

Town of Marlborough  
Planning Board Application

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

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

Application Number: 21-5006

Date of Submission:

Name of Project: Airbnb Site Plan Existing House  
Location of Project: 95 Millhouse Rd, Marlboro, NY 12542

Tax Section Block and Lot: 108.4-5-25, 400

Zoning District: R-1 PRCLAS 220

Number of Acres: 1.00 Sq. Footage of Building: 4582

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

1 land lot. 1 building living area.  
4 bedroom. Owner Occupied 2,402 sq/ft.  
Airbnb for 3 bedrooms/2units (1bdm + 2bdm).

EMAIL: MKD021000@gmail.com

Name of Property Owner: Joyce and Michael Dzieglewski

Address of Property Owner: 95 Millhouse Rd, Marlboro, NY 12542

Telephone Number of Property Owner: 914-494-4507

Name of Applicant: Michael Dzieglewski

Address of Applicant: 95 Millhouse Rd, Marlboro, NY 12542

Telephone Number of Applicant: 914-494-4507

Name of Surveyor: William E James

Address of Surveyor: 8 Cheanda Ln, Wallkill, NY 12589

Telephone Number of Surveyor: 845-566-6522

Name of Engineer: Charlie Brown, Talcott Engineering

Address of Engineer: 1 Gardnertown Rd, Newburgh, NY 12550

Telephone Number of Engineer: 845-569-8400

Name of Attorney: Carl Parrigo

Address of Attorney: 67 S. Plank Rd. Newburgh, NY 12550

Telephone Number of Attorney: 845-561-2594

Reason For Application: Operation of an Airbnb  
in owner occupied home.

Description of Proposal: Owners and Family live in main  
area as described on pg 1. We have an  
additional living area (North side of house)  
and lower finished area we would like to  
Airbnb for guest enjoyment of Marlboro and  
property.

Michael Dzieglewski

Applicant's Name

**TOWN OF MARLBOROUGH**  
**PO Box 305 Milton NY 12547**  
“ Heart Of the Hudson Valley Fruit Section”  
MILTON, ULSTER COUNTY, NEW YORK 12547  
DEPARTMENT OF BUILDINGS

**TEL NO. 795-2406**  
**FAX NO. 795-2031**

**THOMAS CORCORAN JR.**  
BUILDING INSPECTOR  
CODE ENFORCER  
FIRE INSPECTOR

**Date: March 22, 2021**

**Re: 95 Millhouse Road - Bed & Breakfast**

**S.B.L. : 108.4-5-25.400**

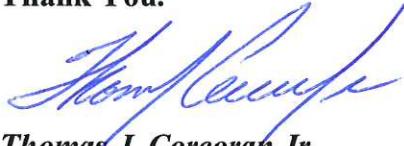
**This letter is to verify that the building department has reviewed the Planning Board application and has concluded :**

XXX : The application can be presented to the Town of Marlborough Planning Board for its review.

XX : The application can be presented to the Town of Marlborough Planning Board with the following question :

Why are we requiring a survey of the property and not getting a floor plan instead ?  
Is a E.A.F. really a requirement of a home occupation ?

Thank You.



*Thomas J. Corcoran Jr.  
Building Inspector  
Code Enforcement Officer*

## 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. n/a Letter of Agent Statement - *owner*
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. n/a Agricultural Data Statement (*if applicable*) - *Residential*
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. n/a Name and address of owner (*if different*) *Same*
3. n/a Subdivision name and location *95 willhouse Rd. 1 lot. existing.*
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. n/a Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone *Survey*
8. ✓ Date of plat preparation and/or plat revisions
9. ✓ Scale the plat is drawn to (Max 1" = 100')
10. ✓ North Arrow

11. n/a Surveyor's Certification *yes - Survey*

12. n/a Surveyor's seal and signature *yes - Survey*

13. ✓ 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. *None*

15. n/a Flood plain boundaries *None*

16. n/a Federal Wetland Boundary *None*

17. ✓ Metes and bounds of all lots

18. ✓ 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*) *Survey.*

20. n/a Right of way width and Rights of Access and utility placement. *Survey.*

21. n/a Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements. *Survey.*

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

23. n/a Number of lots including residual lot. *Survey*

24. n/a Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries. *Survey/None.*

25. n/a A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads. *None*

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

27. n/a Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc. *Survey/Exempt*

28. ✓ 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 *None*

30. n/a Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number. *1986 build.*

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. *Public Rd.*

32. N/A The amount of grading expected or known to be required to bring the site to readiness. *Existing home*

33. N/A Estimated or known cubic yards of material to be excavated. *Existing home*

34. N/A Estimated or known cubic yards of fill required. *Existing home*

35. N/A The amount of grading expected or known to be required to bring the site to readiness. *Existing home*

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. *Existing home*.

