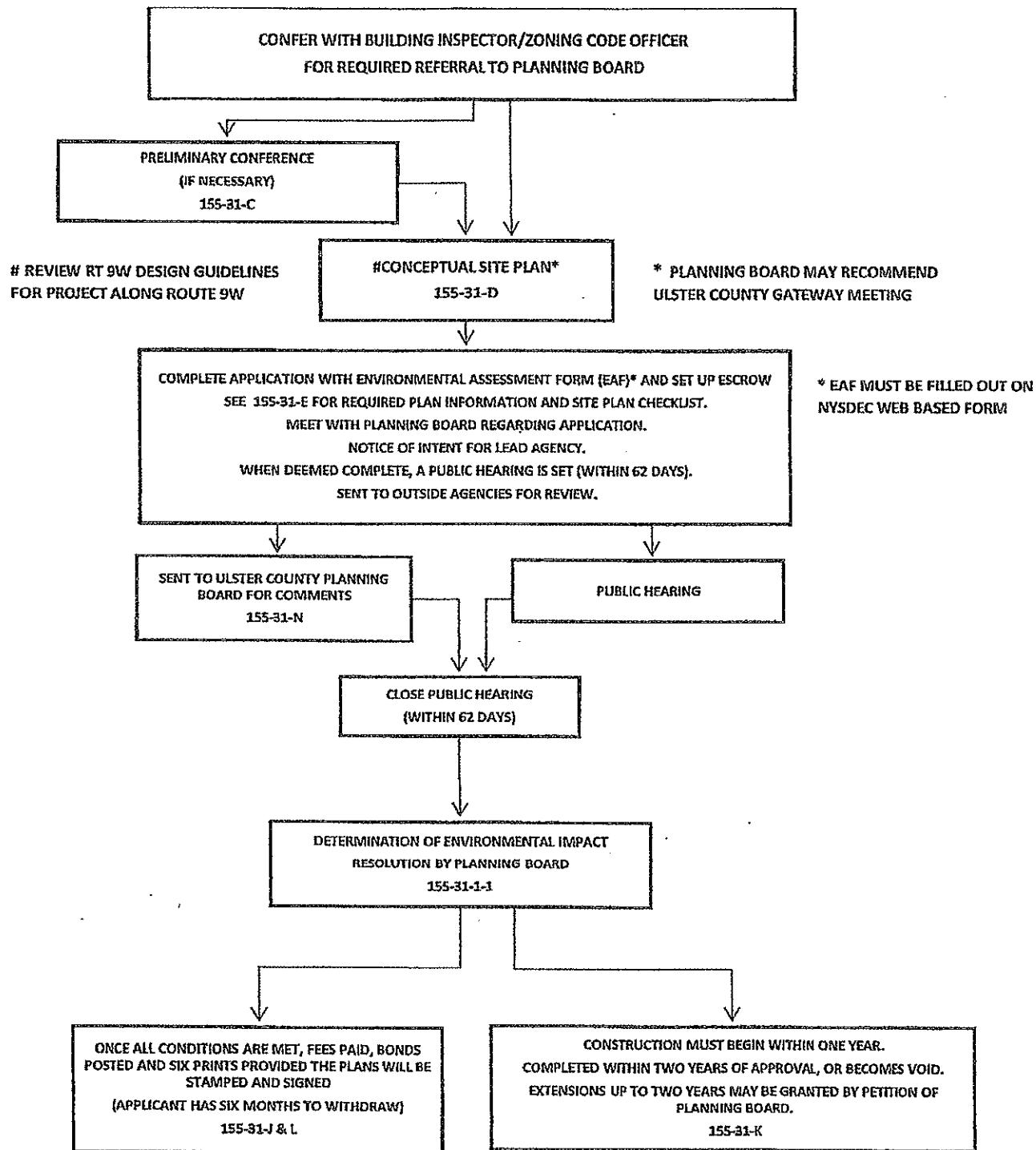
N. Make a copy of the overall (original) parcel and surrounding parcels within five-hundred (500) feet from the Town's tax maps. Identify the site of this application by placing an "X" on it. Include the tax map with this completed agricultural data statement.

O. Town Law requires that this Data Statement be mailed by the applicant to all owners of land that is farmed within five-hundred (500) feet of the boundaries of the subject parcel provided such lands are within an Ag Use District or within five-hundred (500) feet of an Ag Use District. Therefore, please list the name, address, and section, block, and lot of all such lands.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

(for additional space, use reverse side)

TOWN OF MARLBOROUGH, NEW YORK
PLANNING BOARD
SITE PLAN FLOW CHART
CODE 155-31



NOTE: AT ANY POINT IN THE PROCESS PROJECT MAY BE SENT BACK ONE OR MORE STEPS BASED ON COMMENTS OR INPUT FROM PLANNING