

Town of Marlborough  
Planning Board Application

**Application For:**  **(Check One)**

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

Application Number:

20-4017

Date of Submission: 11/17/2020

Name of Project: HART/CANSA LOT LINE REVISION

Location of Project: 162 Old Indian Road #3 & 162 Old Indian Road #4, Milton

Tax Section Block and Lot: 162.004-1-10.3 162.004-1-10.4

Zoning District:

Number of Acres: 1.202 Sq. Footage of Building:

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

LOT LINE REVISION TO EXTEND LOT LINE 10.4 WHICH BORDERS LOT  
LINE 10.3 BY

EMAIL: Kataff@aol.com

Name of Property Owner: James G. & Kathleen Hart

Address of Property Owner: 162 Old Indian Road #4, Milton

Telephone Number of Property Owner: 845-795-5803

Name of Applicant: James G. & Kathleen Hart

Address of Applicant: 162 Old Indian Road #4, Milton, New York

Telephone Number of Applicant: 845-795-5803

Name of Surveyor: JOHN HARRIS DECKER

Address of Surveyor: 242 FRALEIGH LANE, RED HOOK, NY 12571

Telephone Number of Surveyor: 845-758-4442

Name of Engineer: n/a

Address of Engineer:

Telephone Number of Engineer

Name of Attorney: n/a

Address of Attorney:

Telephone Number of Attorney:

Reason For Application: TO INCREASE OUR TOTAL ACREAGE FROM 1.202 ACRES

TO 1.384 AC BY EXTENDING SOUTHERN BOUNDARY PROPERTY LINE  
BY APPROXIMATELY 30 FEET.

Description of Proposal: IN AGREEMENT WITH THE PROPERTY OWNERS OF  
SECTION BLOCK AND LOT 102,004-1-10,3 - WE ARE PROPOSING TO  
MOVE OUR PROPERTY LINE SECTION BLOCK AND LOT 102,004-1-10,4  
BY 0.182 WHICH WILL RESULT IN INCREASING THE TOTAL ACREAGE FROM  
1.202 TO 1.384

JAMES & KATHLEEN HART

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. X Surveyor's Certification

12. X Surveyor's seal and signature

13. X Name, SBL and acreage of adjoining owners

14. N/A NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements. *No WETLANDS*

15. N/A Flood plain boundaries *NO FLOOD PLAIN*

16. N/A Federal Wetland Boundary *No WETLANDS*

17. X Metes and bounds of all lots

18. X Name and width of adjacent streets, include dedication parcels. The road boundary is to be a minimum of 25 feet from the centerline of the paved street.

19. X Show existing or proposed easements (*note restrictions*)

20. 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.  
*No NEW RECORDS*

22. X Lot area acreage. For lots under 2 acres, list in square feet & acres.

23. X Number of lots including residual lot.

24. N/A Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries.

25. N/A A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads. *No New Agreements*

26. X Applicable note pertaining to owners review and concurrence.

27. X 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 *LOT LINE REVISION - No PROPOSED UTILITIES*

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. EXISTING ROAD NAMED

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. *NO PROPOSAL ACTION PLANNED*

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. N/A Special district boundaries, agricultural, school, fire, water, sewer, etc. *LOT LINE REVISION*

40. N/A Sight distance of all intersections and driveways. *NO NEW DRIVE*

41. N/A Ridgeline and steep slope notation. *NO SLOPES*

42. N/A Agricultural setbacks.

43. N/A 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: *J. M. M. D.*  
Licensed Professional

11.20.20

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.***

## 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 (Residential Subdivisions & Site Plans – Excludes parent parcel)	\$2,000.00 per Lot or Unit
Recreation 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.)*

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

### **Engineer Inspection Fees (All Town Road Installation Inspections)**

Improvements as approved by Town Engineer	5% of the estimated cost to construct
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## Disclaimer

The applicant is advised that the Town of Marlborough Town Code, which contains the Town's Zoning Regulations, is subject to amendment. Submission of an application to the Planning Board does not grant the applicant any right to continued review under the code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new code requirements made while the application is pending.

An approval by the Planning Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer or water. It is the applicant's responsibility to apply for and obtain Town of Marlborough and other agency approvals not within this Board's authority to grant.

**AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.**

The Town of Marlborough Town Board sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgment of responsibility for payment of these fees to the Planning Board for review of this application including, but not limited to, fees for professional services (Planners/Consultants, Engineers, Attorneys,) public hearings and site inspections. Applicant's submissions and re-submissions that are not complete will not be considered by the Planning Board or placed upon its agenda unless all outstanding fees have been paid.