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. *none*

38. ✓ Planning Board approval block 4" x 2"

39. N/A Special district boundaries, agricultural, school, fire, water, sewer, etc. *None*

40. N/A Sight distance of all intersections and driveways. *yes/public*

41. N/A Ridgeline and steep slope notation. *Survey*

42. N/A Agricultural setbacks. *None*

43. OK 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: \_\_\_\_\_

*[Signature]*  
Licensed Professional

*3/01/2021*

Date

## 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, Michael Dregelewski, residing at 95 Tillieux Rd, 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 Site plan Airbn, 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.

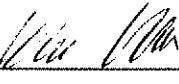
**PART II:** If any of the statements under A through D above is not true, please explain and set forth the name and the relationship to the applicant and subject property of any Town employee or officer involved:

N/A, All True.

**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: 3/17/21

#### **ACKNOWLEDGMENT**

State of New York  
County of: Ulster

On March 17, 2021, before me personally appeared Michael Dzieglewski, 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.

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

Notary

Danielle Cherubini

## 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 |
|---|---------------------------------------|

## 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 Orliegolewski*

Applicant's Signature:

*Mr. M*

Date:

*2/19/21*

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

## Letter of Agent - Owner

I (We), \_\_\_\_\_ am (are) the owner(s) of a parcel of land located on \_\_\_\_\_ in the Town of Marlborough, Tax Map Designation: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_.

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)

---

Signature

---

Date

---

Signature

---

Date

State Of New York}  
County Of \_\_\_\_\_ } SS:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ before me, the undersigned, a Notary Public in and for said State, 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 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.

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Notary Public

# *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:<br>DZIEGELEWSKI AIRBNB  |  |   |                          |
| Project Location (describe, and attach a location map):<br>95 MILLHOUSE ROAD, MARLBORO, NY 12542   |  |   |                          |
| Brief Description of Proposed Action:<br>PLANNING BOARD APPROVAL TO AIRBNB A PORTION OF AND EXISTING RESIDENCE.  |  |   |                          |
| Name of Applicant or Sponsor:<br>MICHAEL DZIEGELEWSKI  |  | Telephone: 914-494-4507<br>E-Mail: MKDZ1000@GMAIL.COM |                          |
| Address:<br>95 MILLHOUSE ROAD  |  |   |                          |
| City/PO:<br>MARLBORO   |  | State:<br>NY  | Zip Code:<br>12542       |
| 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?<br>If Yes, list agency(s) name and permit or approval:   |  | NO  | YES                      |
| 3. a. Total acreage of the site of the proposed action?<br>b. Total acreage to be physically disturbed?<br>c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  |  | 1.00 acres<br>0.00 acres<br>1.00 acres                |                          |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:   |  |   |                          |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):<br><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 type="checkbox"/>            | <input checked="" 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"/>            |                          |
| EXISTING WELL  |                                     |                                     |                          |
| 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"/>            |                          |
| EXISTING SEPTIC  |                                     |                                     |                          |
| 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"/>            |                          |
| <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                                 |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| <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:

Shoreline  Forest  Agricultural/grasslands  Early mid-successional  
 Wetland  Urban  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                       | YES                                 |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" 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,

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a. Will storm water discharges flow to adjacent properties?

|                          |                          |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|

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

If Yes, briefly describe:

|                          |                          |
|--------------------------|--------------------------|
| <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?

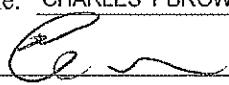
If Yes, describe:

| NO                                  | YES                      |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> |

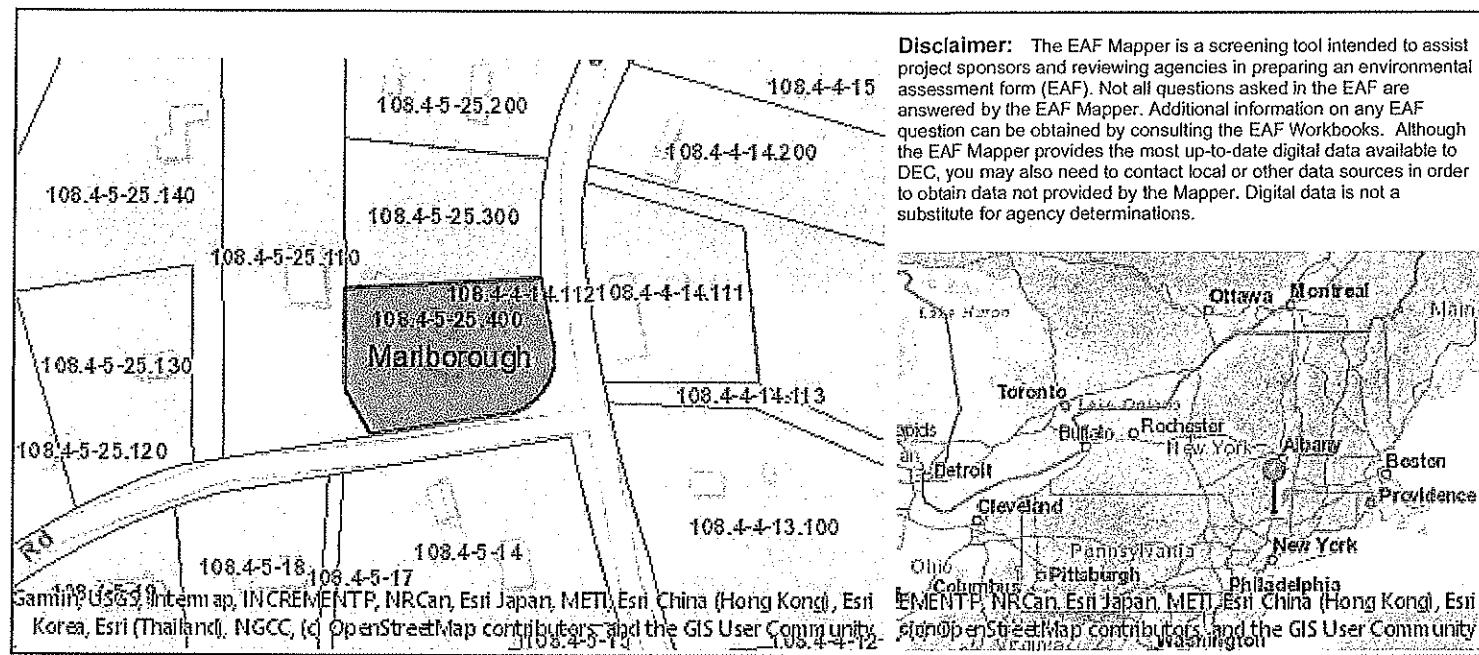
**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: CHARLES T BROWN, PE

Date: 3-5-2021

Signature: 

Title: PROJECT ENGINEER



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

|   |            |
|---|------------|
| 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         |

ZONING

155 Attachment 2

**SCHEDULE I**  
**LOT, YARD AND HEIGHT REGULATIONS<sup>3</sup>**

**Town of Marlborough**

**Chapter 155, Zoning**

[Amended 3-8-1999 by L.L. No. 1-1999; 11-25-2002 by L.L. No. 8-2002;  
 5-27-2003 by L.L. No. 2-2003; 9-24-2018 by L.L. No. 5-2018]

| Regulations                                 | District |                     |                     |        |        |                 |         |
|---|----------|---------------------|---------------------|--------|--------|-----------------|---------|
|   | R        | R-1                 | R-Ag-1              | C-1    | C-2    | HD              | I       |
| Minimum lot area                            |          | 1 acre <sup>1</sup> | 1 acre <sup>1</sup> |        |        | 2 acres         | 5 acres |
| Without public water or sewer (square feet) | 20,000   |                     |                     | 15,000 | 20,000 |                 |         |
| With public water or sewer (square feet)    | 15,000   |                     |                     | 10,000 |        |                 |         |
| With public water and sewer (square feet)   | 10,000   |                     |                     | 5,000  |        | 1.5 acres       |         |
| Minimum yards                               |          |                     |                     |        |        |                 |         |
| Front yard (feet)                           | 10       | 35                  | 50                  | 5      | 35     | 75              | 75      |
| Rear yard (feet)                            | 20       | 50                  | 75                  | 20     | 30     | 75              | 75      |
| Side yard (feet)                            |          |                     |                     |        |        |                 |         |
| One   | 10       | 35                  | 35                  | 0      | 35     | 25              | 25      |
| Both  | 25       | 70                  | 80                  | 0      | 70     | 50              | 50      |
| Minimum lot width (feet)                    | 75       | 150                 | 150                 | 50     | 100    | 200             | 200     |
| Minimum lot depth (feet)                    | 100      | 200                 | 200                 | 100    | 100    | 200             | 200     |
| Maximum building coverage (percent)         | 30%      | 20%                 | 20%                 | 75%    | 40%    | 40%             | 30%     |
| Maximum height                              |          |                     |                     |        |        |                 |         |
| Stories                                     | 2½       | 2½                  | 2½                  | 2½     | 2½     | 4               | 2½      |
| Height (feet)                               | 35       | 35                  | 35                  | 35     | 35     | 45 <sup>2</sup> | 35      |

NOTES:

<sup>1</sup> Minimum lot sizes in R-1 and R-Ag-1 are subject to percolation tests required under § 155-42, but in no event are less than one (1) acre.