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

The undersigned also acknowledges receipt of the "Disclaimer" above.

Applicant's Name(Print): JAMES G. & KATHLEEN HAR

Applicant's Signature: James G. Har Kathleen Har

Date: 10/29/2020

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

## Letter of Agent

(We), Joseph M. CANOSA  (am) (are) the owner(s) of a parcel of land located on 162 Old Indian Rd #3 Milton, NY 12547 in the Town of Marlborough, Tax Map Designation: Section 102.004 Block 1 Lot 10.3.

(We) hereby authorize Michele Hobdell 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)

Joseph M. CANOSA  
Signature

10 26 20  
Date

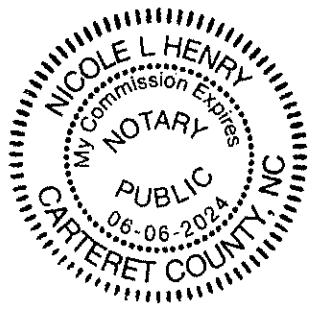
Signature

Date

North Carolina  
State Of ~~New York~~  
County Of ~~Carteret~~ } SS:

On the 26th day of October in the year 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared

Nicole L. Henry, 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.



Nicole L. Henry  
Notary Public

## Letter of Agent

(We), Anne Wiener

of land located on 162 Old Indian Rd, Milton, NY 12547 in the Town of Marlborough,  
Tax Map Designation: Section 102, 004 Block 1 Lot 10, 3

are the owner(s) of a parcel

(We) hereby authorize Michele Laddell 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)

Anne Wiener

Signature

10/24/2020

Date

Signature

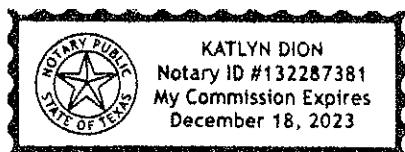
Date

Texas  
State Of New York  
County Of Travis

SS:

On the 24 day of October in the year 2020 before me, the undersigned, a Notary  
Public in and for said State, personally appeared

Anne Wiener, 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.



Katlyn Dion  
Notary Public

## Letter of Agent

(I) (We), Linda LaPolla (am) (are) the owner(s) of a parcel of land located on 162 Old Indian Road, Milton, NY 12547 (3) in the Town of Marlborough, Tax Map Designation: Section 102, 004 Block 1 Lot 10, 3.

I (We) hereby authorize Michele Lobdell 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)

Linda M. LaPolla  
Signature

10-26-2020  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

State Of New York}  
County Of Ulster } SS:

On the 20th day of October in the year 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared

Linda LaPolla, 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.

Danielle Cherubini  
\_\_\_\_\_  
Notary Public

DANIELLE CHERUBINI  
Notary Public, State of New York  
Qualified in Ulster County  
No. 01CH6284534  
Commission Expires June 17, 2021

## ***Short Environmental Assessment Form***

### ***Part 1 - Project Information***

#### **Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Lot Line Change Hart/Canosa			
Project Location (describe, and attach a location map): 162 Old Indian Road #4, Milton, New York 12547			
Brief Description of Proposed Action: We are proposing a change in our lot line between our property located at 162 Old Indian Road #4 Section 102.004 Block 1 Section 10.4 and the neighboring property located at 162 Old Indian Road #3 Section 102.004 Block 1 Lot 10.3.			
Name of Applicant or Sponsor: Kathleen M. Hart		Telephone: 845-795-5803 E-Mail: <a href="mailto:kataff@aol.com">kataff@aol.com</a>	
Address: 162 Old Indian Road #4			
City/PO: Milton		State: New York	Zip Code: 12547
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
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?		1.202 acres <u>0.182</u> acres 1.202 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: <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			

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	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____ _____	<input 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"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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?		
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
16. Is the project site located in the 100-year flood plan?		
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
17. Will the proposed action create storm water discharge, either from point or non-point sources?		
<input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, <ul style="list-style-type: none"> <li>a. Will storm water discharges flow to adjacent properties?</li> <li>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</li> </ul> If Yes, briefly describe: <hr/> <hr/>		
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)?		
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If Yes, explain the purpose and size of the impoundment: <hr/> <hr/>		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?		
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If Yes, describe: <hr/> <hr/>		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?		
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If Yes, describe: <hr/> <hr/>		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>James Hart, KATHLEEN M. HART</u> Date: <u>1/18/2020</u> Signature: <u>James Hart, Kathleen M. Hart</u> Title: <u>Owner</u>		