<sup>2</sup> For buildings in excess of 35 feet in height in the HD Zone, there shall be a visual impact analysis prepared under SEQRA because the HD Zone includes property within the Coastal Boundary Zone. Regarding the alternative means of measurement of height by feet or by number of stories, the lesser of the two alternatives shall apply.

<sup>3</sup> Minimum setbacks are subject to § 155-52 in R-Ag-1, R-1, and HD Zones that are next to active agricultural lands in efforts to preserve and protect agricultural practices. This minimum setback of 75 feet from the property line will supersede other minimum setbacks identified in Schedule I.

# ULSTER COUNTY

## CERTIFICATE OF AUTHORITY

### TAX ON OCCUPANCY OF HOTEL AND MOTEL ROOMS

REGISTRATION NUMBER

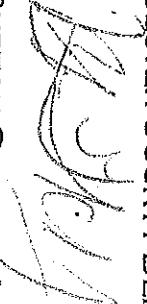
(use this number on ALL returns and  
Correspondence)

BUSINESS NAME: Michael & Joyce Dzieglewski  
ADDRESS: 95 Millhouse Road  
Marlboro, NY 12542

is authorized to collect Hotel Occupancy Tax under Local Law #5 of 1991 and pursuant to Chapter 221 of the Laws of 1991  
of the State of New York. This certificate must be prominently displayed in your place of business.

DATE ISSUED: 02/11/2021

SEAL

  
ULSTER COUNTY DEPARTMENT OF FINANCE  
BURTON GUENICK JR.  
COMMISSIONER OF FINANCE

# ULSTER COUNTY DEPARTMENT OF FINANCE

PO Box 1800, 244 Fair Street, Kingston, New York 12402  
Telephone (845) 340-3460 Fax (845) 340-3430

**Burton Gulnick, Jr.**  
Commissioner of Finance



**C. J. Rioux, CPA**  
Deputy Commissioner of Finance

**Lena Serrano**  
Deputy Commissioner of Finance

**Tracey Williams**  
Deputy Commissioner of Finance  
Director of Real Property Tax Service

January 5, 2021

Dear Establishment Owner,

Beginning January 1, 2021, Airbnb will start collecting Hotel & Motel Occupancy Tax for short term rentals occurring in Ulster County through them, and remitting payment directly to the County.

The first quarter of 2021 began on December 1, 2020. Within the next few weeks, you will receive a Hotel Motel Occupancy Calculation form to complete for the month of December and will be required to submit the applicable collected tax directly to Ulster County by March 31, 2021.

You will still be required to complete a Hotel Motel Occupancy Calculation form each quarter and submit to the Ulster County Department of Finance. Any taxes that have been collected for rentals other than Airbnb will continue to be submitted directly to the County.

If you have any questions or concerns, please feel free to contact me at (845) 340-3460.

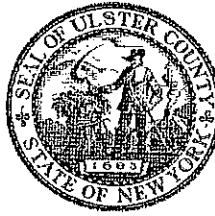
Sincerely,

A handwritten signature in black ink, appearing to read "B. Gulnick Jr." or a similar variation.

Burton Gulnick, Jr.  
Commissioner of Finance

**ULSTER COUNTY DEPARTMENT OF FINANCE**  
P.O. Box 1800, 244 Fair Street, Kingston, New York 12402  
Telephone (845) 340-3460 Fax (845) 340-3430

Burton Gulnick Jr.  
*Commissioner of Finance*



C. J. Rioux, CPA  
*Deputy Commissioner of Finance*

Lena A. Serrano  
*Deputy Commissioner of Finance*

Tracey Williams  
*Deputy Commissioner of Finance/  
Director of Real Property Tax Service*

February 16, 2021

Michael & Joyce Dziegelewski  
95 Millhouse Road  
Marlboro, NY 12542

**Re: Certificate of Authority #10535**

Dear Mr. & Mrs. Dziegelewski:

Your Ulster County Occupancy Tax Registration application has been received and accepted. Pursuant to Local Law 5 of 1991, you have been issued the enclosed Certificate of Authority for collection of the required 2% occupancy tax. Please prominently display the Certificate of Authority in the vacation rental property.

Please note you will receive quarterly tax return forms from this office prior to the due date. Quarterly tax returns must be completed whether or not income was generated for the quarter. If you have any questions regarding your registration or the filing requirements, please do not hesitate to contact the Ulster County Finance Department at 845-340-3432.

Thank you for choosing to do business in Ulster County and accommodating our visitors and residents.

Sincerely,  
A handwritten signature in black ink, appearing to read "Nicole Arana".  
Nicole Arana  
Finance Department

enc

Bargain and Sale Deed with Covenant against Grantor's Acts

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT--THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made this 11<sup>th</sup> day of November, Two Thousand Twenty

BETWEEN

**James J. Affinito**, residing at 14 Noto Drive, Milton, New York 12547, **Debra Toussaint**, residing at 95 Mill House Road, Marlboro, New York 12542, **Jamie Noto**, residing at 14 Noto Drive, Milton, New York 12547 and **Chase Brooks**, residing at 49 Mahoney Road, Milton, New York 12547,

party of the first part, and

**Michael K. Dzieglewski and Joyce Wong Dzieglewski**, as husband and wife, residing at 7 Disano Drive, Newburgh, New York 12550,

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL right, title and interest in and to:

## SEE ATTACHED SCHEDULE A

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **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.

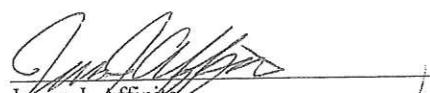
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

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.

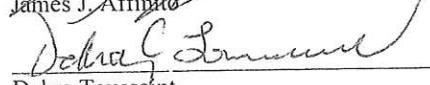
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

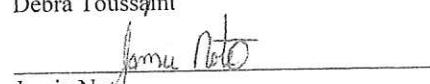
IN PRESENCE OF:



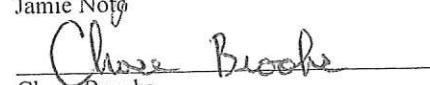
James J. Affinito



Debra Toussaint



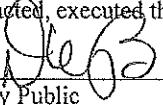
Jamie Noto



Chase Brooks

STATE OF NEW YORK )  
ss.:  
COUNTY OF ULSTER )

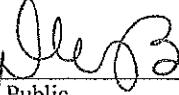
On the 11 day of November, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared **James J. Affinito**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

STATE OF NEW YORK )  
ss.:  
COUNTY OF ULSTER )

DARLENE M. BELL  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2021

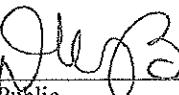
On the 11 day of November, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared **Debra Toussaint**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

STATE OF NEW YORK )  
ss.:  
COUNTY OF ULSTER )

DARLENE M. BELL  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2021

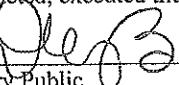
On the 11 day of November, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared **Jamie Noto**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

STATE OF NEW YORK )  
ss.:  
COUNTY OF ULSTER )

DARLENE M. BELL  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2021

On the 11 day of November, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared **Chase Brooks**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

DARLENE M. BELL  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01BE5020345  
Qualified in Orange County  
Commission Expires November 15, 2021

***SCHEDULE A***

Title Company: Hill-N-Dale Abstracters, Inc.  
Title Number: HN 67857

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlborough, County of Ulster, State of New York and more particularly described as Lot 3 on a subdivision map entitled "Map of Subdivision - Alpha Estates", filed in the Ulster County Clerk's Office on July 14, 1986, as Map No. 6415.

Being and intending to be a portion of the premises conveyed in a deed dated June 8, 2015 from Phyllis Brooks to Phyllis Brooks, James J. Affinito, Debra Toussaint, Jamie Noto and Chase Brooks, and recorded in the Ulster County Clerk's Office on July 9, 2015 as Instrument # 2015-8463. The said Phyllis Brooks having retained a life estate interest died a resident of the Town of Marlborough, Ulster County, New York on June 9, 2015.

Being known and designated as:  
95 Mill House Road, Marlboro, New York  
Section 108.4, Block 5, Lot 25.400

HILL N DALE ABSTRACTERS, INC.  
PO BOX 547  
GOSHEN, NY 10924  
(845) 294-5110  
(845) 295-9581 FAX

R & R to: / Michael K. Dzieglewski  
Joyce Wong Dzieglewski  
95 Mill House Road  
Marlboro, New York 12542